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Briefing on How To Use the Federal Register
For information on a briefing in Washington, DC, see announcement on the inside cover of this issue.

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WHAT IT IS AND HOW TO USE IT

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.
3. The important elements of typical Federal Register documents.
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.

WASHINGTON, DC

WHEN: February 28, at 9:00 a.m.

WHERE: Office of the Federal Register, First Floor Conference Room, 1100 L Street NW., Washington, DC.

RESERVATIONS: 202–523–5240.

DIRECTIONS: North on 11th Street from Metro Center to corner of 11th and L Streets

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Presidential Documents

Title 3—

The President

Presidential Determination No. 92–11 of January 28, 1992

Presidential Determination Under Subsection 2(b)(2)(D)(i) of the Export-Import Bank Act of 1945, as Amended—Latvia, Lithuania, and Estonia

Memorandum for the Secretary of State

Pursuant to subsection 2(b)(2)(D)(i) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635(b)(2)(D)(i)), I determine that it is in the national interest for the Export-Import Bank of the United States to guarantee, insure, extend credit, and participate in the extension of credit in connection with the purchase or lease of any product by, for use in, or for sale or lease to Latvia, Lithuania, and Estonia.

You are authorized and directed to report this determination to the Congress and to publish it in the **Federal Register.**

George Bush

THE WHITE HOUSE,
Washington, January 28, 1992.

[FR Doc. 92–3868
Filed 2–13–92; 2:35 pm]
Billing code 3195–01–M

Editorial note: For the President's letter to Congressional leaders and the proclamation on the beneficiary trade status for Estonia, Latvia, and Lithuania, see the *Weekly Compilation of Presidential Documents* (vol. 28, pp. 216 and 217).

Presidential Documents

Presidential Determination No. 92–13 of February 4, 1992

Emergency Funding for OAS Mission to Haiti

Memorandum for the Secretary of State

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, I hereby determine that it is important to the security interests of the United States to furnish assistance to the Organization of American States (OAS) for its activities in Haiti notwithstanding section 513 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101–513) and any other provision of law within the scope of section 614, and authorize the furnishing of up to $2 million of funds made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for that purpose.

You are authorized and directed to transmit this determination to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate and to arrange for its publication in the **Federal Register.**

George Bush

THE WHITE HOUSE,
Washington, February 4, 1992.

[FR Doc. 92-3861
Filed 2-13-92; 2:23 pm]
Billing code 3195-01-M

Rules and Regulations

Federal Register
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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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 2

RIN 3150-AD97

Policy and Procedure for Enforcement Actions; Policy Statement

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy statement: Revision.

SUMMARY: The Nuclear Regulatory Commission (NRC) is revising its General Statement of Policy and Procedure for Enforcement Actions (Enforcement Policy). This notice informs licensees, vendors, and the public of the considerations relevant to various enforcement actions. The purpose of this action is to update and clarify the Enforcement Policy so that it is easier to use and understand. The policy is codified as appendix C to 10 CFR part 2 to provide widespread dissemination of the Commission's Enforcement Policy. However, this is a policy statement and not a regulation.

DATES: This revised statement of policy is effective on February 18, 1992 while comments on the changes are being received. Submit comments on or before April 3, 1992. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date. Comments may be considered in future revisions of the statement of policy.

ADDRESSES: Send comments to: The Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555. ATTN: Docketing and Service Branch.

Hand deliver comments to: One White Flint North, 11555 Rockville Pike, Rockville, MD between 7:45 a.m. to 4:15 p.m., Federal workdays.

Copies of comments may be examined at the NRC Public Document Room, 2120 L Street, NW. (Lower-Level), Washington, DC.

FOR FURTHER INFORMATION CONTACT: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (301-504-2741).

SUPPLEMENTARY INFORMATION:

Background

The Commission first published a proposed general statement of policy on enforcement on October 7, 1980 (45 FR 66754). The Commission published a final version of the policy on March 9, 1982 (57 FR 9987). Since that time, the General Statement of Policy and Procedure for NRC Enforcement Actions (Enforcement Policy) has been revised on a number of occasions. The last major revision of the Enforcement Policy was published on October 13, 1988 (53 FR 40019). Based on additional experience, the Commission has determined that it is appropriate to make additional changes to the Enforcement Policy.

Revisions to the Enforcement Policy

The more significant modifications and changes to the policy are described in the following paragraphs, including those changes to (1) reorganize and expand the existing organizational structure (including the incorporation of an index of the new organizational structure); (2) reflect the enforcement functions of two Deputy Executive Directors for Operation and clarify the enforcement functions of the Office of Enforcement and of all offices conducting inspection activities; (3) provide additional guidance and expand existing guidance regarding severity level categorization; (4) propose base civil penalties for violations meeting the civil penalty criteria at Severity Level IV and eliminate civil penalties for violations at Severity Level V; (5) reflect modifications to the civil penalty adjustment factors used in developing civil penalties including additional guidance on when such factors need not be considered; (6) establish minimum civil penalties for certain overexposures, loss of licensed material and release of licensed material; (7) provide for expanded use of discretion to either increase or decrease the amount of a proposed civil penalty arrived at after application of the normal guidance, i.e., civil penalty adjustment factors, to ensure that the proposed penalty reflects the appropriate level of concern and conveys the appropriate message; (8) provide for expanded use of discretion to encourage licensee identification and correction of violations including certain Severity Level II violations and willful violations committed by low level employees, as well as not issuing enforcement actions for certain licensee identified and corrected violations involving old design, engineering, or installation failures; (9) provide additional examples in Supplement I—Reactor Operations, Supplement VI—Fuel Cycle and Materials Operations, and Supplement VIII—Emergency Preparedness; (10) substantially revise the examples in Supplement III—Safeguards, to better focus on safety significance; and (11) reflect editorial and other minor changes.

Only the sections to which text changes were made (versus mere section re-numbering), are discussed. The numbering of the sections tracks the modified section numbers in the policy. In an effort to make the policy easier to use, an outline of the policy's revised organizational structure has been included.

Appendix C—General Statement of Policy and Procedure for NRC Enforcement Actions

Preface

The introductory paragraph of the previous policy has been modified so that it is now titled as the "Preface," and it no longer refers to the Atomic Safety and Licensing Appeal Board because of the Board's abolition, effective July 31, 1991.

III. Responsibilities

This section (previously Section VIII), has been modified to reflect that two deputies in the Office of the Executive Director for Operations are responsible for portions of the Enforcement Program. The Deputy Executive Director for Nuclear Material Safety, Safeguards, and Operations Support (DEDS) is responsible to the Executive Director for Operations (EDO) for the oversight of the Enforcement Program and for non-reactor enforcement issues. The Deputy

Executive Director for Nuclear Reactor Regulation, Regional Operations and Research (DEDR) is responsible for reactor enforcement matters. Therefore, the previous references to the Deputy Executive Director for Regional Operations, a position that has been abolished, has been replaced with references to the "appropriate Deputy Executive Director."

This section also clarifies that the Office of Enforcement (OE) exercises oversight of and implements the NRC enforcement programs and coordinates escalated enforcement actions and that the Director, OE, acts for the two Deputy Directors in their absence or as delegated. In addition, this section has been modified to reflect that subject to the oversight and direction of OE, and with the approval of the appropriate Deputy Executive Director, where necessary, the regional offices normally issue Notices of Violation and proposed civil penalties. This section also clarifies that, subject to the same oversight as the regional offices, the Office of Nuclear Reactor Regulation (NRR) issues Notices of Violation and proposed civil penalties to vendors and suppliers and the Office of Nuclear Material Safety and Safeguards (NMSS) issues Notices of Violation and proposed civil penalties to certificate holders and to fuel cycle facilities for violations involving material control and accounting.

The policy now provides that with the approval of the appropriate Deputy Executive Director and consultation with the EDO as warranted, the NRC staff has the discretion to depart from the policy in the public's interest, unless prior consultation or notice to the Commission is required. A new requirement for Commission consultation has been added to reflect those cases where the NRC staff proposes to exercise discretion for matters meeting the criteria of section VII.A.1 of appendix C. Finally, this section incorporates the definition of the term "escalated enforcement action."

IV. Severity of Violation

This section (previously section III), has been expanded by including four new sub-sections that provide additional guidance regarding those circumstances where the severity level categorization may warrant adjustment.

A. Aggregation of Violations

This section addresses when it may be appropriate to aggregate violations to a single Severity Level I, II, or III problem.

B. Repetitive Violations

This section discusses when it may be appropriate to escalate a Severity Level V or IV violation to a Severity Level IV or III violation respectively. This section also includes the definition of "repetitive violation," that is based, for the most part, on the definition of "similar," that was contained in the previous policy's Section V.B.

C. Willful Violations

This section is based on the discussion previously contained in Section III regarding willful violations and emphasizes the importance of preventing willful violations. This section also includes a revised definition of "licensee official," (previously contained in Section VI, "Inaccurate and Incomplete Information"), that deletes the reference to "person listed on a license," since authorized users are sometimes not listed on a license because the license provides the licensee with the authority to designate authorized users such as radiographers, portable gauge users, well loggers, researchers, or physicians. The reference to negligence has been deleted from this discussion since negligent conduct is not willful. The policy provides in this section that willful severity level V violations are to be categorized at least at a level IV.

D. Violations of Reporting Requirements

This section is based on the discussion previously addressed in the last paragraph of Section III.

VI. Enforcement Actions

This section (previously Section V), has been modified to include letters of reprimand and Demands for Information as additional administrative mechanisms and to delete the references to Bulletins, Information Notices, and Generic Letters as administrative mechanisms because they do not have direct enforcement connotations.

A. Notice of Violation

This section (previously Section V.A), has been changed by modifying the response to a Notice of Violation (Notice) to be consistent with the current standard format for a Notice. This section has also been changed by moving the previous discussion regarding the exercise of discretion for isolated Severity Level V violations to the new Section VII.B.1.

B. Civil Penalty

This section (previously Section V.B), has been revised to state that civil penalties are proposed (absent mitigating circumstances) for Severity Level III violations (versus previously being considered) and that civil penalties may be proposed for repetitive Severity Level IV violations. Civil penalties will continue to be normally considered for any willful violation of the Commission's requirements to reflect the significance that the Commission places on such violations. While no violation is acceptable, willful violations are of particular concern and merit civil penalty consideration because integrity and credibility of licensees and their contractors, employees and agents go to the foundation of the Commission's regulatory program.

Civil penalties have been reconsidered for Severity Level V violations. The issuance of a civil penalty for a Severity Level V violation would not be consistent with the definition of a Severity Level V violation, i.e., a minor safety or environmental concern. Therefore, the Severity Level V base penalty has been deleted from Table 1B. However, if a Severity Level V violation recurs or is willful, thus increasing its significance, the violation would be categorized at least a Severity Level IV and a civil penalty may be assessed at that Severity Level.

The discussion of the remedial purpose of civil penalties has been expanded to recognize the deterrent effect of the enforcement action on both the involved licensee and other licensees that may be conducting similar activities. Thus, it may be appropriate in some cases to issue a civil penalty to a licensee who is terminating licensed activities for a particularly significant violation to deter future violations by other licensees. Finally, this section has been modified so that the subsequent guidance is divided in two new subsections.

1. Base Civil Penalty

This new subsection includes guidance previously addressed in Section V.B and also includes the provision that the NRC will consider payments over time (including interest) for those licensees that can demonstrate financial hardship. However, the policy provides that if the licensee claims financial hardship, the licensee will normally need to address why it nevertheless has sufficient resources to safely conduct licensed activities and pay all appropriate fees.

2. Civil Penalty Adjustment Factors

Although substantially condensed, this new subsection reflects the concepts of the guidance previously

addressed in Section V.B regarding the purpose of adjusting the amount of a proposed civil penalty, i.e., to encourage good licensee performance, deter poor licensee performance, and emphasize violations of particular regulatory concern. This subsection also includes the provision that civil penalties proposed for Severity Level IV violations are normally proposed at the base values without assessing the civil penalty adjustment factors because (1) the decision to utilize a civil penalty at Severity Level IV is discretionary and normally considers most of the factors and (2) the relatively small amount of the base penalty does not provide for flexibility to apply the factors in a meaningful way. The civil penalty adjustment factors have been modified as discussed below for the reasons as stated, including the desire to minimize overlap between the factors.

(a) *Identification.* This factor (previously titled, "Identification and Reporting"), has been renamed to reflect the elimination of reporting as a consideration under this factor. Therefore, notwithstanding an incomplete or untimely required report, mitigation would be appropriate under this factor if the licensee identified the violation. In this case, however, it is expected that a separate enforcement action would be issued for the violation of reporting requirements. The guidance for this civil penalty adjustment factor has also been revised to emphasize the importance of licensees identifying violations by providing greater incentives for licensee identification. In order to encourage the identification of violations, mitigation of up to 50% may be appropriate for licensee identification even if the licensee could have identified the violation sooner. The failure to respond to the prior opportunities to identify the violation will be addressed under the "Prior Opportunity to Identify" factor. Furthermore, this factor now specifically addresses that up to 25% mitigation may be appropriate when a licensee identifies a violation resulting from a self-disclosing event where the licensee demonstrated initiative in identifying the root cause of the violation. Initially, the NRC Enforcement Policy provided no mitigation for violations associated with self-disclosing events (47 FR 9987). In the 1984 revision (49 FR 8583), that was changed to allow mitigation as appropriate. This change reflects current practice and the view that incentives for identification of violations and their root causes may be appropriate even for some self-disclosing events, since the violations and their root causes may not be self-disclosing from the event itself. For example, mitigation may be appropriate in a case involving a reactor trip (a self-disclosing event) where the licensee determined that the root cause of the event was the licensee's failure to perform an adequate procedure change review. The discussion for this factor also includes a definition of "self-disclosing event." Finally, in keeping with the intent to provide greater incentives for licensee identification, this factor also provides that mitigation may be considered if the licensee identifies the violation as a result of a generic notification. This factor has been further clarified to emphasize escalation for NRC identification of a violation. If the NRC can perform inspections on an audit basis and identify violations of significant regulatory concern, including identifying lesser violations that collectively represent a breakdown of significant regulatory concern, licensees should be able to identify similar violations. Finally, because this factor focuses on identification, the issue of immediate corrective action previously considered in this factor is now being addressed under the "Corrective Action" civil penalty adjustment factor. Under that factor, the licensee's failure to take immediate corrective action upon identification of a violation may result in escalation of the civil penalty.

(b) *Corrective action.* This factor (previously titled, "Corrective Action to Prevent Recurrence"), has been renamed to reflect that this factor now considers both immediate and long term corrective action. Further, the long term corrective action must not only be sufficient to prevent "recurrence," it must be comprehensive enough to prevent "occurrence" of similar violations. This factor also recognizes that the appropriate level of comprehensiveness will be a function of the significance and complexity of the violation. It also considers the adequacy of the licensee's root cause analysis and the promptness with which the licensee develops and implements its schedule for long term corrective action. Notwithstanding comprehensive corrective action, if immediate action was not taken to restore safety and compliance once the violation was identified, mitigation based on this factor would not normally be considered and escalation may be considered to address the licensee's failure.

(c) *Licensee performance.* This factor (previously titled, "Past Performance"), has been renamed to reflect the purpose of this factor, i.e., to recognize good or improving performance and to deter poor or declining performance. Under this factor, the current violation is viewed in light of the licensee's prior performance and provides for mitigation if the current violation is an isolated occurrence that is inconsistent with a licensee's good prior performance and escalation if the current violation is a reflection of a licensee's poor prior performance. Prior cases where the NRC exercised discretion and refrained from issuing enforcement actions will also be considered, as appropriate, when evaluating the licensee's prior enforcement history for purposes of assessing the licensee's prior performance. In addition, notwithstanding good prior performance, mitigation will not normally be considered if the current violation represents a substantial decline in performance since the last NRC inspection, such as in cases that demonstrate either current management failure to take charge of their licensed activities or degradation of the program over time. Finally, the guidance for this factor has been revised to reflect that it is not applicable for those licensees who have not been in existence long enough to have developed a prior performance history or where the area of concern has not been previously inspected, unless overall performance is clearly outstandingly good.

(d) *Prior opportunity to identify.* This factor (previously titled, "Prior Notice"), has been renamed to reflect broadly on the issues of prior opportunity to identify violations. Previously, this factor only considered the regulatory concern associated with a licensee not acting on "prior notice," as in information addressed in an NRC or industry notification. This factor will now also consider the prior opportunities that a licensee had to identify a violation through its routine activities such as surveillances, audits, or other findings or observations of its employees or contractors, but failed to do so. This factor has also been clarified to emphasize that the existence of prior notification does not automatically justify an increase in the civil penalty. If a licensee can demonstrate that it acted reasonably in response to a prior notification, escalation is normally not warranted. In assessing this factor, consideration will be given to the prior opportunity (or opportunities) available to discover the violation, the ease of discovery, the specificity and applicability of the notification to the licensee's operation, the age of the notification, the reasonableness of the licensee's actions in light of the potential safety consequences, and the

level of management review that the notification received (or should have received).

(e) *Multiple occurrences.* This factor has been clarified so that escalation should normally only be considered for Severity Level I, II, or III violations with the same root cause. Where warranted, this factor need not be applied and separate civil penalties may be assessed for each violation.

(f) *Duration.* This factor has been broadened to include not only the violation that continues for more than one day, but also the single violation whose impact continues for more than one day. This factor should be applied in those cases where it would be appropriate to emphasize a particularly significant violation or where a strong regulatory message is intended. For example, it would be appropriate to utilize this factor in addition to the "Prior Opportunity to Identify" factor where a safety system remains degraded or inoperable for more than one day and the licensee should have identified and corrected it sooner through surveillances, audits, or quality assurance activities.

Notwithstanding the application of the civil penalty adjustment factors, the policy has been modified to provide for minimum civil penalties for significant overexposures and releases or losses of radioactive material. Penalties will normally be mandated in these cases to provide deterrence to avoid these violations because they represent the very failure the regulatory program is designed to prevent. Normally, mitigation will only be permitted for actions in response to the violations, i.e., identification and corrective actions. In addition, the policy has been modified to emphasize the original intent to allow necessary flexibility in assessing civil penalties, so that discretion may be exercised in adjusting the amount of the civil penalty, notwithstanding the application of the civil penalty adjustment factors, to ensure that the proposed penalty reflects the appropriate level of NRC concern and conveys the appropriate message to the licensee.

Finally, footnote 6 of Table 1A has been amended to add a relatively new type of licensee, mobile nuclear services, which presents the same type of hazards as a medical licensee and the percentage of the base civil penalty for a Severity Level V violation has been removed from Table 1B consistent with the deletion of civil penalties for Severity Level V violations.

D. Related Administrative Actions

This section (previously Section V.H), has been modified by including letters of reprimand and Demands for Information as additional administrative mechanisms and by deleting the references to Bulletins, Information Notices, and Generic Letters as administrative mechanisms because they do not have direct enforcement connotations.

VII. Exercise of Discretion

This section basically combines the guidance previously addressed in Section V.D, "Escalation of Enforcement Sanctions," and Section V.G, "Exercise of Discretion," to reflect that it may be appropriate to exercise discretion by either escalating or mitigating enforcement sanctions beyond the normal bounds of the policy to ensure that the appropriate sanction is applied. Therefore, the guidance in this section is subsequently divided into two subsections based on this concept.

A. Escalation of Enforcement Sanctions

This section basically combines the previous discussion from Section V.D (now addressed as VII.A.2), with two new subsections.

(1) Civil Penalties

This subsection provides added flexibility to adjust the amount of a civil penalty notwithstanding the outcome of the normal civil penalty assessment process (i.e., base civil penalty adjusted based on application of the civil penalty adjustment factors). Exercise of this discretion would require prior approval by the appropriate Deputy EDO with appropriate consultation with the EDO and would require Commission consultation if the deviation in the amount of the proposed penalty under this discretion from the normal process is more than two times the base civil penalty for the violation's severity level in the tables. In other words, Commission consultation would be required in a case involving a Severity Level III violation in the area of reactor operations where the staff chooses to exercise discretion and propose a civil penalty in the amount of $200,000 where assessment using the civil penalty adjustment factors would result in a civil penalty in the amount of $75,000.

(2) Orders

As stated above, this section includes the guidance previously addressed in Section V.D. In addition, Table 2 has been modified to reflect that civil penalties are proposed for Severity Level III violations, absent mitigating circumstances. Item c in Table 2 has also been modified to state that the NRC may use a Demand for Information to obtain information to determine whether to issue an order for modification, suspension, or revocation of the license.

(3) Daily Civil Penalties

This subsection clarifies that the NRC may exercise discretion and assess a separate violation and attendant civil penalty up to the statutory limit of $100,000 for each day a particularly significant violation continues.

B. Mitigation of Enforcement Sanctions

This section is based, for the most part, on guidance previously addressed in Section V.G. The former example addressed in Section V.G.3 has been deleted because the same discretion can be achieved by mitigation based on application of the civil penalty adjustment factors. In addition, the discussion in this section also states that the NRC may exercise discretion for violations meeting the required criteria for discretion where the licensee failed to make a required report to the NRC concerning the violation at issue. However, the policy states that a separate enforcement action would be issued for the licensee's failure to make the required report.

(1) Severity Level V Violations

This subsection is based on the previous guidance addressed in Section V.A and has been clarified to allow for not issuing a Notice of Violation for isolated Severity Level V violations provided the licensee has committed to specific corrective actions by the end of the inspection. Previously, the requirement was that the corrective action had to have been initiated by the end of the inspection. While this is the normal case, the change will provide flexibility to allow commitments for corrective action, provided the schedule is acceptable to the staff. This approach is consistent with the treatment of licensee identified Severity Level IV violations.

(2) Licensee Identified Severity Level IV and V Violations

This subsection has been expanded to address willful violations of low safety significance committed by relatively low level individuals. Discretion is appropriate where the licensee identifies and corrects these violations, provided the factors addressed in the policy are met. This discretion recognizes licensees who are acting responsibly by providing incentive for licensees to identify and properly respond to these violations.

(3) Violations Identified During Extended Shutdowns or Work Stoppages

This subsection has been changed to allow discretion to be exercised by refraining from proposing a civil penalty for Severity Level II violations, where the previous discretion was only applicable for violations up to Severity Level III. Clearly, it is in the public's interest for a licensee to identify Severity Level II violations before safety systems are called upon to operate.

(4) Violations Involving Old Design Issues

This subsection has been changed to allow discretion to be exercised for Severity Level II violations, where the previous discretion was only applicable for violations up to Severity Level III. It also clarifies that broad corrective action is expected. In addition, this subsection has been changed to allow discretion to not issue a Notice of Violation where licensees identify violations that are not likely to be otherwise identified through routine efforts, and do not reflect on current performance. This change is intended to place a premium on identifying design, engineering, and installation violations before affected systems are called upon to work. These issues will be included in inspection reports, and enforcement conferences may be held to be sure NRC has a record of the issue and a full understanding of the root cause and corrective actions before making a decision to exercise this discretion.

(5) Violations Identified Due to Previous Escalated Enforcement Action

This subsection has been changed to allow discretion to be exercised by refraining from proposing a civil penalty for Severity Level II violations, where the previous discretion was only applicable for violations up to Severity Level III.

(6) Violations Involving Special Circumstances

This subsection is based in part, on the guidance previously addressed in the sixth paragraph of Section V.G and also addresses the discretion to reduce the amount of a proposed civil penalty, notwithstanding the outcome of the normal assessment process, to ensure that the penalty reflects the NRC's concern and conveys the appropriate message. This discretion has also been expanded to include Severity Level II violations to provide the needed flexibility in the enforcement program.

VIII. Enforcement Actions Involving Individuals

This section (previously Section V.E), has been clarified by noting that violations involving willful conduct not amounting to deliberate action by an unlicensed individual may result in enforcement action against a licensee that may impact an individual. This section also previously stated that the NRC would normally only issue a Notice of Violation for a licensed operator's first confirmed positive test in the absence of aggravating circumstances such as errors in performance. This discussion has been clarified by including evidence of prolonged use as an additional aggravating circumstance.

X. Enforcement Action Against Nonlicensees

This section (previously Section IX), has been modified to delete the reference to enforcement action against licensees for failure to ensure their vendors have programs to meet 10 CFR part 21 because the Commission does not require licensees to provide that assurance.

XII. Public Disclosure of Enforcement Actions

This section (previously Section VII), has been modified to reflect that press releases may also be issued in those cases where a proposed civil penalty is withdrawn or mitigated by some amount.

Supplement I—Reactor Operations

Examples A.4, B.2, and C.5 and footnote eight have been deleted from this supplement. The deletion is appropriate based on the fact that (1) effluent release criteria in Supplement I were no longer comparable to those in Supplement IV, and (2) effluent release criteria in Supplement IV adequately cover power reactor scenarios commensurate with their safety significance.

Example C.2 has been expanded to include systems designed to prevent or mitigate a serious safety event being degraded to the extent that a detailed evaluation is required to determine operability. This example has been added to reflect the significance associated with a degraded system that is not intuitively operable, even if, based on after the fact analysis, the system is operable. In both the licensing and operation of the plant, safety systems are expected to be installed and operated as designed. Therefore, a departure from the design document and the FSAR where the licensee did not have assurance, while the system was degraded, that the safety systems would perform as intended, represents a significant regulatory concern.

Example C.3 has been modified so that the previous example of a violation involving "dereliction of duty" on the part of personnel involved in licensed duty has been deleted to provide the necessary flexibility in dealing with these types of violations. Specifically, given the broad range of possible circumstances with respect to the level of intent and the level of the individual involved, a violation could possibly be categorized at Severity Level I, II, III, or IV. Instead, the example of a Severity Level III violation has been modified so that it now involves "inattentiveness to duty" on the part of a licensed individual.

Supplement III—Safeguards

Revisions to the safeguards enforcement supplement are the result of a reassessment of the safeguards program in response to the Regulatory Impact Survey (NUREG–1395) and to incorporate lessons learned from the Regulatory Effectiveness Review (RER) program. The revisions more properly reflect the relative significance of reactor safeguards with respect to reactor safety enforcement issues. Severity Level I safeguards examples have been modified to reflect radiological sabotage simply as one possible cause of plant conditions listed as Severity Level I examples in the reactor operations supplement. This better reflects the risk to public health and safety which could result from radiological sabotage.

Entry of an unauthorized individual, who represents a threat, from outside the protected area into a vital area has been changed from Severity Level I to Severity Level II assuming sabotage did not occur. The loss of public safety margin resulting from such unauthorized entry, without radiological sabotage, more closely parallels the loss of safety margin in Severity Level II reactor operations violations.

Violations involving weaknesses in safeguards systems, components, and procedures have been reclassified among Severity Level III, IV, and V according to the significance of the resulting degradation of overall safeguards capabilities and are expressed in terms of loss or weakening of performance capability. In protecting against an external adversary, it is essential that detection and assessment occur at the perimeter of the protected area to assure the ability to protect against a determined violent assault. Violations related to the secondary vital

area barriers involve significantly less degradation of overall safeguards capability than violations related to perimeter safeguards. The most significant violations related to control of access from the owner controlled area into the protected area remain as Severity Level III. Violations related to control of access from the protected area into a vital area have been reduced from Severity Level III to Severity Level IV. With respect to an insider, a majority of people authorized access to the protected area also are authorized access to vital areas at most sites. Further, all employees granted unescorted access to protected areas are subjected to employee reliability measures. Thus, violations involving only access from the protected area into a vital area related to personnel who have also been judged to be trustworthy, most of whom are authorized access into vital areas anyway are therefore less significant.

Severity Level III violations involving control of safeguards information have been revised to focus on compromise of the information, as opposed to failure to secure the information. In addition, the weighing of other factors, such as location and duration of the violation, are more explicit. This increase in the threshold level for a Security Level III violation is appropriate because failure to secure information, in itself, does not significantly decrease overall safeguards capability, especially within the protected area where individuals who have unescorted access have been judged trustworthy through the access clearance program.

Supplement IV—Health Physics (10 CFR Part 20)

Examples C.4 and E.8 addressing violations with a substantial potential for a release or exposure in excess of the limits in 10 CFR part 20 have been modified to remove the explanatory examples. As written, the examples were too limiting. It is a significant regulatory concern if an event or circumstance presents a substantial potential for an exposure or release in excess of part 20 when it is only fortuitous that an exposure or release does not exceed part 20 limits. Therefore, these examples do not address the potential amount of the excessive release or exposure, but rather focus on the lack of adequate controls that were not exercised except for a minor alteration of circumstances, e.g., time or distance, a violation of part 20 limits would have occurred.

Examples F.1, F.3, G.1, G.3, H.1, and H.4 have been modified to more appropriately reflect their safety significance so that they are now expressed in terms of radiation exposures occurring during any year versus previously being expressed in terms of single radiation exposures. Similarly, examples F.2, G.2, and H.2 have been modified so that they are now expressed in terms of radiation exposures occurring during the gestation period versus previously being expressed in terms of single radiation exposures.

Example F.4 has been modified to reflect the current views regarding the safety significance of exposures to the public so that the example now references 1.0 rem total effective dose equivalent versus previously referencing 2.5 rems total effective dose equivalent.

The example of a Severity Level III violation concerning a radiation exposure to an embryo/fetus (H.2) has also been modified by including a reference to the additional provisions of § 20.1208 (d) that provide for additional dose over the standard embryo/fetus dose limit of 0.5 rem total effective dose equivalent in § 20.1208 (a).

Supplement V—Transportation

Examples A.1 and B.1 have been modified to reflect the potential for significant exposure to a member of the public caused by transportation failures. Specific radiation limits have not been provided for the examples because once there has been a transportation incident with the loss of control of radioactive material where there is a clear potential for a significant radiation exposure, the actual exposure is a function of the knowledge of the member of the public, and the time and distance from the source. The purpose of transportation requirements is to prevent unshielded radioactive material from getting into the public domain. When that happens, there is a clear potential for a very significant exposure and, therefore, it is considered a violation of very significant regulatory concern. The Severity Level I example (A.1), addresses actual exposure to a member of the public caused by the violation. The Severity Level II violation does not require actual exposure.

Supplement VI—Fuel Cycle and Materials Operation

Two new examples (C.9 and C.10) have been added to this supplement to address a licensee's failure to submit an NRC Form 241 in the case of individuals licensed under an Agreement State, and the failure to receive prior NRC approval before making a significant change in licensed activities. These examples have been included because it is important for the NRC to be aware of significant changes associated with licensed activities, such as a change in the location of activities, a change in personnel, or a change in the quantity or type of radioactive material being processed or used, because these changes may have a significant impact on how licensed activities are carried out or how they affect the NRC's ability to appropriately regulate, such as its responsibility to inspect licensed activities. A licensee's failure to submit an NRC Form 241 results in the NRC not being aware of licensed activities being conducted in NRC jurisdiction. Therefore, the NRC will not be in a position to inspect the activity and address the public health and safety issues. The NRC also recognizes that some licensees may decide not to file an NRC form 241 because of its associated license fee. For these reasons, civil penalties will be considered for these failures.

Supplement VIII—Emergency Preparedness

Introductory discussion has been added to this supplement consistent with past practice to emphasize that citations are not normally made based on observations during exercises. This is because NRC desires that licensees broadly exercise their staffs with realistic scenarios. If the licensees do not have this exception, it may result in licensees using only experienced individuals and conservative scenarios to avoid potential enforcement action. However, enforcement action may be appropriate where exercises reveal training, procedural, or repetitive failures for which corrective actions have not been taken, overall concern regarding the effectiveness of the licensee's emergency planning, or poor self-critiques of exercises.

Currently the examples in this supplement address only assessment and notification violations for other than actual emergencies. Accordingly, an example of violations demonstrating a breakdown in control of licensed activities has been added to the supplement consistent with other supplements. This will give the staff better flexibility to deal with significant violations to emphasize the need to provide assurance of emergency preparedness before actual emergencies occur.

Paperwork Reduction Act Statement

This policy statement contains no information collection requirements and therefore is not subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Penalty, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552, the NRC is adopting the following statement of policy as appendix C to 10 CFR part 2.

PART 2—RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS

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

Authority: Secs. 161, 181, 68 Stat. 948, 953, as amended (42 U.S.C. 2201, 2231); sec. 191, as amended, Pub. L. 87–615, 76 Stat. 409 (42 U.S.C. 2241); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); 5 U.S.C. 552.

Section 2.101 also issued under secs. 53, 62, 63, 81, 103, 104, 105, 68 Sat. 930, 932, 933, 935, 936, 937, 938, as amended (42 U.S.C. 2073, 2092, 2093, 2111, 2133, 2134, 2135); sec. 114(f), Pub. L. 97–425, 96 Stat. 2213, as amended (42 U.S.C. 10134(f)); sec. 102, Pub. L. 91–190, 83 Stat. 853, as amended (42 U.S.C. 4332); sec. 301, 88 Stat. 1248 (42 U.S.C. 5871). Sections 2.102, 2.103, 2.104, 2.105, 2.721 also issued under secs. 102, 103, 104, 105, 183, 189, 68 Stat. 936, 937, 938, 954, 955, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2233, 2239). Section 2.105 also issued under Pub. L. 97–415, 96 Stat. 2073 (42 U.S.C. 2239). Sections 2.200–2.206 also issued under secs. 186, 234, 68 Stat. 955, 83 Stat. 444, as amended (42 U.S.C. 2236, 2282); sec. 206, 88 Stat. 1246 (42 U.S.C. 5846). Sections 2.600–2.606 also issued under sec. 102, Pub. L. 91–190, 83 Stat. 853 as amended (42 U.S.C. 4332). Sections 2.700a, 2.719 also issued under 5 U.S.C. 554. Sections 2.754, 2.760, 2.770, 2.780 also issued under 5 U.S.C. 557. Section 2.764 and Table 1A of Appendix C also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 2.790 also issued under sec. 103, 68 Stat. 936, as amended (42 U.S.C. 2133) and 5 U.S.C. 552. Sections 2.800 and 2.808 also issued under 5 U.S.C. 553. Section 2.809 also issued under 5 U.S.C. 553 and sec. 29, Pub. L. 85–256, 71 Stat. 579, as amended (42 U.S.C. 2039). Subpart K also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97–425, 96 Stat. 2230 (42 U.S.C. 10154). Subpart L also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Appendix A also issued under sec. 6, Pub. L. 91–560, 84 Stat. 1473 (42 U.S.C. 2135). Appendix B also issued under sec. 10, Pub. L. 99–240, 99 Stat. 1842 (42 U.S.C. 2021b et seq.).

2. Appendix C to part 2 is revised to read as follows:

Appendix C—General Statement of Policy and Procedure for NRC Enforcement Actions

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Preface

The following statement of general policy and procedure explains the enforcement policy and procedures of the U.S. Nuclear Regulatory Commission and its staff in initiating enforcement actions, and of the presiding officers and the Commission in reviewing these actions. This statement is applicable to enforcement in matters involving the public health and safety, the common defense and security, and the environment.[1] This statement of general policy and procedure is published in the Code of Federal Regulations to provide widespread dissemination of the Commission's Enforcement Policy. However, this is a policy statement and not a regulation. The Commission may deviate from this statement of policy and procedure as appropriate under the circumstances of a particular case.

I. Introduction and Purpose

The purpose of the NRC enforcement program is to promote and protect the radiological health and safety of the public, including employees' health and safety, the common defense and security, and the environment by:

- Ensuring compliance with NRC regulations and license conditions;
- Obtaining prompt correction of violations and adverse quality conditions which may affect safety;
- Deterring future violations and occurrences of conditions adverse to quality; and
- Encouraging improvement of licensee and vendor [2] performance, and by example, that of industry, including the prompt identification and reporting of potential safety problems.

Consistent with the purpose of this program, prompt and vigorous enforcement action will be taken when dealing with licensees, vendors, contractors, and employees of any of them, who do not achieve the necessary meticulous attention to detail and the high standard of compliance which the NRC expects.[3] Each enforcement action is dependent on the circumstances of the case and requires the exercise of discretion after consideration of these policies and procedures. In no case, however, will licensees who cannot achieve and maintain adequate levels of protection be permitted to conduct licensed activities.

II. Statutory Authority and Procedural Framework

A. Statutory Authority

The NRC's enforcement jurisdiction is drawn from the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act (ERA) of 1974, as amended.

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[1] Antitrust enforcement matters will be dealt with on a case-by-case basis.

[2] The term "vendor" as used in this policy means a supplier of products or services to be used in an NRC-licensed facility or activity.

[3] This policy primarily addresses the activities of NRC licensees. Therefore, the term "licensee" is used throughout the policy. However, in those cases where the NRC determines that it is appropriate to take enforcement action against a non-licensee or individual, the guidance in this policy will be used, as applicable. Specific guidance regarding enforcement action against individuals and non-licensees is addressed in Sections VIII and X respectively.

Section 161 of the Atomic Energy Act authorizes NRC to conduct inspections and investigations and to issue orders as may be necessary or desirable to promote the common defense and security or to protect health or to minimize danger to life or property. Section 186 authorizes NRC to revoke licenses under certain circumstances (e.g., for material false statements, in response to conditions that would have warranted refusal of a license on an original application, for a licensee's failure to build or operate a facility in accordance with the terms of the permit or license, and for violation of an NRC regulation). Section 234 authorizes NRC to impose civil penalties not to exceed $100,000 per violation per day for the violation of certain specified licensing provisions of the Act, rules, orders, and license terms implementing these provisions, and for violations for which licenses can be revoked. In addition to the enumerated provisions in section 234, sections 84 and 147 authorize the imposition of civil penalties for violations of regulations implementing those provisions. Section 232 authorizes NRC to seek injunctive or other equitable relief for violation of regulatory requirements.

Section 206 of the Energy Reorganization Act authorizes NRC to impose civil penalties for knowing and conscious failures to provide certain safety information to the NRC.

Chapter 18 of the Atomic Energy Act provides for varying levels of criminal penalties (i.e., monetary fines and imprisonment) for willful violations of the Act and regulations or orders issued under sections 65, 161(b), 161(i), or 161(o) of the Act. Section 223 provides that criminal penalties may be imposed on certain individuals employed by firms constructing or supplying basic components of any utilization facility if the individual knowingly and willfully violates NRC requirements such that a basic component could be significantly impaired. Section 235 provides that criminal penalties may be imposed on persons who interfere with inspectors. Section 236 provides that criminal penalties may be imposed on persons who attempt to or cause sabotage at a nuclear facility or to nuclear fuel. Alleged or suspected criminal violations of the Atomic Energy Act are referred to the Department of Justice for appropriate action.

B. Procedural Framework

Subpart B of 10 CFR part 2 of NRC's regulations sets forth the procedures the NRC uses in exercising its enforcement authority. 10 CFR 2.201 sets forth the procedures for issuing notices of violation.

The procedure to be used in assessing civil penalties is set forth in 10 CFR 2.205. This regulation provides that the civil penalty process is initiated by issuing a Notice of Violation and Proposed Imposition of a Civil Penalty. The licensee or other person is provided an opportunity to contest in writing the proposed imposition of a civil penalty. After evaluation of the response, the civil penalty may be mitigated, remitted, or imposed. An opportunity is provided for a hearing if a civil penalty is imposed. If a civil penalty is not paid following a hearing or if a hearing is not requested, the matter may be referred to the U.S. Department of Justice to institute a civil action in District Court.

The procedure for issuing an order to institute a proceeding to modify, suspend, or revoke a license or to take other action against a licensee or other person subject to the jurisdiction of the Commission is set forth in 10 CFR 2.202. The licensee or any other person adversely affected by the order may request a hearing. The NRC is authorized to make orders immediately effective if required to protect the public health, safety, or interest, or if the violation is willful. Section 2.204 sets out the procedures for issuing a Demand for Information (Demand) to a licensee or other person subject to the Commissioner's jurisdiction for the purpose of determining whether an order or other enforcement action should be issued. The Demand does not provide hearing rights, as only information is being sought. A licensee must answer a Demand. An unlicensed person may answer a Demand by either providing the requested information or explaining why the Demand should not have been issued.

III. Responsibilities

The Executive Director for Operations (EDO) and the principal enforcement officers of the NRC, the Deputy Executive Director for Nuclear Material Safety Safeguards and Operations Support (DEDS) and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations, and Research (DEDR), have been delegated the authority to approve or issue all escalated enforcement actions.[4] The DEDS is responsible to the EDO for the NRC enforcement programs. The Office of Enforcement (OE) exercises oversight of and implements the NRC enforcement programs. The Director, OE, acts for the Deputy Executive Directors in enforcement matters in their absence or as delegated. Subject to the oversight and direction of OE, and with the approval of the appropriate Deputy Executive Director, where necessary, the regional offices normally issue Notices of Violation and proposed civil penalties. However, subject to the same oversight as the regional offices, the Office of Nuclear Reactor Regulation (NRR) issues Notices of Violation and proposed civil penalties to vendors and suppliers and the Office of Nuclear Material Safety and Safeguards (NMSS) issues Notices of Violation and proposed civil penalties to certificate holders and to fuel cycle facilities for violations involving material control and accounting. Escalated enforcement actions are normally coordinated with the appropriate offices by the OE. Enforcement orders are normally issued by a Deputy Executive Director or the Director, OE. However, orders may also be issued by the EDO, especially those involving the more significant matters. The Directors of NRR and NMSS have also been delegated authority to issue orders, but it is expected that normal use of this authority by NRR and NMSS will be confined to actions not associated with compliance issues. The Director, Office of the Controller, has been delegated the authority to issue orders where licensees violate Commission regulations by nonpayment of license and inspection fees.

In recognition that the regulation of nuclear activities in many cases does not lend itself to a mechanistic treatment, judgment and discretion must be exercised in determining the severity levels of the violations and the appropriate enforcement sanctions, including the decision to issue a Notice of Violation, or to propose or impose a civil penalty and the amount of this penalty, after considering the general principles of this statement of policy and the technical significance of the violations and the surrounding circumstances.

Unless Commission consultation or notification is required by this policy, the staff may depart, where warranted in the public's interest, from this policy with the approval of the appropriate Deputy Executive Director and consultation with the EDO as warranted. (See also Section VII, "Exercise of Discretion.")

[4] The term "escalated enforcement action" as used in this policy means a Notice of Violation for any Severity Level I, II, or III violation; a civil penalty for any Severity Level I, II, III, or IV violation and any order based upon a violation.

The Commission will be provided written notification of all enforcement actions involving civil penalties or orders. The Commission will also be provided notice in those cases where discretion is exercised and discussed in Section VII.B.6. In addition, the Commission will be consulted prior to taking action in the following situations (unless the urgency of the situation dictates immediate action):

(1) An action affecting a licensee's operation that requires balancing the public health and safety or common defense and security implications of not operating with the potential radiological or other hazards associated with continued operation;

(2) Proposals to impose civil penalties in amounts greater than 3 times the Severity Level I values shown in Table 1A;

(3) Any proposed enforcement action that involves a Severity Level I violation;

(4) Any enforcement action that involves a finding of a material false statement;

(5) Exercising discretion for matters meeting the criteria of Section VII.A.1 for Commission consultation;

(6) Refraining from taking enforcement action for matters meeting the criteria of Section VII.B.3;

(7) Any proposed enforcement action that involves the issuance of a civil penalty or order to an unlicensed individual or a civil penalty to a licensed reactor operator;

(8) Any action the EDO believes warrants Commission involvement;

(9) Any enforcement case involving an Office of Investigation (OI) report where NRC staff (other than OI staff) does not arrive at the same conclusions as those in the OI report concerning issues of intent.

(10) Any proposed enforcement action on which the Commission asks to be consulted.

IV. Severity of Violations

Regulatory requirements [5] have varying degrees of safety, safeguards, or environmental significance. Therefore, the relative importance of each violation, including both the technical significance and the regulatory significance is evaluated as the first step in the enforcement process.

Consequently, violations are normally categorized in terms of five levels of severity to show their relative importance within each of the following eight activity areas:

I. Reactor Operations;
II. Facility Construction;
III. Safeguards;
IV. Health Physics;
V. Transportation;
VI. Fuel Cycle and Materials Operations;
VII. Miscellaneous Matters; and
VIII. Emergency Preparedness.

Licensed activities will be placed in the activity area most suitable in light of the particular violation involved including activities not directly covered by one of the above listed areas, e.g., export license activities. Within each activity area, Severity Level I has been assigned to violations that are the most significant and Severity Level V violations are the least significant. Severity Level I and II violations are of very significant regulatory concern. In general, violations that are included in these severity categories involve actual or high potential impact on the public. Severity Level III violations are cause for significant regulatory concern. Severity Level IV violations are less serious but are of more than minor concern; i.e., if left uncorrected, they could lead to a more serious concern. Severity Level V violations are of minor safety or environmental concern.

Comparisons of significance between activity areas are inappropriate. For example, the immediacy of any hazard to the public associated with Severity Level I violations in Reactor Operations is not directly comparable to that associated with Severity Level I violations in Facility Construction.

Supplements I through VIII provide examples and serve as guidance in determining the appropriate severity level for violations in each of the eight activity areas. However, the examples are neither exhaustive nor controlling. In addition, these examples do not create new requirements. Each is designed to illustrate the significance that the NRC places on a particular type of violation of NRC requirements. Each of the examples in the supplements is predicated on a violation of a regulatory requirement.

The NRC reviews each case being considered for enforcement action on its own merits to ensure that the severity of a violation is characterized at the level best suited to the significance of the particular violation. In some cases, special circumstances may warrant an adjustment to the severity level categorization.

A. Aggregation of Violations

A group of violations may be evaluated in the aggregate and assigned a single, increased severity level, thereby resulting in a Severity Level III problem, if the violations have the same underlying cause or programmatic deficiencies, or the violations contributed to or were unavoidable consequences of the underlying problem. Normally, Severity Level I and II violations are not aggregated into a higher severity level.

The purpose of aggregating violations is to focus the licensee's attention on the fundamental underlying causes for which enforcement action appears warranted and to reflect the fact that several violations with a common cause may be more significant collectively than individually and may therefore, warrant a more substantial enforcement action. In addition, a civil penalty for multiple occurrences of a violation with the same root cause may be subject to escalation of the base civil penalty. (See Section VI.B.2.(e))

B. Repetitive Violations

The severity level of a Severity Level V or IV violation may be increased to Severity Level IV or III respectively, if the violation can be considered a repetitive violation.[6] The purpose of escalating the severity level of a repetitive violation is to acknowledge the added significance of the situation based on the licensee's failure to implement effective corrective action for the previous violation. The decision to escalate the severity level of a repetitive violation will depend on the circumstances, such as, but not limited to, the number of times the violation has occurred, the similarity of the violations and their root causes, the adequacy of previous corrective actions, the period of time between the violations, and the significance of the violations. (Civil penalties may also be proposed for repetitive Severity Level IV violations as discussed in Section VI.B.)

C. Willful Violations

Willful violations are by definition of particular concern to the Commission because its regulatory program is based on licensees and their contractors, employees, and agents acting with integrity and communicating with candor. Willful violations cannot be tolerated by either the Commission or a licensee. Licensees are expected to take significant remedial action in responding

[5] The term "requirement" as used in this policy means a legally binding requirement such as a statute, regulation, license condition, technical specification, or order.

[6] The term "repetitive violation" or "similar violation" as used in this policy statement means a violation that reasonably could have been prevented by a licensee's corrective action for a previous violation normally occurring (1) within the past two years of the inspection at issue, or (2) the period within the last two inspections, whichever is longer.

to willful violations commensurate with the circumstances such that it demonstrates the seriousness of the violation thereby creating a deterrent effect within the licensee's organization. While removal of the person is not necessarily required, substantial disciplinary action is expected.

Therefore, the severity level of a violation may be increased if the circumstances surrounding the matter involve careless disregard of requirements, deception, or other indications of willfulness. The term "willfulness" as used in this policy embraces a spectrum of violations ranging from deliberate intent to violate or falsify to and including careless disregard for requirements. Willfulness does not include acts which do not rise to the level of careless disregard, e.g., inadvertent clerical errors in a document submitted to the NRC. In determining the specific severity level of a violation involving willfulness, consideration will be given to such factors as the position and responsibilities of the person involved in the violation (e.g., licensee official [7] or non-supervisory employee), the significance of any underlying violation, the intent of the violator (i.e., careless disregard or deliberateness), and the economic or other advantage, if any, gained as a result of the violation. The relative weight given to each of these factors in arriving at the appropriate severity level will be dependent on the circumstances of the violation. However, the severity level of a willful severity level V violation will be increased to at least a severity level IV.

Violations of Reporting Requirements

The NRC expects licensees to provide complete, accurate, and timely information and reports. Accordingly, unless otherwise categorized in the Supplements, the severity level of a violation involving the failure to make a required report to the NRC will be based upon the significance of and the circumstances surrounding the matter that should have been reported. However, the severity level of an untimely report, in contrast to no report, may be reduced depending on the circumstances surrounding the matter. A licensee will not normally be cited for a failure to report a condition or event unless the licensee was actually aware of the condition or event that it failed to report. A licensee will, on the other hand, normally be cited for a failure to report a condition or event if the licensee knew of the information to be reported, but did not recognize that it was required to make a report.

[7] The term "licensee official" as used in this policy statement means a first-line supervisor or above, a licensed individual, a radiation safety officer, or an authorized user of licensed material whether or not listed on a license. Notwithstanding an individual's job title, severity level categorization for willful acts involving individuals who can be considered licensee officials will consider several factors, including the position of the individual relative to the licensee's organizational structure and the individual's responsibilities relative to the oversight of licensed activities and to the use of licensed material.

V. Enforcement Conferences

Whenever the NRC has learned of the existence of a potential violation for which escalated enforcement action may be warranted, or recurring nonconformance on the part of a vendor, the NRC will normally provide an opportunity for an enforcement conference with the licensee, vendor, or other person prior to taking enforcement action. Although enforcement conferences are not normally held for Severity Level IV violations, they may be scheduled if increased management attention is warranted e.g., if the violations are repetitive. The purpose of the enforcement conference is to (1) discuss the violations or nonconformances, their significance, the reason for their occurrence, including the apparent root causes, and the licensee's or vendor's corrective actions, (2) determine whether there were any aggravating or mitigating circumstances, and (3) obtain other information that will help the NRC determine the appropriate enforcement action.

During the enforcement conference, the licensee, vendor, or other person will be given an opportunity to provide information consistent with the purpose of the conference, including an explanation to the NRC of the immediate corrective actions (if any) that were taken following identification of the potential violation or nonconformance and the long term comprehensive actions that were taken or will be taken to prevent recurrence. Licensees, vendors, or other persons will be told when a meeting is an enforcement conference. Enforcement conferences will not normally be open to the public.

When needed to protect the public health and safety or common defense and security, escalated enforcement action, such as the issuance of an immediately effective order modifying, suspending, or revoking a license, will be taken prior to the enforcement conference. In these cases, an enforcement conference may be held after the escalated enforcement action is taken.

VI. Enforcement Actions

This section describes the enforcement sanctions available to the NRC and specifies the conditions under which each may be used. The basic sanctions are Notices of Violation, civil penalties, and orders of various types. As discussed further in Section VI.D, related administrative mechanisms such as Notices of Nonconformance, Notices of Deviation, Confirmatory Action Letters, letters of reprimand, and Demands for Information are used to supplement the enforcement program. In selecting the enforcement sanctions to be applied, the NRC will consider enforcement actions taken by other Federal or State regulatory bodies having concurrent jurisdiction, such as in transportation matters. Usually, whenever a violation of NRC requirements is identified, enforcement action is taken. The nature and extent of the enforcement action is intended to reflect the seriousness of the violation involved. For the vast majority of violations, a Notice of Violation or a Notice of Nonconformance is the normal enforcement action.

A. Notice of Violation

A Notice of Violation is a written notice setting forth one or more violations of a legally binding requirement. The Notice of Violation normally requires the recipient to provide a written statement describing (1) the reasons for the violation or, if contested, the basis for disputing the violation; (2) corrective steps that have been taken and the results achieved; (3) corrective steps that will be taken to prevent recurrence; and (4) the date when full compliance will be achieved. The NRC may require responses to Notices of Violation to be under oath. Normally, responses under oath will be required only in connection with civil penalties and orders.

The NRC uses the Notice of Violation as the usual method for formalizing the existence of a violation. Issuance of a Notice of Violation is normally the only enforcement action taken, except in cases where the criteria for issuance of civil penalties and orders, as set forth in Sections VI.B and VI.C, respectively, are met. However, special circumstances regarding the violation findings may warrant discretion being exercised such that the NRC refrains from issuing a Notice of Violation. (See Section VII.B, "Mitigation of Enforcement Sanctions.") In addition, licensees are not ordinarily cited for violations resulting from matters not within their control, such as equipment failures that were not

avoidable by reasonable licensee quality assurance measures or management controls. Generally, however, licensees are held responsible for the acts of their employees. Accordingly, this policy should not be construed to excuse personnel errors.

B. Civil Penalty

A civil penalty is a monetary penalty that may be imposed for violation of (1) certain specified licensing provisions of the Atomic Energy Act or supplementary NRC rules or orders; (2) any requirement for which a license may be revoked; or (3) reporting requirements under section 206 of the Energy Reorganization Act. Civil penalties are designed to emphasize the need for lasting remedial action and to deter future violations both by the involved licensee as well as by other licensees conducting similar activities.

Civil penalties are proposed (absent mitigating circumstances) for Severity Level I, II, and III violations, and may be proposed for repetitive Severity Level IV violations or for any willful violation. In addition, civil penalties will normally be assessed for knowing and conscious violations of the reporting requirements of section 206 of the Energy Reorganization Act.

1. Base Civil Penalty

The NRC imposes different levels of penalties for different severity level violations and different classes of licensees, vendors, and other persons. Tables 1A and 1B show the base civil penalties for various reactor, fuel cycle, materials, and vendor programs. (Civil penalties issued to individuals are determined on a case-by-case basis.) The structure of these tables generally takes into account the gravity of the violation as a primary consideration and the ability to pay as a secondary consideration. Generally, operations involving greater nuclear material inventories and greater potential consequences to the public and licensee employees receive higher civil penalties. Regarding the secondary factor of ability of various classes of licensees to pay the civil penalties, it is not the NRC's intention that the economic impact of a civil penalty be so severe that it puts a licensee out of business (orders, rather than civil penalties, are used when the intent is to suspend or terminate licensed activities) or adversely affects a licensee's ability to safely conduct licensed activities. The deterrent effect of civil penalties is best served when the amounts of the penalties take into account a licensee's "ability to pay." In determining the amount of civil penalties for licensees for whom the tables do not reflect the ability to pay, the NRC will consider as necessary an increase or decrease on a case-by-case basis. Normally, if a licensee can demonstrate financial hardship, the NRC will consider payments over time, including interest, rather than reducing the amount of the civil penalty. However, where a licensee claims financial hardship, the licensee will normally be required to address why it has sufficient resources to safely conduct licensed activities and pay license and inspection fees.

2. Civil Penalty Adjustment Factors

In an effort to recognize and encourage good performance, deter poor performance, and emphasize violations of particular regulatory concern, the NRC reviews each proposed civil penalty on its own merits and, after considering all relevant circumstances, may adjust the base civil penalities shown in Table 1A and 1B for Severity Level I, II, and III violations based on an assessment of the following civil penalty adjustment factors. Civil penalties for Severity Level IV violations are normally proposed at the base values identified in the tables without assessing the civil penalty adjustment factors.

While management involvement, direct or indirect, in a violation may lead to an increase in the civil penalty, the lack of management involvement may not be used to mitigate a civil penalty. Allowing mitigation in the latter case could encourage lack of managment involvement in licensed activities and a decrease in protection of the public health and safety.

(a) *Identification.* The purposes of this factor is to encourage licensees to monitor, supervise, and audit activities in order to assure safety and compliance. Therefore, the base civil penalty shown in Tables 1A and 1B may be mitigated up to 50% when a licensee identifies a violation and escalated up to 50% if the NRC identifies a violation. The base civil penalty may also be mitigated up to 25% when a licensee identifies a violation resulting from a self-disclosing event [8] where the licensee demonstrates initiative in identifying the root cause of the violation. In addition, the base civil penalty may also be mitigated where warranted if a licensee identifies a violation as a result of its review of a generic notification. While mitigation under this factor is appropriate for a licensee identified violation that was not reported to the NRC, a separate enforcement action will normally be issued for the licensee's failure to make the required report.

(b) *Corrective action.* The purposes of this factor is to encourage licensees to (1) take the immediate actions necessary upon discovery of a violation that will restore safety and compliance with the license, regulation(s), or other requirement(s); and (2) devleop and implement (in a timely manner) the lasting actions that will not only prevent recurrence of the violation at issue, but will be appropriately comprehensive, given the significance and complexity of the violation, to prevent occurrence of similar violations. Therefore, the base civil penalty shown in Tables 1A and 1B may be either mitigated or escalated by as much as 50% depending on the promptness and extensiveness of the licensee's corrective action. In assessing this factor, consideration will be given to, among other things, the timeliness of the corrective action (including the promptness in developing the schedule for long term corrective action), the degree of licensee initiative (i.e., whether NRC involvement was required before acceptable action was taken), the adequacy of the licensee's root cause analysis for the violation, and, given the significance and complexity of the issue, the comprehensiveness of the corrective action (i.e., whether the action is focused narrowly to the specific violation or broadly to the general area of concern). Notwithstanding good comprehensive corrective action, if immediate corrective action was not taken to restore safety and compliance once the violation was identified, mitigation of the civil penalty based on this factor will not normally be considered and escalation may be considered to address the licensee's failure.

(c) *Licensee performance.* The purpose of this factor is to recognize and encourage good or improving licensee performance and to recognize and deter poor or declining performance. Therefore, the base civil penalty shown in Tables 1A and 1B may be mitigated by as much as 100% if the current violation is an isolated failure that is inconsistent with a licensee's outstandingly good prior performance. The base civil penalty may also be escalated by as much as 100% if the current violation is reflective of the licensee's poor or declining prior performance. Neither mitigation nor escalation may be appropriate based on

[8] The term "self-disclosing event" as used in this policy statement means an event that is readily obvious by human observation or mechanical instrumentation such as a spill of liquid, an open door (required to be closed), an overexposure documented in a dosimetry report, an annunciator alarm, or a reactor trip.

this factor where a licensee's poor prior performance appears to clearly be improving. Prior performance, as used in this policy statement, refers to the licensee's performance normally (1) within the last two years of the inspection at issue, or (2) the period within the last two inspections, whichever is longer. In assessing the licensee's prior performance, consideration will be given to, among other things, the effectiveness of previous corrective action for similar problems, overall performance such as Systematic Assessment of Licensee Performance (SALP) evaluations for power reactors, and the licensee's prior enforcement history overall and in the area of concern, including escalated and non-escalated enforcement actions and any enforcement actions that the NRC exercised discretion and refrained from issuing in accordance with Section VII.B. Notwithstanding good prior performance, mitigation of the civil penalty based on this factor is not normally warranted where the current violation reflects a substantial decline in performance that has occurred over the time since the last NRC inspection. In addition, this factor should not be applied for those cases where the licensee has not been in existence long enough to establish a prior performance or inspection history. Similarly, mitigation based on this factor is not normally appropriate where the area of concern has not been previously inspected, unless overall performance is good.

(d) *Prior opportunity to identify.* The purpose of this factor is to encourage licensees to take effective action in response to opportunities to identify or prevent problems or violations. Therefore, the base civil penalty shown in Tables 1A and 1B may be escalated by as much as 100% for cases where the licensee should have identified the violation sooner as a result of prior opportunities, such as (1) through normal surveillances, audits, or quality assurance (QA) activities; (2) through prior notice i.e., specific NRC or industry notification; or (3) through other reasonable indication of a potential problem or violation, such as observations of employees and contractors, and had failed to take effective corrective steps. Prior notification may include findings of the NRC, the licensee, or industry made at other facilities operated by the licensee where it is reasonable to expect the licensee to take action to identify or prevent similar problems at the facility subject to the enforcement action at issue. In assessing this factor, consideration will be given to, among other things, the opportunities available to discover the violation, the ease of discovery, the similarity between the violation and the notification, the period of time between when the violation occurred and when the notification was issued, the action taken (or planned) by the licensee in response to the notification, and the level of management review that the notification received (or should have received). Escalation of the civil penalty based solely on prior notification is normally not warranted where the licensee appropriately reviewed the notification for application to its activities and reasonable action was either taken or planned to be taken within a reasonable time.

(e) *Multiple occurrences.* The purpose of this factor is to reflect the added significance resulting from multiple occurrences of the violation. Therefore, the base civil penalty shown in Tables 1A and 1B may be escalated by as much as 100% where multiple examples of a particular violation are identified during the inspection period. Escalation of the civil penalty based on this factor will normally be considered only when there are multiple examples of Severity Level I, II, or III violations with the same root causes. Alternatively, separate civil penalties may be imposed for each violation.

(f) *Duration.* The purpose of this factor is to recognize the added significance associated with those violations (or the impact of those violations) that continue or remain uncorrected for more than one day. Therefore, whether or not a licensee is aware or clearly should have been aware of a violation, the base civil penalty shown in Tables 1A and 1B may be escalated by as much as 100% to reflect the added technical and/or regulatory significance resulting from the violation or the impact of it remaining uncorrected for more than one day. This factor should normally be applied in cases involving particularly safety significant violations or where a significant regulatory message is warranted. In lieu of escalating the civil penalty based on this factor, the NRC may impose daily civil penalties for violations that continue for more than one day. (See Section VII.A.3, "Daily Civil Penalties.")

The civil penalty adjustment factors presented in paragraphs (a) through (f) are additive. However, in no instance will a civil penalty for any one violation exceed $100,000 per day.

Notwithstanding the application of the civil penalty adjustment factors, a civil penalty will normally be proposed in an amount of at least 50% of the base value in Tables 1A and 1B for Severity Level I and II violations involving overexposures, release of radioactive material, or loss of radioactive material to emphasize to the licensee the seriousness with which the NRC views these events and the importance of conducting licensed activities in a manner to avoid these violations. In considering mitigation for these cases, normally the only adjustment factors that will be considered to lower a base civil penalty will be identification and corrective action factors. In addition, as provided in Section VII, "Exercise of Discretion," discretion may be exercised by either escalating or mitigating the amount of the civil penalty arrived at after applying the civil penalty adjustment factors to ensure that the proposed civil penalty reflects the NRC's concern regarding the violation at issue and that it conveys the appropriate message to the licensee.

TABLE 1A—BASE CIVIL PENALTIES

	Plant operations, construction, health physics and EP	Safeguards	Transportation	
			Greater than Type A quantity [1]	Type A quantity or less [2]
a. Power reactors	$100,000	$100,000	$100,000	$5,000
b. Test reactors	10,000	10,000	10,000	2,000
c. Research reactors and critical facilities	5,000	5,000	5,000	1,000
d. Fuel fabricators and industrial processors [3]	25,000	100,000	25,000	5,000
e. Mills and Uranium conversion facilities	10,000		5,000	2,000
f. Industrial users of materials [5], and contractors and vendors	10,000	—	5,000	2,000
g. Waste disposal licensees	10,000	—	5,000	2,000
h. Academic or medical institutions [6]	5,000	--	2,500	1,000

TABLE 1A—BASE CIVIL PENALTIES—Continued

	Plant operations, construction, health physics and EP	Safeguards	Transportation	
			Greater than Type A quantity [1]	Type A quantity or less [2]
i. Independent spent fuel and monitored retrievable storage installations	25,000	100,000	25,000	5,000
j. Other material licensees	1,000	—	2,500	1,000

[1] Includes irradiated fuel, high level waste, unirradiated fissile material, and any other quantities requiring Type B packaging.
[2] Includes low specific activity waste (LSA), low level waste, Type A packages, and excepted quantities and articles.
[3] Large firms engaged in manufacturing or distribution of byproduct, source, or special nuclear material.
[4] This amount refers to Category 1 licensees (as defined in 10 CFR 73.2). Licensed fuel fabricators not authorized to possess Category 1 material have a base penalty amount of $50,000.
[5] Includes industrial radiographers, nuclear pharmacies, and other industrial users.
[6] This applies to nonprofit institutions not otherwise categorized under sections "a" through "g" in this table and mobile nuclear services.

TABLE 1 B—BASE CIVIL PENALTIES

Severity Level	Base Civil Penalty Amount (Percent of amount listed in Table 1A)
I	100
II	80
III	50
IV	15

C. Orders

An order is a written NRC directive to modify, suspend, or revoke a license; to cease and desist from a given practice or activity; or to take such other action as may be proper (see 10 CFR 2.202). Orders may also be issued in lieu of, or in addition to, civil penalties, as appropriate for Severity Level I, II, or III violations. Orders may be issued as follows:

(1) License Modification orders are issued when some change in licensee equipment, procedures, personnel, or management controls is necessary.

(2) Suspension Orders may be used:

(a) To remove a threat to the public health and safety, common defense and security, or the environment;

(b) To stop facility construction when,

(i) Further work could preclude or significantly hinder the identification or correction of an improperly constructed safety-related system or component; or

(ii) The licensee's quality assurance program implementation is not adequate to provide confidence that construction activities are being properly carried out;

(c) When the licensee has not responded adequately to other enforcement action;

(d) When the licensee interferes with the conduct of an inspection or investigation; or

(e) For any reason not mentioned above for which license revocation is legally authorized.

Suspensions may apply to all or part of the licensed activity. Ordinarily, a licensed activity is not suspended (nor is a suspension prolonged) for failure to comply with requirements where such failure is not willful and adequate corrective action has been taken.

(3) Revocation Orders may be used:

(a) When a licensee is unable or unwilling to comply with NRC requirements;

(b) When a licensee refuses to correct a violation;

(c) When licensee does not respond to a Notice of Violation where a response was required;

(d) When a licensee refuses to pay an applicable fee under the Commission's regulations; or

(e) For any other reason for which revocation is authorized under section 186 of the Atomic Energy Act (e.g., any condition which would warrant refusal of a license on an original application).

(4) Cease and Desist Orders may be used to stop an unauthorized activity that has continued after notification by NRC that the activity is unauthorized.

(5) Orders to unlicensed persons, including vendors and contractors, and employees of any of them, are used when the NRC has identified deliberate misconduct that may cause a licensee to be in violation of an NRC requirement or where incomplete or inaccurate information is deliberately submitted or where the NRC loses its reasonable assurance that the licensee will meet NRC requirements with that person involved in licensed activities.

Unless a separate response is warranted pursuant to 10 CFR 2.201, a Notice of Violation need not be issued where an order is based on violations described in the order. The violations described in an order need not be categorized by severity level.

Orders are made effective immediately, without prior opportunity for hearing, whenever it is determined that the public health, interest, or safety so requires, or when the order is responding to a violation involving willfulness. Otherwise, a prior opportunity for a hearing on the order is afforded. For cases in which the NRC believes a basis could reasonably exist for not taking the action as proposed, the licensee will ordinarily be afforded an opportunity to show why the order should not be issued in the proposed manner by way of a Demand for Information. (See 10 CFR 2.204)

D. Related Administrative Actions

In addition to the formal enforcement mechanisms of Notices of Violation, civil penalties, and orders, the NRC also uses administrative mechanisms, such as Notices of Deviation, Notices of Nonconformance, Confirmatory Action Letters, letters of reprimand, and Demands for Information to supplement its enforcement program. The NRC expects licensees and vendors to adhere to any obligations and commitments resulting from these processes and will not hesitate to issue appropriate orders to ensure that these obligations and commitments are met.

(1) Notices of Deviation are written notices describing a licensee's failure to satisfy a commitment where the commitment involved has not been made a legally binding requirement. A Notice of Deviation requests a licensee to provide a written explanation or statement describing corrective steps taken (or planned), the results achieved, and the date when corrective action will be completed.

(2) Notices of Nonconformance are written notices describing vendor's failures to meet commitments which have not been made legally binding requirements by NRC. An example is a commitment made in a procurement contract with a licensee as required by 10 CFR part 50, appendix B. Notices of Nonconformances request non-licensees to provide written explanations or statements describing corrective steps (taken or planned), the results achieved, the dates when corrective actions will be completed, and measures taken to preclude recurrence.

(3) Confirmatory Action Letters (CALs) are letters confirming a licensee's or vendor's agreement to take

certain actions to remove significant concerns about health and safety, safeguards, or the environment.

(4) Letters of reprimand are letters addressed to individuals subject to Commission jurisdiction identifying a significant deficiency in their performance of licensed activities.

(5) Demands for Information are demands for information from licensees or other persons for the purpose of enabling NRC to determine whether an order or other enforcement action should be issued.

VII. Exercise of Discretion

Notwithstanding the normal guidance contained in this policy, the NRC may choose to exercise discretion and either escalate or mitigate enforcement sanctions within the Commission's statutory authority to ensure that the resulting enforcement action appropriately reflects the level of NRC concern regarding the violation at issue and conveys the appropriate message to the licensee.

A. Escalation of Enforcement Sanctions

The NRC considers violations categorized at Severity Level I, II, or III to be of significant regulatory concern. If the application of the normal guidance in this policy does not provide an appropriate sanction, or if particularly serious violations occur, such as in cases involving willfulness, repeated poor performance in an area of concern, or serious breakdowns in management controls, the NRC may apply its full enforcement authority where the action is warranted. NRC action may include (1) escalating civil penalties, (2) issuing appropriate orders, and (3) assessing civil penalties for continuing violations on a per day basis, up to the statutory limit of $100,000 per violation, per day.

(1) *Civil penalties.* Notwithstanding the outcome of the normal civil penalty assessment process (i.e., base civil penalty adjusted based on application of the civil penalty adjustment factors addressed in Section VI.B), with the approval of the appropriate Deputy Executive Director and consultation with the EDO as warranted, the NRC may exercise discretion by either proposing a civil penalty where application of the factors would otherwise result in zero penalty or by further escalating the amount of the adjusted civil penalty to ensure that the proposed civil penalty reflects the NRC's concern regarding the violation at issue and that it conveys the appropriate message to the licensee. In addition to the approval of the appropriate Deputy Executive Director, consultation with the Commission is required if the deviation in the amount of the civil penalty proposed under this discretion from the amount of the civil penalty assessed under the normal process is more than two times the base civil penalty shown in Tables 1A and 1B.

(2) *Orders.* The NRC will, where necessary issues orders in conjunction with civil penalties to achieve or formalize corrective actions and to deter further recurrence of serious violations. Examples of enforcement actions that could be taken for similar Severity Level I, II, or III violations are set forth in Table 2. The actual progression to be used in a particular case will depend on the circumstances. Enforcement sanctions will normally escalate for recurring similar violations.

TABLE 2.—EXAMPLES OF PROGRESSION OF ESCALATED ENFORCEMENT ACTIONS FOR SIMILAR VIOLATIONS IN THE SAME ACTIVITY AREA UNDER THE SAME LICENSE

Severity of Violation	Number of similar violations from the date of the last inspection or within the previous two years (whichever period is greater)		
	1st	2nd	3rd
I	a+c	a+b+c	d
II	a	a+b+c	a+b+c
III	a	a+c	a+b

Notes:
a. Civil penalty.
b. Suspension of affected operations until the Office Director is satisfied that there is reasonable assurance that the licensee can operate in compliance with the applicable requirements, or modification of the license, as appropriate.
c. Consider issuing an order for modification, suspension, or revocation of the license, as appropriate, through use of a Demand for Information.
d. Further action, as appropriate.

(3) *Daily civil penalties.* In order to recognize the added technical safety significance or regulatory significance for those cases where a very strong message is warranted for a significant violation that continues for more than one day, the NRC may exercise discretion and assess a separate violation and attendant civil penalty up to the statutory limit of $100,000 for each day the violation continues. The NRC may exercise this discretion if a licensee was aware or clearly should have been aware of a violation, or if the licensee had an opportunity to identify and correct the violation but failed to do so.

B. Mitigation of Enforcement Sanctions

Because the NRC wants to encourage and support licensee initiative for self identification and correction of problems, the NRC may exercise discretion and refrain from issuing a civil penalty and/or issuing a Notice of Violation under certain circumstances. In addition, while the NRC may exercise this discretion for violations meeting the required criteria where the licensee failed to make a required report to the NRC, a separate enforcement action will normally be issued for the licensee's failure to make a required report. The circumstances under which this discretion may be exercised are as follows:

(1) Severity Level V Violations. The NRC may refrain from issuing a Notice of Violation for a Severity Level V violation that is documented in an inspection report (or official field notes for some material cases) provided that the inspection report includes a brief description of the corrective action and that the violation meets all of the following criteria:

(a) It was not a violation that could reasonably be expected to have been prevented by the licensee's corrective action for a previous violation or a previous licensee finding that occurred within the past two years of the inspection at issue, or the period within the last two inspections, whichever is longer;

(b) It was or will be corrected within a reasonable time, by specific corrective action committed to by the licensee by the end of the inspection, including immediate corrective action and comprehensive corrective action to prevent recurrence;

(c) It was not a willful violation.

(2) Licensee Identified Severity Level IV and V Violations. The NRC may refrain from issuing a Notice of Violation for a Severity Level IV or V violation that is documented in an inspection report (or official field notes for some material cases) provided that the inspection report includes a brief description of the corrective action and that the violation meets all of the following criteria:

(a) It was identified by the licensee, including as a result of a self-disclosing event;

(b) It was not a violation that could reasonably be expected to have been prevented by the licensee's corrective action for a previous violation or a previous licensee finding that occurred within the past two years of the inspection at issue, or the period within the last two inspections, whichever is longer;

(c) It was or will be corrected within a reasonable time, by specific corrective action committed to by the licensee by the end of the inspection, including immediate corrective action and comprehensive corrective action to prevent recurrence;

(d) It was not a willful violation or if it was a willful violation:

(i) The information concerning the violation, if not required to be reported, was promptly provided to appropriate NRC personnel, such as a resident inspector or regional section or branch chief;

(ii) The violation involved the acts of a low level individual (and not a licensee official as defined in section IV.C);

(iii) The violation appears to be the isolated action of the employee without management involvement and the violation was not caused by lack of management oversight as evidenced by either a history of isolated willful violations or a lack of adequate audits or supervision of employees; and

(iv) Significant remedial action commensurate with the circumstances was taken by the licensee such that it demonstrated the seriousness of the violation to other employees and contractors, thereby creating a deterrent effect within the licensee's organization. While removal of the employee from licensed activities is not necessarily required, substantial disciplinary action is expected.

(3) Violations Identified During Extended Shutdowns or Work Stoppages. The NRC may refrain from issuing a Notice of Violation or a proposed civil penalty for a violation that is identified after (i) the NRC has taken significant enforcement action based upon a major safety event contributing to an extended shutdown of an operating reactor or a material licensee (or a work stoppage at a construction site), or (ii) the licensee enters an extended shutdown or work stoppage related to generally poor performance over a long period of time, provided that the violation is documented in an inspection report (or official field notes for some material cases) and that it meets all of the following criteria:

(a) It was either licensee identified as a result of a comprehensive program for problem identification and correction that was developed in response to the shutdown or identified as a result of an employee allegation to the licensee; (If the NRC identifies the violation and all of the other criteria are met, the NRC should determine whether enforcement action is necessary to achieve remedial action, or if discretion may still be appropriate.)

(b) It is based upon activities of the licensee prior to the events leading to the shutdown;

(c) It would not be categorized at a severity level higher than Severity Level II;

(d) It was not willful; and

(e) The licensee's decision to restart the plant requires NRC concurrence.

(4) Violations Involving Old Design Issues. The NRC may refrain from proposing a civil penalty for a Severity Level II or III violation involving a past problem, such as in engineering, design, or installation, provided that the violation is documented in an inspection report (or official field notes for some material cases) that includes a description of the corrective action and that it meets all of the following criteria:

(a) It was a licensee identified as a result of a licensee's voluntary formal initiative, such as a Safety System Functional Inspection, Design Reconstitution Program, or other program that has a defined scope and timetable and is being aggressively implemented;

(b) It was or will be corrected, including immediate corrective action and long term comprehensive corrective action to prevent recurrence, within a reasonable time following identification (this action should involve expanding the initiative, as necessary, to identify other failures caused by similar root causes); and

(c) It was not likely to be identified (after the violation occurred) by routine licensee efforts such as normal surveillance or quality assurance (QA) activities.

In addition, the NRC may refrain from issuing a Notice of Violation for cases that meet the above criteria provided the violation was caused by conduct that is not reasonably linked to present performance (normally, violations that are at least three years old or violations occurring during plant construction) and there had not been prior notice so that the licensee should have reasonably identified the violation earlier. This exercise of discretion is to place a premium on licensees initiating efforts to identify and correct subtle violations that are not likely to be identified by routine efforts before degraded safety systems are called upon to work.

(5) Violations Identified Due to Previous Escalated Enforcement Action. The NRC may refrain from issuing a Notice of Violation or a proposed civil penalty for a violation that is identified after the NRC has taken escalated enforcement action for a Severity Level II or III violation, provided that the violation is documented in an inspection report (or official field notes for some material cases) that includes a description of the corrective action and that it meets all of the following criteria:

(a) It was a licensee identified as part of the corrective action for the previous escalated enforcement action;

(b) It has the same or similar root cause as the violation for which escalated enforcement action was issued;

(c) It does not substantially change the safety significance or the character of the regulatory concern arising out of the initial violation; and

(d) It was or will be corrected, including immediate corrective action and long term comprehensive corrective action to prevent recurrence, within a reasonable time following identification.

(6) Violations Involving Special Circumstances. Notwithstanding the outcome of the normal civil penalty assessment process (i.e., base civil penalty adjusted based on application of the civil penalty adjustment factors addressed in Section VI.B), as provided in Section III, "Responsibilities," the appropriate Deputy Executive Director may reduce or refrain from issuing a civil penalty or a Notice of Violation for a Severity Level II or III violation based on the merits of the case after considering the guidance in this statement of policy and such factors as the age of the violation, the safety significance of the violation, the overall

performance of the licensee, and other relevant circumstances, including any that may have changed since the violation, provided prior notice has been given the Commission. This discretion is expected to be exercised only where application of the normal guidance in the policy is unwarranted.

VIII. Enforcement Actions Involving Individuals

Enforcement actions involving individuals, including licensed operators, are significant personnel actions, which will be closely controlled and judiciously applied. An enforcement action involving an individual will normally be taken only when the NRC is satisfied that the individual fully understood, or should have understood, his or her responsibility; knew, or should have known, the required actions; and knowingly, or with careless disregard (i.e., with more than mere negligence) failed to take required actions which have actual or potential safety significance. Most transgressions of individuals at the level of Severity Level III, IV, or V violations will be handled by citing only the facility licensee.

More serious violations, including those involving the integrity of an individual (e.g., lying to the NRC) concerning matters within the scope of the individual's responsibilities, will be considered for enforcement action against the individual as well as against the facility licensee. Action against the individual, however, will not be taken if the improper action by the individual was caused by management failures. The following examples of situations illustrate this concept:

- Inadvertant individual mistakes resulting from inadequate training or guidance provided by the facility licensee.
- Inadvertently missing an insignificant procedural requirement when the action is routine, fairly uncomplicated, and there is no unusual circumstance indicating that the procedures should be referred to and followed step-by-step.
- Compliance with an express direction of management, such as the Shift Supervisor or Plant Manager, resulted in a violation unless the individual did not express his or her concern or objection to the direction.
- Individual error directly resulting from following the technical advice of an expert unless the advise was clearly unreasonable and the licensed individual should have recognized it as such.
- Violations resulting from inadequate procedures unless the individual used a faulty procedure knowing it was faulty and had not attempted to get the procedure corrected.

Listed below are examples of situations which could result in enforcement actions involving individuals, licensed or unlicensed. If the actions described in these examples are taken by a licensed operator or taken deliberately by an unlicensed individual, enforcement action may be taken directly against the individual. However, violations involving willful conduct not amounting to deliberate action by an unlicensed individual in these situations may result in enforcement action against a licensee that may impact an individual. The situations include, but are not limited to, violations that involve:

- Willfully causing a licensee to be in violation of NRC requirements.
- Willfully taking action that would have caused a licensee to be in violation of NRC requirements but the action did not do so because it was detected and corrective action was taken.
- Recognizing a violation of procedural requirements and willfully not taking corrective action.
- Willfully defeating alarms which have safety significance.
- Unauthorized abandoning of reactor controls.
- Dereliction of duty.
- Falsifying records required by NRC regulations or by the facility license.
- Willfully providing, or causing a licensee to provide, an NRC inspector or investigator with inaccurate or incomplete information on a matter material to the NRC.
- Willfully withholding safety significant information rather than making such information known to appropriate supervisory or technical personnel in the licensee's organization.
- Submitting false information and as a result gaining unescorted access to a nuclear power plant.
- Willfully providing false data to a licensee by a contractor or other person who provides test or other services, when the data affects the licensee's compliance with 10 CFR part 50, appendix B, or other regulatory requirement.
- Willfully providing false certification that components meet the requirements of their intended use, such as ASME Code.
- Willfully supplying, by vendors of equipment for transportation of radioactive material, casks that do not comply with their certificates of compliance.
- Willfully performing unauthorized bypassing of required reactor or other facility safety systems.
- Willfully taking actions that violate Technical Specification Limiting Conditions for Operation (enforcement action for a willful violation will not be taken if the operator meets the requirements of 10 CFR 50.54(x), i.e., unless the operator acted unreasonably considering all the relevant circumstances surrounding the emergency.)

In deciding whether to issue an enforcement action to an unlicensed person rather than to the licensee, the NRC recognizes that judgments will have to be made on a case by case basis. In making these decisions, the NRC will consider factors such as the following:

1. The level of the individual within the organization.
2. The individual's training and experience as well as knowledge of the potential consequences of the wrongdoing.
3. The safety consequences of the misconduct.
4. The benefit to the wrongdoer, e.g., personal or corporate gain.
5. The degree of supervision of the individual, i.e,, how closely is the individual monitored or audited, and the likelihood of detection (such as a radiographer working independently in the field as contrasted with a team activity at a power plant).
6. The employer's response, e.g., disciplinary action taken.
7. The attitude of the wrongdoer, e.g., admission of wrongdoing, acceptance of responsibility.
8. The degree of management responsibility or culpability.
9. Who identified the misconduct.

Any proposed enforcement action involving individuals must be issued with the concurrence of the appropriate Deputy Executive Director. The Commission will be consulted prior to issuing a civil penalty or order to an unlicensed individual or a civil penalty to a licensed reactor operator. Prior notice will be given to the Commission on Notices of Violation without civil penalties that are issued to unlicensed individuals and enforcement actions taken against other unlicensed persons, such as corporations or partnerships. The particular sanction to be used should be determined on a case-by-case basis.[8]

[8] Except for individuals subject to civil penalties under section 206 of the Energy Reorganization Act of 1974, as amended, NRC will not normally impose a civil penalty against an individual. However, section 234 of the Atomic Energy Act (AEA) gives the Commission authority to impose civil penalties on "any person." "Person" is broadly defined in

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Examples of sanctions that may be appropriate against individuals are:

- Issuance of a letter of reprimand,
- Issuance of a Notice of Violation, and
- Issuance of Orders.

Orders to NRC-licensed reactor operators may involve suspension for a specified period, modification, or revocation of their individual licenses. Orders to unlicensed individuals might include provisions that would:

- Prohibit involvement in NRC licensed activities for a specified period of time (normally the period of suspension would not exceed five years) or until certain conditions are satisfied, e.g., completing specified training or meeting certain qualifications.
- Require notification to the NRC before resuming work in licensed activities.
- Require the person to tell a prospective employer or customer engaged in licensed activities that the person has been subject to an NRC order.

In the case of a licensed operator's failure to meet applicable fitness-for-duty requirements (10 CFR 55.53(j)), the NRC may issue a Notice of Violation or a civil penalty to the Part 55 licensee, or an order to suspend, modify, or revoke the Part 55 license. These actions may be taken the first time a licensed operator fails a drug or alcohol test, that is, receives a confirmed positive test that exceeds the cutoff levels of 10 CFR part 26 or the facility licensee's cutoff levels, if lower. However, normally only a Notice of Violation will be issued for the first confirmed positive test in the absence of aggravating circumstances such as errors in the performance of licensed duties or evidence of prolonged use. In addition, the NRC intends to issue an order to suspend the Part 55 license for up to three years the second time a licensed operator exceeds those cutoff levels. In the event there are less than three years remaining in the term of the individual's license, the NRC may consider not renewing the individual's license or not issuing a new license after the three year period is completed. The NRC intends to issue an order to revoke the Part 55 license the third time a licensed operator exceeds those cutoff levels. A licensed operator or applicant who refuses to participate in the drug and alcohol testing programs established by the facility licensee or who is involved in the sale, use, or possession of an illegal drug is also subject to license suspension, revocation, or denial.

In addition, the NRC may take enforcement action against a licensee that may impact an individual, where the conduct of the individual places in question the NRC's reasonable assurance that licensed activities will be properly conducted. The NRC may take enforcement action for reasons that would warrant refusal to issue a license on an original application. Accordingly, appropriate enforcement actions may be taken regarding matters that raise issues of integrity, competence, fitness for duty, or other matters that may not necessarily be a violation of specific Commission requirements.

In the case of an unlicensed person, whether a firm or an individual, an order modifying the facility license may be issued to require (1) the removal of the person from all licensed activities for a specified period of time or indefinitely, (2) prior notice to the NRC before utilizing the person in licensed activities, or (3) the licensee to provide notice of the issuance of such an order to other persons involved in licensed activities making reference inquiries. In addition, orders to employers might require retraining, additional oversight, or independent verification of activities performed by the person, if the person is to be involved in licensed activities.

IX. Inaccurate and Incomplete Information

A violation of the regulations involving submittal of incomplete and/or inaccurate information, whether or not considered a material false statement, can result in the full range of enforcement sanctions. The labeling of a communication failure as a material false statement will be made on a case-by-case basis and will be reserved for egregious violations. Violations involving inaccurate or incomplete information or the failure to provide significant information identified by a licensee normally will be categorized based on the guidance herein, in Section IV "Severity of Violations," and in Supplement VII.

The Commission recognizes that oral information may in some situations be inherently less reliable than written submittals because of the absence of an opportunity for reflection and management review. However, the Commission must be able to rely on oral communications from licensee officials concerning significant information. Therefore, in determining whether to take enforcement action for an oral statement, consideration may be given to such factors as (1) the degree of knowledge that the communicator should have had, regarding the matter, in view of his or her position, training, and experience, (2) the opportunity and time available prior to the communication to assure the accuracy or completeness of the information, (3) the degree of intent or negligence, if any, involved, (4) the formality of the communication, (5) the reasonableness of NRC reliance on the information, (6) the importance of the information which was wrong or not provided, and (7) the reasonableness of the explanation for not providing complete and accurate information.

Absent at least careless disregard, an incomplete or inaccurate unsworn oral statement normally will not be subject to enforcement action unless it involves significant information provided by a licensee official. However, enforcement action may be taken for an unintentionally incomplete or inaccurate oral statement provided to the NRC by a licensee official or others on behalf of a licensee, if a record was made of the oral information and provided to the licensee thereby permitting an opportunity to correct the oral information, such as if a transcript of the communication or meeting summary containing the error was made available to the licensee and was not subsequently corrected in a timely manner.

When a licensee has corrected inaccurate or incomplete information, the decision to issue a Notice of Violation for the initial inaccurate or incomplete information normally will be dependent on the circumstances, including the ease of detection of the error, the timeliness of the correction, whether the NRC or the licensee identified the problem with the communication, and whether the NRC relied on the information prior to the correction. Generally, if the matter was promptly identified and corrected by the licensee prior to reliance by the NRC, or before the NRC raised a question about the information, no enforcement action will be taken for the initial inaccurate or incomplete information. On the other hand, if the misinformation is identified after the NRC relies on it, or after some question is raised regarding the accuracy of the information, then some enforcement action normally will be taken even if it is in fact corrected. However, if the initial submittal was accurate when made but later turns out to be erroneous because of newly discovered information or advance in technology, a citation normally would not be appropriate if, when the new

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Section 11s of the AEA to include individuals, a variety of organizations, and any representatives or agents. This gives the Commission authority to impose civil penalties on employees of licensees or on separate entities when a violation of a requirement directly imposed on them is committed.

information became available or the advancement in technology was made, the initial submittal was corrected.

The failure to correct inaccurate or incomplete information which the licensee does not identify as significant normally will not constitute a separate violation. However, the circumstances surrounding the failure to correct may be considered relevant to the determination of enforcement action for the initial inaccurate or incomplete statement. For example, an unintentionally inaccurate or incomplete submission may be treated as a more severe matter if the licensee later determines that the initial submittal was in error and does not correct it or if there were clear opportunities to identify the error. If information not corrected was recognized by a licensee as significant, a separate citation may be made for the failure to provide significant information. In any event, in serious cases where the licensee's actions is not correcting or providing information raise questions about its commitment to safety or its fundamental trustworthiness, the Commission may exercise its authority to issue orders modifying, suspending, or revoking the license. The Commission recognizes that enforcement determinations must be made on a case-by-case basis, taking into consideration the issues described in this section.

X. Enforcement Action Against Non-Licensees

The Commission's enforcement policy is also applicable to non-licensees, including employees of licensees, to contractors and subcontractors, and to employees of contractors and subcontractors, who knowingly provide components, equipment, or other goods or services that relate to a licensee's activities subject to NRC regulation. The prohibitions and sanctions for any of these persons who engage in deliberate misconduct or submission of incomplete or inaccurate information are provided in the rule on deliberate misconduct, e.g., 10 CFR 30.10 and 50.5.

Vendors of products or services provided for use in nuclear activities are subject to certain requirements designed to ensure that the products or services supplied that could affect safety are of high quality. Through procurement contracts with reactor licensees, vendors may be required to have quality assurance programs that meet applicable requirements including 10 CFR part 50, appendix B, and 10 CFR part 71, subpart H. Vendors supplying products or services to reactor, materials, and 10 CFR part 71 licensees are subject to the requirements of 10 CFR part 21 regarding reporting of defects in basic components.

When inspections determine that violations of NRC requirements have occurred, or that vendors have failed to fulfill contractual commitments (e.g., 10 CFR part 50, appendix B) that could adversely affect the quality of a safety significant product or service, enforcement action will be taken. Notices of Violation and civil penalties will be used, as appropriate, for licensee failures to ensure that their vendors have programs that meet applicable requirements. Notices of Violation will be issued for vendors that violate 10 CFR part 21. Civil penalties will be imposed against individual directors or responsible officers of a vendor organization who knowingly and consciously fail to provide the notice required by 10 CFR 21.21(b)(1). Notices of Nonconformance will be used for vendors which fail to meet commitments related to NRC activities.

XI. Referrals to the Department of Justice

Alleged or suspected criminal violations of the Atomic Energy Act (and of other relevant Federal laws) are referred to the Department of Justice (DOJ) for investigation. Referral to the DOJ does not preclude the NRC from taking other enforcement action under this policy. However, enforcement actions will be coordinated with the DOJ in accordance with the Memorandum of Understanding between the NRC and the DOJ, 53 FR 50317 (December 14, 1988).

XII. Public Disclosure of Enforcement Actions

Enforcement actions and licensees' responses, in accordance with 10 CFR 2.790, are publicly available for inspection. In addition, press releases are generally issued for orders and civil penalties and are issued at the same time the order or proposed imposition of the civil penalty is issued. In addition, press releases are usually issued when a proposed civil penalty is withdrawn or substantially mitigated by some amount. Press releases are not normally issued for Notices of Violation that are not accompanied by orders or proposed civil penalties.

XIII. Reopening Closed Enforcement Actions

If significant new information is received or obtained by NRC which indicates that an enforcement sanction was incorrectly applied, consideration may be given, dependent on the circumstances, to reopening a closed enforcement action to increase or decrease the severity of a sanction or to correct the record. Reopening decisions will be made on a case-by-case basis, are expected to occur rarely, and require the specific approval of the appropriate Deputy Executive Director.

Supplement I—Reactor Operations

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of reactor operations.

A. Severity Level I—Violations involving for example:

1. A Safety Limit, as defined in 10 CFR 50.36 and the Technical Specifications being exceeded;

2. A system [9] designed to prevent or mitigate a serious safety event not being able to perform its intended safety function [10] when actually called upon to work;

3. An accidental criticality; or

4. A licensed operator at the controls of a nuclear reactor, or a senior operator directing licensed activities, involved in procedural errors which result in, or exacerbate the consequences of, an alert or higher level emergency and who, as a result of subsequent testing, receives a confirmed positive test result for drugs or alcohol.

B. Severity Level II—Violations involving for example:

1. A system designed to prevent or mitigate serious safety events not being able to perform its intended safety function;

2. A licensed operator involved in the use, sale, or possession of illegal drugs or the consumption of alcoholic beverages, within the protected area; or

3. A licensed operator at the control of a nuclear reactor, or a senior operator directing licensed activities, involved in procedural errors and who, as a result of subsequent testing, receives a confirmed positive test result for drugs or alcohol.

C. Severity Level III—Violations involving for example:

1. A significant failure to comply with the Action Statement for a Technical Specification Limiting Condition for Operation where the appropriate action was not taken within the required time, such as:

(a) In a pressurized water reactor, in the applicable modes, having one high-

[9] The term "system" as used in these supplements, includes administrative and managerial control systems, as well as physical systems.

[10] "Intended safety function" means the total safety function, and is not directed toward a loss of redundancy. A loss of one subsystem does not defeat the intended safety function as long as the other subsystem is operable.

pressure safety injection pump inoperable for a period in excess of that allowed by the action statement; or

(b) In a boiling water reactor, one primary containment isolation valve inoperable for a period in excess of that allowed by the action statement.

2. A system designed to prevent or mitigate a serious safety event:

(a) Not being able to perform its intended function under certain conditions (e.g., safety system not operable unless offsite power is available; materials or components not environmentally qualified); or

(b) Being degraded to the extent that a detailed evaluation would be required to determine its operability (e.g., component parameters outside approved limits such as pump flow rates, heat exchanger transfer characteristics, safety valve lift setpoints, or valve stroke times);

3. Inattentiveness to duty on the part of licensed personnel;

4. Changes in reactor parameters that cause unanticipated reductions in margins of safety;

5. A significant failure to meet the requirements of 10 CFR 50.59, including a failure such that a required license amendment was not sought;

6. A licensee failure to conduct adequate oversight of vendors resulting in the use of products or services that are of defective or indeterminate quality and that have safety significance;

7. A breakdown in the control of licensed activities involving a number of violations that are related (or, if isolated, that are recurring violations) that collectively represent a potentially significant lack of attention or carelessness toward licensed responsibilities; or

8. A licensed operator's confirmed positive test for drugs or alcohol that does not result in a Severity Level I or II violation.

9. Equipment failures caused by inadequate or improper maintenance that substantially complicates recovery from a plant transient.

D. Severity Level IV—Violations involving for example:

1. A less significant failure to comply with the Action Statement for a Technical Specification Limiting Condition for Operation where the appropriate action was not taken within the required time, such as:

(a) In a pressurized water reactor, a 5% deficiency in the required volume of the condensate storage tank; or

(b) In a boiling water reactor, one subsystem of the two independent MSIV leakage control subsystems inoperable;

2. A failure to meet the requirements of 10 CFR 50.59 that does not result in a Severity Level I, II, or III violation;

3. A failure to meet regulatory requirements that have more than minor safety or environmental significance; or

4. A failure to make a required Licensee Event Report.

E. Severity Level V—Violations that have minor safety or environmental significance.

Supplement II—Part 50 Facility Construction

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of part 50 facility construction.

A. Severity Level I—Violations involving structures or systems that are completed [11] in such a manner that they would not have satisfied their intended safety related purpose.

B. Severity Level II—Violations involving for example:

1. A breakdown in the Quality Assurance (QA) program as exemplified by deficiencies in construction QA related to more than one work activity (e.g., structural, piping, electrical, foundations). These deficiencies normally involve the licensee's failure to conduct adequate audits or to take prompt corrective action on the basis of such audits and normally involve multiple examples of deficient construction or construction of unknown quality due to inadequate program implementation; or

2. A structure or system that is completed in such a manner that it could have an adverse effect on the safety of operations.

C. Severity Level III—Violations involving for example:

1. A deficiency in a licensee QA program for construction related to a single work activity (e.g., structural, piping, electrical or foundations). This significant deficiency normally involves the licensee's failure to conduct adequate audits or to take prompt corrective action on the basis of such audits, and normally involves multiple examples of deficient construction or construction of unknown quality due to inadequate program implementation;

2. A failure to confirm the design safety requirements of a structure or system as a result of inadequate preoperational test program implementation; or

3. A failure to make a required 10 CFR 50.55(e) report.

D. Severity Level IV—Violations involving failure to meet regulatory requirements including one or more Quality Assurance Criterion not amounting to Severity Level I, II, or III violations that have more than minor safety or environmental significance.

E. Severity Level V—Violations that have minor safety or environmental significance.

Supplement III—Safeguards

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of safeguards.

A. Severity Level I—Violations involving for example:

1. An act of radiological sabotage in which the security system did not function as required and, as a result of the failure, there was a significant event, such as:

(a) A Safety Limit, as defined in 10 CFR 50.36 and the Technical Specifications, was exceeded;

(b) A system designed to prevent or mitigate a serious safety event was not able to perform its intended safety function when actually called upon to work; or

(c) An accidental criticality occurred;

2. The theft, loss, or diversion of a formula quantity [12] of special nuclear material (SNM); or

3. Actual unauthorized production of a formula quantity of SNM

B. Severity Level II—Violations involving for example:

1. The entry of an unauthorized individual [13] who represents a threat into a vital area [14] from outside the protected area; or

2. The theft, loss or diversion of SNM of moderate strategic significance [15] in which the security system did not function as required; or

3. Actual unauthorized production of SNM.

C. Severity Level III—Violations involving for example:

1. A failure or inability to control access through established systems or procedures, such that an unauthorized individual (i.e., not authorized

[11] The term "completed" as used in this supplement means completion of construction including review and acceptance by the construction QA organization.

[12] See 10 CFR 73.2 for the definition of "formula quantity."

[13] The term "unauthorized individual" as used in this supplement means someone who was not authorized for entrance into the area in question, or not authorized to enter in the manner entered.

[14] The phrase "vital area" as used in this supplement includes vital areas and material access areas.

[15] See 10 CFR 73.2 for the definition of "special nuclear material of moderate strategic significance."

unescorted access to protected area) could easily gain undetected access [16] into a vital area from outside the protected area;

2. A failure to conduct any search at the access control point or conducting an inadequate search that resulted in the introduction to the protected area of firearms, explosives, or incendiary devices and reasonable facsimiles thereof that could significantly assist radiological sabotage or theft of strategic SNM;

3. A failure, degradation, or other deficiency of the protected area intrusion detection or alarm assessment systems such that an unauthorized individual who represents a threat could predictably circumvent the system or defeat a specific zone with a high degree of confidence without insider knowledge, or other significant degradation of overall system capability;

4. A significant failure of the safeguards systems designed or used to prevent or detect the theft, loss, or diversion of strategic SNM;

5. A failure to protect or control classified or safeguards information considered to be significant while the information is outside the protected area and accessible to those not authorized access to the protected area;

6. A significant failure to respond to an event either in sufficient time to provide protection to vital equipment or strategic SNM, or with an adequate response force;

7. A failure to perform an appropriate evaluation or background investigation so that information relevant to the access determination was not obtained or considered and as a result a person, who would likely not have been granted access by the licensee, if the required investigation or evaluation had been performed, was granted access; or

8. A breakdown in the security program involving a number of violations that are related (or, if isolated, that are recurring violations) that collectively reflect a potentially significant lack of attention or carelessness toward licensed responsibilities.

D. Severity Level IV—Violations involving for example:

1. A failure or inability to control access such that an unauthorized individual (i.e., authorized to protected area but not to vital area) could easily gain undetected access into a vital area from inside the protected area or into a controlled access area;

2. A failure to respond to a suspected event in either a timely manner or with an adequate response force;

3. A failure to implement 10 CFR parts 25 and 95 with respect to the information addressed under section 142 of the Act, and the NRC approved security plan relevant to those parts;

4. A failure to make, maintain, or provide log entries in accordance with 10 CFR 73.71 (c) and (d), where the omitted information (i) is not otherwise available in easily retrievable records, and (ii) significantly contributes to the ability of either the NRC or the licensee to identify a programmatic breakdown;

5. A failure to conduct a proper search at the access control point;

6. A failure to properly secure or protect classified or safeguards information inside the protected area which could assist an individual in an act of radiological sabotage or theft of strategic SNM where the information was not removed from the protected area;

7. A failure to control access such that an opportunity exists that could allow unauthorized and undetected access into the protected area but which was neither easily or likely to be exploitable;

8. A failure to conduct an adequate search at the exit from a material access area;

9. A theft or loss of SNM of low strategic significance that was not detected within the time period specified in the security plan, other relevant document, or regulation; or

10. Other violations that have more than minor safeguards significance.

E. Severity Level V—Violations that have minor safeguards significance.

Supplement IV—Health Physics (10 CFR Part 20)

This supplement provides examples of violations in each of the five severity levels as guidance in detemining the appropriate severity level for violations in the area of health physics, 10 CFR part 20 [17]. Examples A through E are provided to accompany §§ 20.1–20.601. Examples F through J are provided to accompany §§ 20.1001–20.2401.

Sections 20.1–20.601

A. Severity Level I—Violations involving for example:

1. A single exposure of a worker in excess of 25 rems of radiation to the whole body, 150 rads to the skin of the whole body, or 375 rads to the feet, ankles, hands, or forearms;

2. An annual whole body exposure of a member of the public in excess of 2.5 rems of radiation;

3. A release of radioactive material to an unrestricted area in excess of ten times the limits of 10 CFR 20.106 [18];

4. Disposal of licensed material in quantities or concentrations in excess of ten times the limits of 10 CFR 20.303; or

5. An exposure of a worker in restricted areas of ten times the limits of 10 CFR 20.103.

B. Severity Level II—Violations involving for example:

1. A single exposure of a worker in excess of 5 rems of radiation to the whole body, 30 rems to the skin of the whole body, or 75 rems to the feet, ankles, hands or forearms;

2. An annual whole body exposure of a member of the public in excess of 0.5 rems of radiation;

3. A release of radioactive material to an unrestricted area in excess of five times the limits of 10 CFR 20.106;

4. A failure to make an immediate notification as required by 10 CFR 20.403 (a)(1) and (a)(2);

5. A disposal of licensed material in quantities or concentrations in excess of five times the limits of 10 CFR 20.303; or

6. An exposure of a worker in restricted areas in excess of five times the limits of 10 CFR 20.103.

C. Severity Level III—Violations involving for example:

1. A single exposure of a worker in excess of 3 rems of radiation to the whole body, 7.5 rems to the skin of the whole body, or 18.75 rems to the feet, ankles, hands or forearms;

2. A radiation level in an unrestricted area such that an individual could receive greater than 100 millirem in a one hour period or 500 millirem in any seven consecutive days;

3. A failure to make a 24-hour notification as required by 10 CFR 20.403(b), or an immediate notification required by 10 CFR 20.402(a);

4. A substantial potential for an exposure or release in excess of 10 CFR part 20 whether or not such exposure or release occurs;

5. A release of radioactive material to an unrestricted area in excess of the limits of 10 CFR 20.106;

6. An improper disposal of licensed material not covered in Severity Levels I or II;

[16] In determining whether access can be easily gained, factors such as predictability, identifiability, and ease of passage should be considered.

[17] Personnel overexposures and associated violations incurred during a life-saving or other emergency response effort will be treated on a case-by-case basis.

[18] The reference to the limits of 10 CFR 20.106 as used in this supplement (Items A.3, B.3, and C.5) does not apply to the EPA generally applicable environmental radiation standards mentioned in § 20.106(g).

7. An exposure of a worker in restricted areas in excess of the limits of 10 CFR 20.103;

8. A release for unrestricted use of contaminated or radioactive material or equipment that poses a realistic potential for significant exposure to members of the public, or that reflects a programmatic (rather than isolated) weakness in the radiation control program;

9. A cumulative worker exposure above regulatory limits when such cumulative exposure reflects a programmatic, rather than an isolated weakness in radiation protection;

10. Conduct of licensee activities by a technically unqualified person;

11. A significant failure to control licensed material; or

12. A breakdown in the radiation safety program involving a number of violations that are related (or, if isolated, that are recurring) that collectively represent a potentially significant lack of attention or carelessness toward licensed responsibilities.

D. Severity Level IV—Violations involving for example:

1. Exposures in excess of the limits of 10 CFR 20.101 not constituting Severity Level I, II, or III violations;

2. A radiation level in an unrestricted area such that an individual could receive greater than 2 millirem in a one-hour period or 100 millirem in any seven consecutive days;

3. A failure to make a 30-day notification required by 10 CFR 20.405;

4. A failure to make a follow-up written report as required by 10 CFR 20.402(b), 20.408, and 20.409; or

5. Any other matter that has more than minor safety or environmental significance.

E. Severity Level V—Violations that have minor safety or environmental significance.

Sections 20.1001—20.2401

F. Severity Level I—Violations involving for example:

1. A radiation exposure during any year of a worker in excess of 25 rems total effective dose equivalent, 75 rems to the lens of the eye, or 250 rads to the skin of the whole body, or to the feet, ankles, hands or forearms, or to any other organ or tissue;

2. A radiation exposure over the gestation period of the embryo/fetus of a declared pregnant woman in excess of 2.5 rems total effective dose equivalent;

3. A radiation exposure during any year of a minor in excess of 2.5 rems total effective dose equivalent, 7.5 rems to the lens of the eye, or 25 rems to the skin of the whole body, or to the feet, ankles, hands or forearms, or to any other organ or tissue;

4. An annual exposure of a member of the public in excess of 1.0 rem total effective dose equivalent;

5. A release of radioactive material to an unrestricted area at concentrations in excess of 50 times the limits for members of the public as described in 10 CFR 20.1302(b)(2)(i); or

6. Disposal of licensed material in quantities or concentrations in excess of 10 times the limits of 10 CFR 20.2003.

G. Severity Level II—Violations involving for example:

1. A radiation exposure during any year of a worker in excess of 10 rems total effective dose equivalent, 30 rems to the lens of the eye, or 100 rems to the skin of the whole body, or to the feet, ankles, hands or forearms, or to any other organ or tissue;

2. A radiation exposure over the gestation period of the embryo/fetus of a declared pregnant woman in excess of 1.0 rem total effective dose equivalent;

3. A radiation exposure during any year of a minor in excess of 1 rem total effective dose equivalent; 3.0 rems to the lens of the eye, or 10 rems to the skin of the whole body, or to the feet, ankles, hands or forearms, or to any other organ or tissue;

4. An annual exposure of a member of the public in excess of 0.5 rem total effective dose equivalent;

5. A release of radioactive material to an unrestricted area at concentrations in excess of 10 times the limits for members of the public as described in 10 CFR 20.1302(b)(2)(i) (except when operation up to 0.5 rem a year has been approved by the Commission under § 20.1301(c));

6. Disposal of licensed material in quantities or concentrations in excess of five times the limits of 10 CFR 20.2003; or

7. A failure to make an immediate notification as required by 10 CFR 20.2202 (a)(1) or (a)(2).

H. Severity Level III—Violations involving for example:

1. A radiation exposure during any year of a worker in excess of 5 rems total effective dose equivalent, 15 rems to the lens of the eye, or 50 rems to the skin of the whole body or to the feet, ankles, hands or forearms, or to any other organ or tissue;

2. A radiation exposure over the gestation period of the embryo/fetus of a declared pregnant woman in excess of 0.5 rem total effective dose equivalent (except when doses are in accordance with the provisions of § 20.1208(d));

3. A radiation exposure during any year of a minor in excess of 0.5 rem total effective dose equivalent; 1.5 rems to the lens of the eye, or 5 rems to the skin of the whole body, or to the feet, ankles, hands or forearms, or to any other organ or tissue;

4. A worker exposure above regulatory limits when such exposure reflects a programmatic (rather than an isolated) weakness in the radiation control program;

5. An annual exposure of a member of the public in excess of 0.1 rem total effective dose equivalent (except when operation up to 0.5 rem a year has been approved by the Commission under § 20.1301(c));

6. A release of radioactive material to an unrestricted area at concentrations in excess of two times the effluent concentration limits referenced in 10 CFR 20.1302(b)(2)(i) (except when operation up to 0.5 rem a year has been approved by the Commission under § 20.1301(c));

7. A failure to make a 24-hour notification required by 10 CFR 20.2202(b) or an immediate notification required by 10 CFR 20.2201(a)(1)(i);

8. A substantial potential for exposures or releases in excess of the applicable limits in 10 CFR part 20 §§ 20.1001–20.2401 whether or not an exposure or release occurs;

9. Disposal of licensed material not covered in Severity Levels I or II;

10. A release for unrestricted use of contaminated or radioactive material or equipment that poses a realistic potential for exposure of the public to levels or doses exceeding the annual dose limits for members of the public, or that reflects a programmatic (rather than an isolated) weakness in the radiation control program;

11. Conduct of licensee activities by a technically unqualified person;

12. A significant failure to control licensed material; or

13. A breakdown in the radiation safety program involving a number of violations that are related (or, if isolated, that are recurring) that collectively represent a potentially significant lack of attention or carelessness toward licensed responsibilities.

I. Severity Level IV—Violations involving for example:

1. Exposures in excess of the limits of 10 CFR 20.1201, 20.1207, or 20.1208 not constituting Severity Level I, II, or III violations;

2. A release of radioactive material to an unrestricted area at concentrations in excess of the limits for members of the public as referenced in 10 CFR 20.1302(b)(2)(i) (except when operation up to 0.5 rem a year has been approved by the Commission under § 20.1301(c));

3. A radiation dose rate in an unrestricted or controlled area in excess of 0.002 rem in any 1 hour (2 millirem/hour) or 50 millirems in a year;

4. Failure to maintain and implement radiation programs to keep radiation exposures as low as is reasonably achievable;

5. Doses to a member of the public in excess of any EPA generally applicable environmental radiation standards, such as 40 CFR part 190;

6. A failure to make the 30-day notification required by 10 CFR 20.2201(a)(1)(ii) or 20.2203(a);

7. A failure to make a timely written report as required by 10 CFR 20.2201(b), 20.2204, or 20.2206; or

8. Any other matter that has more than a minor safety, health, or environmental significance.

J. Severity Level V—Violations that are of a minor safety, health, or environmental significance.

Supplement V—Transportation

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of NRC transportation requirements [19].

A. Severity Level I—Violations involving for example:

1. Failure to meet transportation requirements that resulted in loss of control of radioactive material with a breach in package integrity such that the material caused a radiation exposure to a member of the public and there was clear potential for the public to receive more than .1 rem to the whole body;

2. Surface contamination in excess of 50 times the NRC limit; or

3. External radiation levels in excess of 10 times the NRC limit.

B. Severity Level II—Violations involving for example:

1. Failure to meet transportation requirements that resulted in loss of control of radioactive material with a breach in package integrity such that there was a clear potential for the member of the public to receive more than .1 rem to the whole body;

2. Surface contamination in excess of 10, but not more than 50 times the NRC limit;

3. External radiation levels in excess of five, but not more than 10 times the NRC limit; or

4. A failure to make required initial notifications associated with Severity Level I or II violations.

C. Severity Level III—Violations involving for example:

1. Surface contamination in excess of five but not more than 10 times the NRC limit;

2. External radiation in excess of one but not more than five times the NRC limit;

3. Any noncompliance with labeling, placarding, shipping paper, packaging, loading, or other requirements that could reasonably result in the following:

(a) A significant failure to identify the type, quantity, or form of material;

(b) A failure of the carrier or recipient to exercise adequate controls; or

(c) A substantial potential for either personnel exposure or contamination above regulatory limits or improper transfer of material;

4. A failure to make required initial notification associated with Severity Level III violations; or

5. A breakdown in the licensee's program for the transportation of licensed material involving a number of violations that are related (or, if isolated, that are recurring violations) that collectively reflect a potentially significant lack of attention or carelessness toward licensed responsibilities.

D. Severity Level IV—Violations involving for example:

1. A breach of package integrity without external radiation levels exceeding the NRC limit or without contamination levels exceeding five times the NRC limits;

2. Surface contamination in excess of but not more than five times the NRC limit;

3. A failure to register as an authorized user of an NRC-Certified Transport package;

4. A noncompliance with shipping papers, marking, labeling, placarding packaging or loading not amounting to a Severity Level I, II, or III violation;

5. A failure to demonstrate that packages for special form radioactive material meets applicable regulatory requirements;

6. A failure to demonstrate that packages meet DOT Specifications for 7A Type A packages; or

7. Other violations that have more than minor safety or environmental significance.

E. Severity Level V—Violations that have minor safety or environmental significance.

Supplement VI—Fuel Cycle and Materials Operations

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of fuel cycle and materials operations.

A. Severity Level I—Violations involving for example:

1. Radiation levels, contamination levels, or releases that exceed 10 times the limits specified in the license;

2. A system designed to prevent or mitigate a serious safety event not being operable when actually required to perform its design function;

3. A nuclear criticality accident; or

4. A failure to follow the procedures of the quality management program, required by § 35.32, that results in a death or serious injury (e.g., substantial organ impairment) to a patient.

B. Severity Level II—Violations involving for example:

1. Radiation levels, contamination levels, or releases that exceed five times the limits specified in the license;

2. A system designed to prevent or mitigate a serious safety event being inoperable; or

3. A failure to follow the procedures of the quality management program, required by § 35.32, that results in substantial overexposure (e.g., 50% greater than the prescribed dose) to a patient.

C. Severity Level III—Violations involving for example:

1. A failure to control access to licensed materials for radiation purposes as specified by NRC requirements;

2. Possession or use of unauthorized equipment or materials in the conduct of licensee activities which degrades safety;

3. Use of radioactive material on humans where such use is not authorized;

4. Conduct of licensed activities by a technically unqualified person;

5. Radiation levels, contamination levels, or releases that exceed the limits specified in the license;

6. A substantial failure to implement the quality management program as required by § 35.32; failure to follow the procedures of the quality management program that results in a misadministration or failure to report a misadministration;

7. A breakdown in the control of licensed activities involving a number of violations that are related (or, if isolated, that are recurring violations) that collectively represent a potentially

[19] Some transportation requirements are applied to more than one licensee involved in the same activity such as a shipper and a carrier. When a violation of such a requirement occurs, enforcement action will be directed against the responsible licensee which, under the circumstances of the case, may be one or more of the licensees involved.

significant lack of attention or carelessness toward licensed responsibilities;

8. A failure, during radiographic operations, to have present or to use radiographic equipment, radiation survey instruments, and/or personnel monitoring devices as required by 10 CFR part 34;

9. A failure to submit an NRC Form 241 in accordance with the requirements in § 150.20 of 10 CFR part 150; or

10. A failure to receive required NRC approval prior to the implementation of a change in licensed activities that has radiological or programmatic significance, such as, a change in ownership; lack of an RSO or replacement of an RSO with an unqualified individual; a change in the location where licensed activities are being conducted, or where licensed material is being stored where the new facilities do not meet safety guidelines; or a change in the quantity or type of radioactive material being processed or used that has radiological significance.

D. Severity Level IV—Violations involving for example:

1. A failure to maintain patients hospitalized who have cobalt-60, cesium-137, or iridium-192 implants or to conduct required leakage or contamination tests, or to use properly calibrated equipment;

2. Other violations that have more than minor safety or environmental significance; or

3. A failure to follow the procedures of the quality management program, or failure to conduct the annual review or failure to take corrective actions as required by § 35.32; or

4. A failure to keep the records required by §§ 35.32 or 35.33.

E. Severity Level V—Violations that have minor safety or environmental significance.

Supplement VII—Miscellaneous Matters

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations involving miscellaneous matters.

A. Severity Level I—Violations involving for example:

1. Inaccurate or incomplete information [20] that is provided to the NRC (a) deliberately with the knowledge of a licensee official that the information is incomplete or inaccurate, or (b) if the information, had it been complete and accurate at the time provided, likely would have resulted in regulatory action such as an immediate order required by the public health and safety.

2. Incomplete or inaccurate information that the NRC requires be kept by a licensee that is (a) incomplete or inaccurate because of falsification by or with the knowledge of a licensee official, or (b) if the information, had it been complete and accurate when reviewed by the NRC, likely would have resulted in regulatory action such as an immediate order required by public health and safety considerations;

3. Information that the licensee has identified as having significant implications for public health and safety or the common defense and security ("significant information identified by a licensee") and is deliberately withheld from the Commission;

4. Action by senior corporate management in violation of 10 CFR 50.7 or similar regulations against an employee;

5. A knowing and intentional failure to provide the notice required by 10 CFR part 21; or

6. A failure to substantially implement the required fitness-for-duty program.[21]

B. Severity Level II—Violations involving for example:

1. Inaccurate or incomplete information that is provided to the NRC (a) by a licensee official because of careless disregard for the completeness or accuracy of the information, or (b) if the information, had it been complete and accurate at the time provided, likely would have resulted in regulatory action such as a show cause order or a different regulatory position;

2. Incomplete or inaccurate information that the NRC requires be kept by a licensee which is (a) incomplete or inaccurate because of careless disregard for the accuracy of the information on the part of a licensee official, or (b) if the information, had it been complete and accurate when reviewed by the NRC, likely would have resulted in regulatory action such as a show cause order or a different regulatory position;

3. "Significant information identified by a licensee" and not provided to the Commission because of careless disregard on the part of a licensee official;

4. An action by plant management above first-line supervision in violation of 10 CFR 50.7 or similar regulations against an employee;

5. A failure to provide the notice required by 10 CFR part 21;

6. A failure to remove an individual from unescorted access who has been involved in the sale, use, or possession of illegal drugs within the protected area or take action for on duty misuse of alcohol, prescription drugs, or over-the-counter drugs;

7. A failure to take reasonable action when observed behavior within the protected area or credible information concerning activities within the protected area indicates possible unfitness for duty based on drug or alcohol use; or

8. A deliberate failure of the licensee's Employee Assistance Program (EAP) to notify licensee's management when EAP's staff is aware that an individual's condition may adversely affect safety related activities.

C. Severity Level III—Violations involving for example:

1. Incomplete or inaccurate information that is provided to the NRC (a) because of inadequate actions on the part of licensee officials but not amounting to a Severity Level I or II violation, or (b) if the information, had it been complete and accurate at the time provided, likely would have resulted in a reconsideration of a regulatory position or substantial further inquiry such as an additional inspection or a formal request for information;

2. Incomplete or inaccurate information that the NRC requires be kept by a licensee that is (a) incomplete or inaccurate because of inadequate actions on the part of licensee officials but not amounting to a Severity Level I or II violation, or (b) if the information, had it been complete and accurate when reviewed by the NRC, likely would have resulted in a reconsideration of a regulatory position or substantial further inquiry such as an additional inspection or a formal request for information;

3. A failure to provide "significant information identified by a licensee" to the Commission and not amounting to a Severity Level I or II violation;

4. An action by first-line supervision in violation of 10 CFR 50.7 or similar regulations against an employee;

5. An inadequate review or failure to review such that, if an appropriate review had been made as required, a 10 CFR part 21 report would have been made;

6. A failure to complete a suitable inquiry on the basis of 10 CFR part 26, keep records concerning the denial of

[20] In applying the examples in this supplement regarding inaccurate or incomplete information and records, reference should also be made to the guidance in Section IX, "Inaccurate and Incomplete Information," and to the definition of "licensee official" contained in Section IV.C.

[21] The example for violations for fitness-for-duty relate to violations of 10 CFR part 26.

access, or respond to inquiries concerning denials of access so that, as a result of the failure, a person previously denied access for fitness-for-duty reasons was improperly granted access;

7. A failure to take the required action for a person confirmed to have been tested positive for illegal drug use or take action for onsite alcohol use; not amounting to a Severity Level II violation;

8. A failure to assure, as required, that contractors or vendors have an effective fitness-for-duty program; or

9. A breakdown in the fitness-for-duty program involving a number of violations of the basic elements of the fitness-for-duty program that collectively reflect a significant lack of attention or carelessness towards meeting the objectives of 10 CFR 26.10.

D. Severity Level IV—Violations involving for example:

1. Incomplete or inaccurate information of more than minor significance that is provided to the NRC but not amounting to a Severity Level I, II, or III violation;

2. Information that the NRC requires be kept by a licensee and that is incomplete or inaccurate and of more than minor significance but not amounting to a Severity Level I, II, or III violation;

3. An inadequate review or failure to review under 10 CFR part 21 or other procedural violations associated with 10 CFR part 21 with more than minor safety significance;

4. Isolated failures to meet basic elements of the fitness-for-duty program not involving a Severity Level I, II, or III violation; or

5. A failure to report acts of licensed operators or supervisors pursuant to 10 CFR 26.73.

E. Severity Level V—Violations involving for example:

1. Incomplete or inaccurate information that is provided to the Commission and the incompleteness or inaccuracy is of minor significance;

2. Information that the NRC requires be kept by a licensee that is incomplete or inaccurate and the incompleteness or inaccuracy is of minor significance;

3. Minor procedural requirements of 10 CFR part 21; or

4. Minor violations of fitness-for-duty requirements.

Supplement VIII—Emergency Preparedness

This supplement provides examples of violations in each of the five severity levels as guidance in determining the appropriate severity level for violations in the area of emergency preparedness. It should be noted that citations are not normally made for violations involving emergency preparedness occurring during emergency exercises. However, where exercises reveal (i) training, procedural, or repetitive failures for which corrective actions have not been taken, (ii) an overall concern regarding the licensee's ability to implement its plan in a manner that adequately protects public health and safety, or (iii) poor self critiques of the licensee's exercises, enforcement action may be appropriate.

A. Severity Level I—Violations involving for example:

In a general emergency, licensee failure to promptly (1) correctly classify the event, (2) make required notifications to responsible Federal, State, and local agencies, or (3) respond to the event (e.g., assess actual or potential offsite consequences, activate emergency response facilities, and augment shift staff.)

B. Severity Level II—Violations involving for example:

In a site emergency, licensee failure to promptly (1) correctly classify the event, (2) make required notifications to responsible Federal, State, and local agencies, or (3) respond to the event (e.g., assess actual or potential offsite consequences, activate emergency response facilities, and augment shift staff); or

2. A licensee failure to meet or implement one emergency planning standard involving assessment or notification; or

B. Severity Level III—Violations involving for example:

In an alert, licensee failure to promptly (1) correctly classify the event, (2) make required notifications to responsible Federal, State, and local agencies, or (3) respond to the event (e.g., assess actual or potential offsite consequences, activate emergency response facilities, and augment shift staff);

2. A licensee failure to meet or implement more than one emergency planning standard involving assessment or notification.

3. A breakdown in the control of licensed activities involving a number of violations that are related (or, if isolated, that are recurring violations) that collectively represent a potentially significant lack of attention or carelessness toward licensed responsibilities.

D. Severity Level IV—Violations involving for example:

A licensee failure to meet or implement any emergency planning standard or requirement not directly related to assessment and notification.

E. Severity Level V—Violations that have minor safety or environmental significance.

Dated at Rockville, MD., this 6th day of February, 1992.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 92–3604 Filed 2–14–92; 8:45 am]

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FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 303

RIN 3064–AA82

Applications, Requests, Submittals, Delegations of Authority, and Acquisition of Control

AGENCY: Federal Deposit Insurance Corporation ("FDIC").

ACTION: Final rule.

SUMMARY: The FDIC is amending its procedural regulations respecting applications, requests, submittals, delegations of authority, and notices of acquisition of control (12 CFR part 303) to reflect a change necessitated by section 501 of the Federal Deposit Insurance Corporation Improvement Act of 1991 ("FDICIA"). The amendments delegate to the Director of the Division of Supervision or his designee the authority to approve transactions under section 5(d)(3) of the Federal Deposit Insurance Act (commonly referred to as "Oakar" transactions), and specify the manner in which such approval should be sought.

EFFECTIVE DATE: February 18, 1992.

FOR FURTHER INFORMATION CONTACT: Karl R. Krichbaum, Division of Supervision, (202) 898–6758, or Laura M. Jones, Attorney, Legal Division, (202) 898–7270, FDIC, 550 17th Street, NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: .

Reason for Adoption Without Prior Notice and Comment

The amendments are being published in final form without opportunity for public comment under the authority of 5 U.S.C. 553(b)(A) (Administrative Procedure Act) which exempts from required publication for comment interpretive rules, general statements of policy, and rules of agency practice and procedure. Immediate adoption of this final rule is further necessary to facilitate the prompt approval of pending and expected applications for section 5(d)(3) transactions. The

amendments are being made immediately effective since the requirement found in 5 U.S.C. 553(d) that substantive rules be published not less than 30 days prior to their effective date is inapplicable. Because the amendments concern the FDIC's delegations of authority and application process, the amendments pertain solely to the FDIC's internal policies and procedures. Further, the amendments are not substantive rules. The requirements, therefore, of publication for comment, and that substantive rules be published not less than 30 days prior to their effective date are inapplicable.

Background

As amended by FDICIA, section 5(d)(3) of the Federal Deposit Insurance Act permits Bank Insurance Fund ("BIF") member institutions to consolidate or merge with or acquire the assets or liabilities of Savings Association Insurance Fund ("SAIF") member institutions, and permits SAIF-member institutions to consolidate or merge with, or acquire the assets or liabilities of BIF-member institutions. These transactions are commonly referred to as "Oakar" transactions. As a requirement for participation in an Oakar transaction, section 5(d)(3) requires the approval of the primary regulator of the acquiring, assuming, or resulting institution.

As there are applications for approval of Oakar transactions pending, and more applications are expected, the Board finds it advisable to delegate its authority to approve such transactions to the Director of the Division of Supervision or his designee. By so delegating its authority, the Board generally parallels the process already in place for approvals required under the Bank Merger Act. The Board finds it is prudent to designate the same individual to approve applications required under both section 5(d)(3) and under the Bank Merger Act.

Additionally, the Board finds that requests for such approval should be submitted in a uniform manner. To that end, the Board finds that such requests for approval should be submitted by attaching a transmittal letter to the merger application stating that the transaction falls under section 5(d)(3) and the transaction will not result in the transfer of insurance for any deposits from one deposit insurance fund to the other.

Regulatory Flexibility Analysis

Because no notice of proposed rulemaking is required under section 553 of the Administrative Procedure Act or any other law, the Regulatory Flexibility Act (5 U.S.C. 601–602) does not apply.

List of Subjects in 12 CFR Part 303

Administrative practice and procedure, Authority delegations, Bank deposit insurance, Banks/banking, Reporting and recordkeeping requirements, Savings associations.

For the reasons set out in the preamble, title 12, part 303 of the Code of Federal Regulations is amended as follows:

PART 303—APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES OF ACQUISITION OF CONTROL

1. The authority citation for part 303 continues to read as follows:

Authority: 12 U.S.C. 378, 1813, 1815, 1816, 1817(j), 1818, 1819 ("Seventh" and "Tenth"), 1828, 1831(e); 15 U.S.C. 1607.

2. Section 303.3(d) is redesignated as paragraph (e) and a new paragraph (d) is added to read as follows:

§ 303.3 Application for conversion, merger, consolidation, assumption and sale of asset transactions.

* * * * *

(d) *Applications for approval of transactions under section 5(d)(3) of the Federal Deposit Insurance Act (12 U.S.C. 1815(d)(3)).* Application by an insured state nonmember bank for consent of the Corporation to enter into a transaction under section 5(d)(3) of the Federal Deposit Insurance Act shall be made by submitting a letter accompanying the merger application certifying:

(1) That the application for approval is for a transaction under section 5(d)(3), and

(2) That the transaction will not result in the transfer of any insured depository institution's Federal deposit insurance from one federal deposit insurance fund to the other federal deposit insurance fund.

3. Section 303.7(f)(5) is redesignated as 303.7(f)(6) and a new paragraph (f)(5) is added to read as follows:

§ 303.7 Delegation of Authority to the Director of the Division of Supervision and to the associate directors, regional directors and deputy regional directors to act on certain applications, requests, and notices of acquisition of control.

* * * * *

(f) * * *

(5) Authority is delegated to the Director and, where confirmed in writing by the Director, to an associate director, or to the appropriate regional director or deputy regional director to:

(i) Determine whether applicants requesting approval under section 5(d)(3)(A)(i) of the Federal Deposit Insurance Act (12 U.S.C. 1815(d)(3)(A)(i)) meet all minimum capital requirements contained in 12 CFR part 325;

(ii) Approve applications where the applicant satisfies the requirements specified in paragraph (f)(5)(i) of this section and the requirements of section 18(c) of the Federal Deposit Insurance Act (12 U.S.C. 1828(c)); and

(iii) Deny such applications if the requirements specified in paragraph (f)(5)(i) of this section are not met.

* * * * *

By order of the Board of Directors.

Dated at Washington, DC, this 10th day of February, 1992.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson.

Executive Secretary.

[FR Doc. 92–3677 Filed 2–14–92; 8:45 am]

BILLING CODE 6714–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 250

[Docket No. RM87–5–009]

Inquiry Into Alleged Anticompetitive Practices Related to Marketing Affiliates of Interstate Pipelines; Order Denying Rehearing

Issued February 10, 1992.

AGENCY: Federal Energy Regulatory Commission, Energy.

ACTION: Final rule; order denying rehearing.

SUMMARY: On December 20, 1991, the Commission issued Order No. 497–C (III FERC Stats. and Regs. ¶ 30,934, 57 FR 9 (January 2, 1992)) which extended Order No. 497's reporting requirements for an additional year, from December 31, 1991, to December 31, 1992, and amended the final rule to reduce the number of paper printouts of the FERC Form No. 592 information that pipelines are required to file. Requests for rehearing of Order No. 497–C were filed by the Enron Interstate Pipeline Companies and the Affiliated Marketers Group on January 10, 1992, and January 21, 1992, respectively. This order denies their requests for rehearing.

FOR FURTHER INFORMATION CONTACT: David Faerberg, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street,

NE., Washington, DC 20426, (202) 208–1275.

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 20426.

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 order 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 contractor, La Dorn Systems Corporation, also located in room 3308, 941 North Capitol Street, NE., Washington, DC 20426.

Before Commissioners: Martin L. Allday, Chairman; Charles A. Trabandt, Elizabeth Anne Moler, Jerry J. Langdon and Branko Terzic.

On December 20, 1991, the Commission issued Order No. 497–C [1] which extended Order No. 497's reporting requirements for an additional year, from December 31, 1991, to December 31, 1992, and amended the final rule to reduce the number of paper printouts of the FERC Form No. 592 information that pipelines are required to file. On January 10, 1992, the Enron Interstate Pipeline Companies (Enron) filed a request for rehearing of Order No. 497–C. On January 21, 1992, the Affiliated Marketers Group (Affiliated Marketers) [2] filed a request for rehearing of Order No. 497–C. For the reasons discussed below, the Commission will deny Enron's and the Affiliated Marketers' requests.

Background

On December 20, 1991, the Commission issued Order No. 497–C with extended Order No. 497's reporting requirements for an additional year, from December 31, 1991, to December 31, 1992, and amended the final rule to reduce the number of paper printouts of the FERC Form No. 592 information that pipelines are required to file.

The Commission stated that it was extending Order No. 497's reporting requirements for an additional year because certain issues regarding Order Nos. 497 and 497–A were still pending and a new issue had arisen. The issues still pending are the applicability of the standards of conduct to discount sales programs and the appeal of Order No. 497 to the U.S. Court of Appeals for the District of Columbia Circuit. The new issue is the proposal in the Notice of Proposed Rulemaking (NOPR) in Docket No. RM91–11–000 [3] to require pipelines to comply with Order No. 497's standards of conduct and reporting requirements by considering their unbundled sales operating employees as an operational unit which is the functional equivalent of a marketing affiliate. The Commission concluded that with these issues before the Commission, it would be premature to let the reporting requirements lapse at the end of 1991.

The Commission also stated its continued belief that the potential for discriminatory behavior by pipelines in favor of their marketing affiliates continues to exist, that reporting has a deterrent effect because participants in a transaction are aware that at some time in the future the Commission may call upon them to explain how the transaction complies with the standards of conduct, and that reporting is an important enforcement tool when deterrence is not successful because data regarding transactions is one of the various sources of information that is needed to verify whether a particular prohibited practice has occurred. The Commission then concluded that allowing the reporting requirements to lapse would hamper the Commission's ability to enforce those standards and that their continuation would assist the public and the Commission staff in monitoring potential abuses.

Enron's and Affiliated Marketers' Rehearing Requests

Enron and Affiliated Marketers claim that Order No. 497–C is not the product of reasoned decisionmaking. They argue that the fact that Order No. 497 is currently pending on appeal is no basis to extend the reporting requirements, nor is the fact that the Commission has sought comments on the possible expansion of the Order No. 497 requirements in the NOPR in Docket No. RM91–11–000.

Enron and Affiliated Marketers argue further that the Commission's assertion regarding the potential for discriminatory behavior is vague and not sufficient to justify the extension of the reporting requirements. Enron points out that in Order No. 497 the Commission noted the decline in the number of complaints with regard to marketing affiliate favoritism,[4] and it asserts that in Order No. 497–A the Commission clearly found that the data submitted by the pipelines showed no affiliate favoritism in discounting, queue positioning, processing time for transportation requests, take-or-pay or the disposition of requests.[5] Enron and Affiliated Marketers argue the Commission did not have any facts to justify its actions in Order No. 497–B, and, further, that the Commission's determination in Order No. 497–C is not supported by substantial evidence. Enron and Affiliated Marketers maintain that the reference to the potential for discriminatory conduct, the belief that reporting has a deterrent effect, and the belief that reporting is an important enforcement tool certainly do not constitute substantial evidence.

In addition, Affiliated Marketers assert that Order No. 497's requirement that a pipeline immediately report its transactions with its marketing affiliate puts marketing affiliates at a competitive disadvantage because the reports contain commercially sensitive information. Accordingly, Affiliated Marketers request that the Commission eliminate the requirement for commercially sensitive information and allow pipelines to report affiliate transactions on a monthly rather than daily basis.

Discussion

The reasons given by the Commission for extending the sunset date are valid. Enron's and Affiliated Marketers' arguments in opposition are based simply on their opinion that Order No. 497–C is not the product of reasoned decisionmaking and is not supported by substantial evidence. This of course is in keeping with Enron's and affiliated marketers' individual [6] positions

[1] 57 FERC ¶ 61,356 (1991).

[2] This group consists of CNG Trading Company, Equitable Resources Marketing Company, Sonat Marketing Company, Tenngasco Corporation, and Midcon Marketing Corporation.

[3] In Re Pipeline Service Obligations and Revisions to Regulations Concerning Self-Implementing Transportation, IV FERC Stats. and Regs. ¶ 32,480 (1991).

[4] *Citing*, Order No. 497, FERC Stats. and Regs., Regulations Preambles 1986–1990, ¶ 30,820 at 31,128–29 (1988).

[5] *Citing*, Order No. 497–A, FERC Stats. and Regs., Regulations Preambles 1986–1990, ¶ 30,868 at 31,590 (1989).

[6] In earlier proceedings certain affiliated marketers submitted filings separately rather than as the Affiliated Marketers Group.

throughout the Order No. 497 proceedings that the Order No. 497 rule is unnecessary, is overly burdensome, and would force pipelines to release confidential data that would put affiliated marketers at a competitive disadvantage.[7] Enron and Affiliated Marketers have raised nothing that the Commission has not considered and discussed in its prior orders. Accordingly, Enron's and Affiliated Marketers' requests for rehearing are denied.

The fact that the Commission is considering expanding the scope of Order No. 497 in the NOPR in Docket No. RM91–11–000 is certainly reason enough for extending the sunset date. As emphasized by the Independent Gas Marketers Coalition (IGMC) in its November 27, 1991 petition seeking to extend Order No. 497's reporting requirements, "[t]he Commission's recognition [in the NOPR in Docket No. RM91–11–000] of the continuing *and growing* importance of the Standards of Conduct and reporting requirements cannot be reconciled with the termination of those requirements." [Emphasis in original.] [8] It certainly would not be reasoned decisionmaking if the Commission on the one hand were to propose the expansion of Order No. 497 in the NOPR in Docket No. RM91–11–000 and then on the other hand a few months later terminate the exact requirements that it was proposing to expand.

In its rehearing request, Enron cited both Order No. 497 and Order No. 497–A in support of its argument that there has been a decline in favoritism towards marketing affiliates. However, in doing so Enron has taken the Commission's statements out of context. In Order No. 497, the Commission stated:

> [W]hile there has been a decline in recent months in the number of complaints of prohibited affiliate practices, this fact does not argue for dropping the rule. The Commission has no way of knowing whether the decline in complaints signals that the problem is a short-term one that will disappear by itself or whether unlawful practices have decreased because of the attention the Commission has focused on the issue through the NOPR and the Enforcement Task Force. For all these reasons, and the fact that pipelines continue to have economic incentives to show undue preference toward their marketing affiliates, the Commission concludes that a rule is needed.[9]

In Order No. 497–A, the Commission spoke in connection with its conclusion that Order No. 497 did not need to be strengthened at that time:

> The Commission has concluded that stronger action, such as divestment, divorcement, or organizational separation is not supported by the record presently before the Commission. Nor does the Commission believe it necessary to require a pipeline to have a blanket certificate under subpart G of part 284 in order to conduct transportation transactions with its affiliate. [Footnote omitted] This conclusion is confirmed by our analysis of the data submitted by pipelines in response to the rule's reporting requirements. The data do not reveal any pattern of affiliate favoritism in areas such as discounts, queue positioning, processing time for transportation requests, take-or-pay, or the disposition of requests. The Commission will continue to monitor the information submitted to determine if stronger generic action is necessary and will continue to act on a case-by-case basis to prevent affiliate abuse where such action is appropriate. [Footnote omitted] [10]

Enron points only to portions of the above statements in Order Nos. 497 and 497–A as support for its conclusion that the Commission has only a vague evidentiary basis for extending Order No. 497's reporting requirements. However, as can be seen from the complete text quoted above, the Commission has had a deep and continuing concern about the potential for affiliate favoritism and the need for a regulatory mechanism to deter such discriminatory behavior.

The Commission Orders: Enron's and Affiliated Marketers' requests for rehearing of Order No. 497–C are denied.

By the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 92–3678 Filed 2–14–92; 8:45 am]

BILLING CODE 6716–01–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1302

Labeling and Packaging Requirements for Controlled Substances: Anabolic Steroid Products

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Notice of extension of labeling deadlines.

SUMMARY: Notice is hereby given that the Drug Enforcement Administration (DEA) has granted to Solvay Pharmaceuticals (formerly Reid-Rowell), Steris Laboratories Inc., and Wyeth-Ayerst Laboratories a second 180 day extension of the effective dates for compliance with the labeling requirements associated with Schedule III of the Controlled Substances Act (CSA) for the following pharmaceutical products: Estratest, Estratest HS, Premarin with Methyltestosterone, Testosterone Enanthate and Estradiol Valerate Injection, and Testosterone Enanthate and Estradiol Cypionate Injection.

DATES: The action is effective as of February 23, 1992.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307–7183.

SUPPLEMENTARY INFORMATION: By rule published on February 13, 1991 (56 FR 5753), the DEA promulgated regulations which implemented the Anabolic Steroids Control Act of 1990 (title XIX of Pub. L. 101–647). The February 13, 1991 rule announced, among other things, that "All labels and labeling for commercial containers of anabolic steroids, packaged on or after August 27, 1991, shall comply with the requirements of 21 CFR 1302.03–1302.08. Any commercial containers of anabolic steroids packaged prior to August 27, 1991 and not meeting the requirements specified in 21 CFR 1302.03–1302.05 shall not be distributed on or after November 27, 1991." The February 13, 1991 notice also announced that regulations would be published on how one could apply for an exemption for a product which, because of its concentration, preparation, mixture or delivery system, has no significant potential for abuse.

The procedure for the application for and granting of an exemption was published on August 30, 1991 (56 FR 42935). This date did not allow time for the processing of the applications before the August 27, 1991 deadline for compliance with the Schedule III labeling requirements. Three manufacturers, Reid-Rowell (now Solvay Pharmaceuticals), Steris Laboratories Inc., and Wyeth-Ayerst Laboratories applied for exemptions for commercial products: Reid-Rowell for the products Estratest and Estratest HS; Steris Laboratories Inc. for Testosterone Enanthate and Estradiol Valerate Injection and Testosterone Cypionate and Estradiol Cypionate Injection, and Wyeth-Ayerst Laboratories for Premarin with Methyltestosterone. An extension

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[7] See, Order No. 497–A, FERC Stats. and Regs., Regulations Preambles 1986–1990, ¶ 30,868 at 31,589 (1989).

[8] IGMC Petition at 3.

[9] FERC Stats. and Regs., Regulations Preambles 1986–1990, ¶ 30,820 at 31,128–29 (1988).

[10] FERC Stats. and Regs., Regulations Preambles 1986–1990, ¶ 30,868 at 31,590 (1989).

of the labeling and packaging deadlines was granted for the products for which applications for exemptions had been submitted. Four companies submitted applications for products which are not marketed, therefore, the labeling of commercial containers was not an issue.

Because the applications for exemptions have not yet been acted upon, as applied to the products listed above, the date for labeling compliance is extended to August 21, 1992 and the date for sale of non-conforming products is extended to November 19, 1992. The extension applies to the labeling requirements only. In all other respects these manufacturers must comply with the regulations which were published on February 13, 1991 (56 FR 5753). This means that all who are required to conform with the requirements of the CSA must continue to handle these products in a manner consistent with all other regulations applicable to Schedule III products.

(Authority: 21 U.S.C. 821, 825, 871(b), 958(e))

Dated: February 11, 1992.

Anthony J. Senneca,

Deputy Director, Office of Diversion Control.

[FR Doc. 92-3721 Filed 2-14-92; 8:45 am]

BILLING CODE 4410-09-M

21 CFR Part 1308

Exempt Chemical Preparations

AGENCY: Drug Enforcement Administration (DEA), Department of Justice.

ACTION: Interim rule and request for comments.

SUMMARY: This interim rule amends § 1308.24 of title 21 of the Code of Federal Regulations. The attached list of chemical preparations and mixtures which contain controlled substances replaces the list of exempt chemical preparations set forth in § 1308.24(i). This action is in response to DEA's periodic review of the exempt chemical preparation list and of new applications for exemptions filed with DEA. Preparations included in the list are exempted from the application of specific provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970, and from certain Drug Enforcement Administration Regulations.

DATES: *Effective Date:* February 18, 1992. Comments must be submitted on or before March 19, 1992.

ADDRESSES: Comments should be submitted to Administrator, Drug Enforcement Administration, Washington, DC 20537. Attn: Federal Register Representative.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug & Chemical Evaluation Section, Telephone (202) 307-7183.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act, as amended by the Dangerous Drug Diversion Control Act of 1984, authorizes the Attorney General, in accordance with 21 U.S.C. 811(g)(3)(B), to exempt from specific provisions of the Act, a compound, mixture, or preparation which contains any controlled substance which is not for administration to a human being or animal and which is packaged in such form or concentration or with adulterants or denaturants, so that, as packaged, it does not present any significant potential for abuse.

The Deputy Assistant Administrator, Drug Enforcement Administration, Office of Diversion Control, has received applications pursuant to § 1308.23 of title 21 of the Code of Federal Regulations requesting approval of exempt status provided for in 21 CFR 1308.24. The Deputy Assistant Administrator hereby finds that each of the following preparations and mixtures is intended for laboratory, industrial, educational, or special research purposes, is not intended for general administration to man or animal, and either (a) contains no narcotic controlled substances and is packaged in such a form or concentration that the packaged quantity does not present any significant potential for abuse, (b) contains either a narcotic or non-narcotic controlled substance and one or more adulterating or denaturing agents in such a manner, combination, quantity, proportion, or concentration that the preparation or mixture does not present any significant potential for abuse, or (c) the formulation of such preparation or mixture incorporates methods of denaturing or other means so that the controlled substance cannot in practice be removed, and therefore the preparation or mixture does not present any significant potential for abuse. The Deputy Assistant Administrator further finds that exemption of the following chemical preparations and mixtures is consistent with public health and safety as well as the needs of researchers, chemical analysts, and suppliers of these products.

The Deputy Assistant Administrator for the Office of Diversion Control hereby certifies that these matters will have no significant impact upon small businesses or other entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 601 et seq. The addition of preparations to the list of exempt chemical preparations has the effect of exempting them from certain sections of the Controlled Substances Act of 1970 and its regulations.

It has been determined that these changes are internal matters which do not require formal Office of Management and Budget review.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

Dated: February 4, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

Under the authority vested in the Attorney General by section 202(d) of the Act (21 U.S.C. 811(g)(3)(B)) and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR part 0.100), and redelegated to the Deputy Assistant Administrator of the Drug Enforcement Administration, Office of Diversion Control, pursuant to 47 FR 43370, the Deputy Assistant Administrator of the Office of Diversion Control hereby amends 21 CFR part 1308 as set forth below.

PART 1308—SCHEDULE OF CONTROLLED SUBSTANCES

1. Authority citation for part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b).

2. In section 1308.24(i), the table is revised to read as follows:

§ 1308.24 Exempt chemical preparations.

* * * * *

(i) * * *

EXEMPT CHEMICAL PREPARATIONS

Supplier	Product name	Form	Date
Aalto Scientific, LTD	Therapeutic Drug Monitoring Control Level I, II, III Freeze Dried	Vial: 5ml	4/09/91
Abbott Laboratories	125I Cholylglycyltyrosine Reagent Solution, No. 7816	Plastic Bottle: 20ml	4/07/78

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	ADx Benzoylecgonine Fluorescein Tracer Solution	Bottle: 3.2 ml	12/02/86
Abbott Laboratories	ADx Cannabinoids Fluorescein Tracer Solution	Bottle: 3.2ml	12/02/86
Abbott Laboratories	ADx Cannabinoids Reagent Pack (No. 9671-55)	Reagent Pack: 50 tests	12/02/86
Abbott Laboratories	ADx Cocaine Metabolite Fluorescein Tracer Solution, No. 9670-T, No. 9670T0013.	Vial: 3.2ml, Kit: 100 vials	4/18/89
Abbott Laboratories	ADx Cocaine Metabolite Reagent Pack, No. 9670-55	50 Test Unit	4/18/89
Abbott Laboratories	ADx Opiates Fluorescein Tracer Solution No. 9673-T, No. 9673T0013.	Vial: 3.2ml, Kit: 100 vials	4/18/89
Abbott Laboratories	ADx Opiates Reagent Pack, No. 9673-55	50 Test Unit	4/18/89
Abbott Laboratories	ADx Propoxyphene Fluorescein Tracer Solutions Item No. 9675T0011.	Box: 100 bottles or less	11/30/90
Abbott Laboratories	ADx Propoxyphene Reagent Pack Item No.9675-55	Kit: 50 test	11/30/90
Abbott Laboratories	Amphetamine Bulk Calibrators, B-F	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	10/09/85
Abbott Laboratories	Amphetamine Bulk Controls, L and H	Flask: 2 liter	12/09/85
Abbott Laboratories	Amphetamine Class Bulk Calibrator B-F	Carboy: 10 liters; Flask: 6 liters, 2 liters, 1 liter, 250 ml, 200 ml.	3/01/88
Abbott Laboratories	Amphetamine Class Bulk Control L and H	Carboy: 10 liters; Flask: 6 liters, 2 liters, 1 liter, 250 ml, 200 ml.	3/01/88
Abbott Laboratories	Amphetamine Class Bulk Tracer: No. 94699	Carboy: 10 liters; Flask: 6 liters, 2 liters	3/01/88
Abbott Laboratories	Amphetamine Class QC Primary B-F,L,M,H No. 9667 (B-F,L,M,H) QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Amphetamine Class Stock Tracer: No. 94700	Bottle: 30 ml	3/01/88
Abbott Laboratories	Amphetamine Stock Standard No. 97072, 97072 A-B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950ml, 500ml, 100ml, 5ml.	11/22/88
Abbott Laboratories	Amphetamine Stock Standard, No. 97072	Bottle: 125ml	9/30/85
Abbott Laboratories	Amphetamine/ Metamphetamine QC Primary Bulk Control M, No. 9668-M.	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Amphetamine/ Methamphetamine (II) QC Primary B-F,L,M,H No. 1A99 (B-F,L,M,H) QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Bulk Calibrators B-F Code No. 1A99 (B-F).	20 L, 10 L Carboy; 6 L 2 L, 1 L, 250 ml, 200 ml Flask.	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Bulk Controls (L,M,H) Code No. 1A99 (L,M,H).	20 L, 10 L Carboy; 6 L, 2 L, 1 L, 250 ml, 200 ml Flask.	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Calibrators B-F No. 1A99 B-F.	5 ml Vial	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Calibrators No. 1A99-01	Kit: 6 Vials	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Controls (L,M,H) No. 1A99-L,M,H.	5 ML Vial	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine II Controls No. 1A99-10	Kit: 3 Vials	8/26/88
Abbott Laboratories	Amphetamine/ Methamphetamine QC Primary B-F,L,M,H No. 9668 (B-F,L,M,H) QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Amphetamine/ Methamphetamine QC Primary Standard Control M, No. 9668-M.	Bottle: 5 ml	11/10/87
Abbott Laboratories	Amphetamine/Methamphetamine II Bulk Controls, No. 1A99X,Y,Z.	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/19/89
Abbott Laboratories	Amphetamine/Methamphetamine II Control X,Y,Z; NO. 1A99-02,03,04.	Kit: 100 vials	1/19/89
Abbott Laboratories	Amphetamine/Methamphetamine II Control X,Y,Z; No. 1A99X,Y,Z.	Vial: 5ml	1/19/89
Abbott Laboratories	Amphetamine/Methamphetamine II QC Primary 2-6 QT, NG, CO, PS No. 1A99 2-6 QT-QC & NG/CO/PS-QC.	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950,500,100,50,5ml; Ampule: 20, 10, 5, 2ml.	2/20/91
Abbott Laboratories	Amphetamine/Methamphetamine II QC Primary 8QT NO. 1A998QT-QC.	Carboy: 20L, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950,500,100,50,5ml; Ampule: 20,10,5,2ml.	10/25/91
Abbott Laboratories	Amphetamine/Methamphetamine II bulk Calibrator B,C,D,E,F; No. 01A99-B,C,D,E,F.	Carboy: 20L, 10L, 6L, 2L, 1L, 250ml, 200ml	7/14/89
Abbott Laboratories	Amphetamine/Methamphetamine II bulk Control L,M,H,; No. 01A99-L,M,H.	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	7/14/89
Abbott Laboratories	Barbital Buffer, 0.06 M Reagent Solution No. 7824	Plastic Bottle: 2.5ml	4/07/78
Abbott Laboratories	Barbiturate II U Control L,M,H; No. 9669 L,M,H-11	Bottle: 5 ml	10/17/89
Abbott Laboratories	Barbiturates Bulk Calibrator B-F No. 9669 B-F	Carboy: 9.5 19 L	7/01/88
Abbott Laboratories	Barbiturates Bulk Control L,H No. 9669 L,H	Carboy: 9.5, 19 L	7/01/88
Abbott Laboratories	Barbiturates Bulk Controls, No. 9669X,Y,Z	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/19/89
Abbott Laboratories	Barbiturates Control X,Y,Z; No. 9669X,Y,Z	Vial: 5ml	1/19/89
Abbott Laboratories	Barbiturates II QC Primary NG, CO, PS No. 9669 NG/CO/PS-11-QC.	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950,500,100,50,5ml; Ampule: 20,10,5,2ml.	2/20/91
Abbott Laboratories	Barbiturates II U Bulk Calibrators B-F; No. 9669 B-F-05	Carboy: 20L, 19L, 10L, 9.5L, 6L, 4L, 2L, 1L, Flask: 250ml, 200ml.	10/17/89
Abbott Laboratories	Barbiturates II U Bulk Controls L,M,H; No. 9669 L,M,H—11	Carboy: 20L, 19L, 10L, 9.5L, 6L, 4L, 2L, 1L, Flask: 250ml, 200ml.	10/17/89
Abbott Laboratories	Barbiturates II U Calibrators B-F; No. 9669 B-F-05	Bottle: 5 ml	10/17/89
Abbott Laboratories	Barbiturates II U Calibrators B-F; No. 9669-05	Kit: 6 vials	10/17/89
Abbott Laboratories	Barbiturates II U Controls L,M,H; No. 9661-11	Kit: 3 vials	10/17/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	Barbiturates II U QC Primary B-F No. 9669 B-F-05 QC	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 950ml, 500ml, 100ml, 5ml.	10/17/89
Abbott Laboratories	Barbiturates II U QC Primary L,M,H No. 9669 L,M,H-11 QC	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 950ml, 500ml, 100ml, 5ml.	10/17/89
Abbott Laboratories	Barbiturates QC Primary B-F,L,M,H No. 9669 (B-F,L,M,H) QC	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5 ml.	11/22/88
Abbott Laboratories	Barbiturates QC Primary Bulk Control M, No. 9669-M	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Barbiturates QC Primary Standard Control M, No. 9669-M	Bottle: 5 ml	11/10/87
Abbott Laboratories	Barbiturates QC Primary X, No. 9669X-QC	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	6/05/89
Abbott Laboratories	Barbiturates Serum Bulk Calibrator B-F, No. 9679 B-F	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/03/89
Abbott Laboratories	Barbiturates Serum Bulk Control L,M,H No. 9676 L,M,H	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/03/89
Abbott Laboratories	Barbiturates Serum Calibrators B-F, No. 9679-01	Kit: 5 vials	1/03/89
Abbott Laboratories	Barbiturates Serum Calibrators B/F, No. 9679 B/F	Bottle: 5ml	1/03/89
Abbott Laboratories	Barbiturates Serum Controls L,M,H No. 9679 L,M,H	Bottle: 5ml	1/03/89
Abbott Laboratories	Barbiturates Serum Controls L,M,H No. 9679-10	Kit: 3 vials	1/03/89
Abbott Laboratories	Barbiturates Serum QC Primary B-F,L,M,H No. 9679 (B-F,L,M,H)-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	1/03/89
Abbott Laboratories	Benzodiazepine Serum QC Primary B-F,L,M,H No. 9682 (B-F,L,M,H)-QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5 ml.	11/22/88
Abbott Laboratories	Benzodiazepines Bulk Calibrator No. 9674 B-F	Carboy: 9.5, 19 L	7/18/88
Abbott Laboratories	Benzodiazepines Bulk Calibrators, B-F No. 9674	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	4/21/86
Abbott Laboratories	Benzodiazepines Bulk Control L,H No. 9674 L,H	Carboy: 9.5, 19 L	7/18/88
Abbott Laboratories	Benzodiazepines Bulk Controls, L and H No. 9674	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	4/21/86
Abbott Laboratories	Benzodiazepines QC Primary Bulk Control M, No. 9674-M	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Benzodiazepines QC Primary Bulk Control M, No. 9674-M	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Benzodiazepines QC Primary NG, CO, PS No. 9674NG/CO/PS-QC.	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	2/20/91
Abbott Laboratories	Benzodiazepines QC Primary, B-F,L,M,H No. 9674 (B-F,L,M,H) QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Benzodiazepines Serum Bulk Calibrators B-F: Code No. 9682 B-F.	Carboy: 10 liter Flask: 6 liter, 2 liter	12/07/87
Abbott Laboratories	Benzodiazepines Serum Bulk Calibrators: No. 9682 B-F	Carboy: 20 liters, 10 liters Flask: 6 liters, 2 liters, 1 liter.	5/02/88
Abbott Laboratories	Benzodiazepines Serum Bulk Controls L,M, & H: Code No. 9682 L,M, & H.	Carboy: 10 liter Flask: 6 liter, 2 liter	12/07/88
Abbott Laboratories	Benzodiazepines Serum Bulk Controls: No. 9682 L, M, H	Carboy: 20 liters, 10 liters Flask: 6 liters, 2 liters, 1 liter, 250 ml, 200 ml.	5/02/88
Abbott Laboratories	Benzoylecgonine Stock Standard No. 97182, 97182 A-B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml, Bottle: 950ml, 500ml, 100ml, 5ml.	11/23/88
Abbott Laboratories	Benzoylecgonine Stock Standard, No. 97182	Bottle: 125ml	11/21/85
Abbott Laboratories	CG RIA Diagnostic Kit No. 7815	Kit: 100 tests	4/07/78
Abbott Laboratories	Cannabinoids—GS Bulk Controls, No. 3897 X,Y,Z	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/19/89
Abbott Laboratories	Cannabinoids—GS Control X,Y,Z No. 3897—02,03,04	Kit: 100 vials	1/19/89
Abbott Laboratories	Cannabinoids—GS Control X,Y,Z No. 3897 X,Y,Z	Vial: 5ml	1/19/89
Abbott Laboratories	Cannabinoids Bulk Calibrators B-F	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	10/24/86
Abbott Laboratories	Cannabinoids Bulk Controls L,M,H	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	10/24/86
Abbott Laboratories	Cannabinoids Bulk Tracer (No. 94192)	Carboy: 50L, 20L, 10L, Flask: 6L, 4L, 2L, 1L	10/27/86
Abbott Laboratories	Cannabinoids QC Primary 2-6 QT, NG, CO, PS No. 9671-11 2-6 QT-QC & NG/CO/PS-QC.	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	2/20/91
Abbott Laboratories	Cannabinoids QC Primary 8QT No. 9671-11 8QT-QC	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	10/25/91
Abbott Laboratories	Cannabinoids QC Primary NBS, B-F, L,M,H No. 9671-02[NBS,B-F]-QC; No. 9671-11[L,M,H]-QC.	Carboy: 10L, Flask: 4L, 2L, 500ml, 250ml, 100ml, 200ml, Bottle: 5ml.	12/27/88
Abbott Laboratories	Cannabinoids QC Primary NBS, B-F,L,M,H No. 9671 (NBS, B-F,L,M,H)-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	12/27/88
Abbott Laboratories	Cannabinoids Stock Standard (94568)	Bottle: 125 ml	6/19/87
Abbott Laboratories	Cannabinoids Stock Standard (No. 94193)	Bottle:125 ml	10/24/86
Abbott Laboratories	Cannabinoids Stock Standard 10mcg/ml-No. 94568, 5mcg/ml-No. 94568A, 1mcg/ml-No. 94568B.	Carboy: 20L, 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, bottle: 950ml, 500ml, 100ml, 5ml.	12/27/89
Abbott Laboratories	Cannabinoids Stock Standard 10mcg/ml-No. 94193, 5mcg/ml-No. 94193A, 1mcg/ml-No. 94193B.	Carboy: 20L, 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, bottle: 950ml, 500ml, 100ml, 5ml.	12/27/88
Abbott Laboratories	Cannabinoids Stock Tracer (No. 94194)	Flask: 5 ml	10/27/86
Abbott Laboratories	Cannabinoids-GS Bulk Calibrators B-F No. 3897 B-F	20 L, 10 L Carboy 6 L, 2 L, 1 L, 250 ml, 200 ml Flask.	7/28/88

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	Cannabinoids-GS Bulk Controls (L,M,H) Code No. 3897 (L,M,H).	20 L, 10 L Carboy 6 L, 2 L, 1 L, 250 ml, 200 ml Flask.	7/28/88
Abbott Laboratories	Cannabinoids-GS Bulk Tracer Code No. 95826	10 L Carboy 6 L, 2 L Flask	7/28/88
Abbott Laboratories	Cannabinoids-GS Calibrators B-F No. 3897 B-F	5 ml Vial	7/28/88
Abbott Laboratories	Cannabinoids-GS Calibrators No. 3897-01	Kit: 6 Vials	7/28/88
Abbott Laboratories	Cannabinoids-GS Controls (L,M,H) No. 3897-L,M,H	5 ml Vial	7/28/88
Abbott Laboratories	Cannabinoids-GS Controls No. 3897-10	Kit: 3 Vials	7/28/88
Abbott Laboratories	Cannabinoids-GS QC Primary NBS, B-F, L,M,H; No. 3897 (NBS, B-F, L,M,H)-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	12/27/88
Abbott Laboratories	Cannabinoids-GS Reagent Pack 100 Test No. 3897-20	Kit: 100 Tests	7/28/88
Abbott Laboratories	Cannabinoids-GS Reagent Pack 100 Test No. 3897-19	Kit: 100 Tests	9/22/89
Abbott Laboratories	Cannabinoids-GS Tracer Code No. 3897-T	5 ml Vial	7/28/88
Abbott Laboratories	Cholylglycine Antiserum (Rabbit) Reagent Solution No. 7817	Plastic Bottle: 20ml	4/07/78
Abbott Laboratories	Cocaine Metabolite Bulk Calibrator B-F No. 9670 B-F	Carboy: 9.5, 19 L	7/07/88
Abbott Laboratories	Cocaine Metabolite Bulk Calibrator, B-F No. 9670	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	10/28/85
Abbott Laboratories	Cocaine Metabolite Bulk Controls L,H No. 9670-L,H	Carboy: 9.5, 19 L	7/07/88
Abbott Laboratories	Cocaine Metabolite Bulk Controls, L and H No. 9670	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	10/28/85
Abbott Laboratories	Cocaine Metabolite Bulk Controls, No. 9670X,Y,Z	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	1/19/89
Abbott Laboratories	Cocaine Metabolite Bulk Tracer; No. 9670	Carboy: 50L, 20L, 10L, Flask: 6L, 4L, 2L, 1L	10/29/85
Abbott Laboratories	Cocaine Metabolite Control X,Y,Z; No. 9670X,Y,Z	Vial: 5ml	1/19/89
Abbott Laboratories	Cocaine Metabolite QC Primary 2-6 QT, NG, CO, PS No. 9670 2-6 QT-QC & NG/CO/PS-QC.	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	2/20/91
Abbott Laboratories	Cocaine Metabolite QC Primary 2-6 QT-C, 8QT-C No. 9670 2-6 QTC-QC, 9670 8QTC-QC.	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	10/28/91
Abbott Laboratories	Cocaine Metabolite QC Primary 8QT No. 9670 8QT-QC	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	10/25/91
Abbott Laboratories	Cocaine Metabolite QC Primary B-F, L, M. H, No. 9670 (B-F, L, M, H)-QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml; Bottle: 5 ml.	11/23/88
Abbott Laboratories	Cocaine Metabolite QC Primary Bulk Control M, No. 9670-M	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Cocaine Metabolite QC Primary Standard Control M, No. 9670-M.	Bottle: 5 ml	11/10/87
Abbott Laboratories	Cocaine Metabolite QC Primary X, No. 9670X-QC; Primary Z, No. 9670Z-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml; Bottle: 5ml.	6/05/89
Abbott Laboratories	Cocaine Metabolite Stock Tracer, No. 9670	Vial: 5ml	10/29/85
Abbott Laboratories	High Multiconstituent (9) Stock Standard Cat. No. 92622	Carboy: 50, 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	7/02/91
Abbott Laboratories	Low Multiconstituent (9) Stock Standard Cat. No. 92620	Carboy: 50, 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	7/02/91
Abbott Laboratories	Low, Medium, High Multiconstituent Stock Standards, No. 90967, 90968, 90969.	Carboy: 10, 20L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	10/06/89
Abbott Laboratories	Medium Multiconstituent (9) Stock Standard Cat. No. 92621	Carboy: 50, 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	7/02/91
Abbott Laboratories	Methadone Bulk Calibrators (B-F) Code No. 9676 (B-F)	20 L, 10 L Carboy; 6 L, 2 L, 1 L, 250 ml, 200 ml Flask.	9/02/88
Abbott Laboratories	Methadone Bulk Calibrators (L,M,H) Code No. 9676 (L,M,H)	20 L, 10 L Carboy; 6 L, 2 L, 1 L, 250 ml, 200 ml Flask.	9/02/88
Abbott Laboratories	Methadone Bulk Stock Standard Code No. 95952	10 L Carboy; 6 L, 2 L, 1 L Flask	9/02/88
Abbott Laboratories	Methadone Calibrators No. 9676-01	Kit: 6 Vials	9/02/88
Abbott Laboratories	Methadone Calibrators B-F No. 9676 B-F	5 ml Vial	9/02/88
Abbott Laboratories	Methadone Controls L,M,H No. 9676-L,M,H	5 ml Vial	9/02/88
Abbott Laboratories	Methadone Controls No. 9676-10	Kit: 3 Vials	9/02/88
Abbott Laboratories	Methadone QC Primary NG, CO, PS No. 9676 NG/CO/PS-QC	Carboy: 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	2/20/91
Abbott Laboratories	Methadone Stock Standard Code No. 95720	1 L, 500 ml, 100 ml; Bottle	9/02/88
Abbott Laboratories	Morphine Stock Standard, No. 97291	Vial: 125ml	10/16/85
Abbott Laboratories	Morphine Stock Standard, No. 97291 A-B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml; Bottle: 950ml, 500ml, 100ml, 5ml.	11/22/88
Abbott Laboratories	Multiconstituent (9) QC Control H Cat. No. 92625	Carboy: 50, 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	7/02/91
Abbott Laboratories	Multiconstituent (9) QC Control L Cat. No. 92623	Carboy: 50, 20, 10L; Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950, 500, 100, 50, 5ml; Ampule: 20, 10, 5, 2ml.	7/02/91
Abbott Laboratories	Multiconstituent (9) QC Control M Cat. No. 92624	Carboy: 50, 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	07/02/91
Abbott Laboratories	Multiconstituent Bulk Controls L,M,H (No. 9687-L,M,H)	Carboy: 20L, 10L, Flask: 10L, 6L, 4L, 2L, 1L, 250ml, 200ml.	09/03/87

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	Multiconstituent Control for Abused Drug Assays Bulk L,M,H; No. 9687-L,M,H.	Carboy: 20L, 10L, 19L, 9.5L, 6L, 4L, 1L, Flask: 250ml, 200ml.	10/06/89
Abbott Laboratories	Multiconstituent Control for Abused Drug Assays L,M,H; No. 9687-L,M,H.	Vial: 5 ml	10/06/89
Abbott Laboratories	Multiconstituent Control for Abused Drug Assays QC Primaries L,M,H; No. 9687-L,H,H-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 950ml, 500ml, 100ml, 5ml.	10/06/89
Abbott Laboratories	Multiconstituent Controls for Abused Drug Assays, No. 9687-10.	Kit: 6 vials	10/06/89
Abbott Laboratories	Nordiazepam Serum Bulk Stock Standard No. 94941	Carboy: 10 liters Flask: 6 liters, 2 liters, 1 liter	05/02/88
Abbott Laboratories	Nordiazepam Serum Bulk Stock Standard: Code No.94941	Carboy: 10 liter Flask: 6 liter, 2 liter	12/07/87
Abbott Laboratories	Nordiazepam Serum Stock Standard No. 94941, 94941 A,B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950 ml, 500 ml, 100 ml, 5 ml.	11/22/88
Abbott Laboratories	Nordiazepam Serum Stock Standard: Code No. 94941	Bottle: 125 ml	12/07/87
Abbott Laboratories	Nordiazepam Serum Stock Standard: No. 94941	Bottle: 125 ml	05/02/88
Abbott Laboratories	Nordiazepam Stock Standard No. 97757, 97757 A,B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950ml, 500ml, 100ml, 5ml.	11/22/88
Abbott Laboratories	Nordiazepam Stock Standard, No. 97757	Bottle: 125ml	04/21/86
Abbott Laboratories	Opiate Bulk Calibrators, B-F No. 9673	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	05/07/86
Abbott Laboratories	Opiate Bulk Controls, L and H No. 9673	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	05/07/86
Abbott Laboratories	Opiates Bulk Controls, No. 9673X,Y,Z	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	01/19/89
Abbott Laboratories	Opiates Bulk Tracer, No. 97458	Carboy: 50L, 20L, 10L, Flask: 6L, 4L, 2L, 1L	05/07/86
Abbott Laboratories	Opiates Control X,Y,Z; No. 9673X,Y,Z	Vial: 5ml	01/19/89
Abbott Laboratories	Opiates QC Primary (B-F,L,M,H) QC No. 9673 (B-F,L,M,H) QC	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Opiates QC Primary 2-6 QT, NG, CO, PS No. 9673 2-6 QT-QC & NG/CO/PS-QC.	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	02/20/91
Abbott Laboratories	Opiates QC Primary 8QT No. 9673 8QT-QC	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	10/25/91
Abbott Laboratories	Opiates QC Primary Bulk Control M, No. 9673-M	Flasks: 1 liter, 250 ml, and 200 ml	11/10/87
Abbott Laboratories	Opiates QC Primary Standard Control M, No. 9673-M	Bottle: 5 ml	11/10/87
Abbott Laboratories	Opiates QC Primary X, No. 9673X-QC Primary Y, No. 9673Y-QC; PrimaryZ, No. 9673Z-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	06/05/89
Abbott Laboratories	Opiates Stock Tracer, No. 98718	Bottle: 30ml	05/07/86
Abbott Laboratories	Phencyclidine Bulk Calibrator, B-F No. 9672	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	03/21/86
Abbott Laboratories	Phencyclidine Bulk Control M, No. 9672	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	09/26/86
Abbott Laboratories	Phencyclidine Bulk Controls, L and H No. 9672	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	03/21/86
Abbott Laboratories	Phencyclidine Bulk Controls, No. 9672X,Y,Z	Carboy: 20L, 10L, Flask: 6L, 2L, 1L, 250ml, 200ml.	01/19/89
Abbott Laboratories	Phencyclidine Control X,Y,Z; No. 9672X,Y,Z	Vial: 5ml	01/19/89
Abbott Laboratories	Phencyclidine QC Primary (B-F,L,M,H) QC No. 9672 (B-F,L,M,H) QC.	Carboy: 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 5ml.	11/22/88
Abbott Laboratories	Phencyclidine QC Primary 2-6 QT NG, CO, PS No. 9672 2-6 QT-QC & NG/CO/PS-QC.	Carboy: 20,10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	02/20/91
Abbott Laboratories	Phencyclidine QC Primary 8QT No. 9672 8QT-QC	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950, 500, 100, 50, 5ml Ampule: 20, 10, 5, 2ml.	10/25/91
Abbott Laboratories	Phencyclidine QC Primary X, No. 9672X-QC; Primary Z, No. 9672Z-QC.	Carboy: 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 5ml.	06/05/89
Abbott Laboratories	Phencyclidine Stock Standard No. 97158, 97158 A-B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950ml, 500ml, 100ml, 5ml.	11/22/88
Abbott Laboratories	Phencyclidine Stock Standard, No. 95356	Flask: 100ml, 200ml, 250ml, 500ml, 1L, 2L, 4L, Bottle: 5ml, 100ml, 500ml, 950 ml, Carboys: 10L, 20L.	04/18/89
Abbott Laboratories	Phencyclidine Stock Standard, No. 97158	Bottle: 125ml	11/21/85
Abbott Laboratories	Phenobarbital Enzyme Inhibitor Stock	Vial: 2ml	01/20/84
Abbott Laboratories	Phenobarbital QC Primary B-F,L,M,H Item No. 9500B-F,L,M,H	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottles: 950, 500, 100, 50, 5ml Ampules: 20, 10, 5, 2ml.	01/04/91
Abbott Laboratories	Phenobarbital Stock Solution 1 mg/ml Code No. 94312	Plastic Bottle: 125 ml	03/23/87
Abbott Laboratories	Phenobarbital Stock Solution 10 mg/ml Code No. 94313	Plastic Bottle: 125 ml	03/23/87
Abbott Laboratories	Phenobarbital Stock Standard 500 ug/ml Item No. 99259	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottles: 950, 500, 100, 50, 5ml Ampules: 20, 10, 5, 2ml.	01/04/91
Abbott Laboratories	Phenobarbital Stock Standard Solution,	Bottle: 1 liter	8/12/82
Abbott Laboratories	Polyethylene Glycol 8000, 16% Solution in 0.09 M Barbital Buffer, No 7541.	Plastic Bottle: 300 ml, 150 ml.	09/21/77

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	Polyethylene Glycol 8000, 18% Solution in 0.09M Barbital Buffer: No. 07602.	Stainless Steel Tank: 1000 liters	03/09/88
Abbott Laboratories	Propoxyphene Bulk Calibrator B-F Item No. 9675(B-F)	Carboys or Flasks: 20L,19L,10L,9.5L,6L,4L,2L,1L,250ml,200ml.	11/30/90
Abbott Laboratories	Propoxyphene Bulk Control L,M,H List No. 9675(L,M,H)	Carboys or Flasks: 20L,19L,10L,9.5L,6L,4L,2L,1L,250ml,200ml.	11/30/90
Abbott Laboratories	Propoxyphene Bulk Tracer Item No. 92003	Carboys or Flasks: 20L,19L,10L,9.5L,6L,4L,2L,1L,250ml,200ml.	11/30/90
Abbott Laboratories	Propoxyphene Calibrators Item No. 9675-01	Kit: 5 vials	11/30/90
Abbott Laboratories	Propoxyphene Calibrators Item No. 9675B-F	Vial: 5ml	11/30/90
Abbott Laboratories	Propoxyphene Controls Item No. 9675-10	Kit: 3 vials	11/30/90
Abbott Laboratories	Propoxyphene Controls Item No. 9675L,M,H	Vial: 5ml	11/30/90
Abbott Laboratories	Propoxyphene QC Primary B-F,L,M,H,Z Item No. 9675(B-F,L,M,H,Z)-QC.	Carboy: 20,10L Flasks: 6,4,2,1L,500,250,200,100ml Bottles: 950,500,100,50,5ml Ampules: 20,10,5,2ml.	11/30/90
Abbott Laboratories	Propoxyphene QC Primary NG, CO, PS No. 9675 NG/CO/PS-QC.	Carboy: 20,10L; Flask: 6,4,2,1L,500,250,200,100ml; Bottle: 950ml,500,100,50,5ml Ampule: 20,10,5,2ml.	2/20/91
Abbott Laboratories	Propoxyphene Stock Standard, 100 mcg/ml Item No. 92005	Carboys: 20,10L Flasks: 6,4,2,1L,500,250,200,100ml Bottles: 950,500,100,50,5ml Ampules: 20,10,5,2ml.	11/30/90
Abbott Laboratories	Propoxyphene Stock Tracer Item No. 92001	Bottle: 12ml	11/30/90
Abbott Laboratories	Propoxyphene Tracer Item No. 9675-T	Bottles: 3.2ml, 5ml	11/30/90
Abbott Laboratories	Secobarbital Bulk Calibrator, B-F No. 9669	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	3/21/86
Abbott Laboratories	Secobarbital Bulk Controls, L and H No. 9669	Carboy: 20L, 10L, Flask: 6L, 4L, 2L, 1L, 250ml, 200ml.	3/21/86
Abbott Laboratories	Secobarbital Stock Standard 1000mcg/ml-No. 90107, 500mcg/ml-No. 90107A, 200mcg/ml-No. 90107B,.	Carboy: 20L, 10L, Flask: 4L, 2L, 1L, 500ml, 250ml, 200ml, 100ml, Bottle: 950ml, 500ml, 100ml, 5ml.	1/03/89
Abbott Laboratories	Secobarbital Stock Standard No. 97171, 97171 A,B	Carboy: 20L,10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950 ml, 500 ml, 100 ml, 5 ml.	11/22/88
Abbott Laboratories	Secobarbital Stock Standard, No. 97171	Bottle: 125ml	11/21/85
Abbott Laboratories	Spectrum Phenobarbital Calibrator II-VI, Nos. 9755, 9757, 9759, 9761, 9763.	Bottle: 4ml	10/03/85
Abbott Laboratories	Spectrum Phenobarbital Control, Nos. 9876, 9878, 9880. (L,M,H).	Bottle: 4ml	10/03/85
Abbott Laboratories	TDx Amphetamine Class Calibrators 9667-01	Kit containing 6 vials	3/01/88
Abbott Laboratories	TDx Amphetamine Class Calibrators B-F	Bottle: 5 ml	3/01/88
Abbott Laboratories	TDx Amphetamine Class Control L and H	Bottle: 5 ml	3/01/88
Abbott Laboratories	TDx Amphetamine Class Controls 9667-10	Kit containing 2 vials	03/01/88
Abbott Laboratories	TDx Amphetamine Class Tracer Solution, No. 9667T	Vial: 5ml, 3.2ml	3/01/88
Abbott Laboratories	TDx Amphetamine/Methamphetamine Calibrator, No. 9668-01	Bottles: 4ml	8/23/85
Abbott Laboratories	TDx Amphetamine/Methamphetamine Controls, No. 9668-10	Bottles: 4ml	8/23/85
Abbott Laboratories	TDx Barbiturates Calibrators No. 9669 B-F	5 ml Vial	7/01/88
Abbott Laboratories	TDx Barbiturates Calibrators No. 9669-01	Kit: 5 Vials, 5 ml each	7/01/88
Abbott Laboratories	TDx Barbiturates Calibrators, B-F No. 9669	Bottle: 4 ml	10/08/85
Abbott Laboratories	TDx Barbiturates Control L,H No. 9669 L,H	5 ml Vial	07/01/88
Abbott Laboratories	TDx Barbiturates Control, L and H No. 9669	Bottle: 4ml	10/08/85
Abbott Laboratories	TDx Barbiturates Controls No. 9669-10	Kit: 2 Vials, 5 ml each	7/01/88
Abbott Laboratories	TDx Benzodiazepines Calibrator No. 9674 B-F	5 ml Vial	7/18/88
Abbott Laboratories	TDx Benzodiazepines Calibrators No. 9674-01	Kit: 5 Vials, 5 ml each	7/18/88
Abbott Laboratories	TDx Benzodiazepines Calibrators, No. 9674-01	Bottles: 4ml	4/21/86
Abbott Laboratories	TDx Benzodiazepines Controls L,H No. 9674 L,H	5 ml Vial	7/18/88
Abbott Laboratories	TDx Benzodiazepines Controls L,H No. 9674-10	Kit: 2 Vials, 5 ml each	7/18/88
Abbott Laboratories	TDx Benzodiazepines Controls, No. 9674-10	Bottles: 4ml	4/21/86
Abbott Laboratories	TDx Benzodiazepines Serum Calibrator No. 9682 B-F	Bottle: 4 ml	5/02/88
Abbott Laboratories	TDx Benzodiazepines Serum Calibrators B-F: Code No. 9682 B-F.	Bottle: 4 ml	12/07/88
Abbott Laboratories	TDx Benzodiazepines Serum Calibrators: Code No. 9682-01	Kit	12/07/88
Abbott Laboratories	TDx Benzodiazepines Serum Calibrators: No. 9682-01	Kit containing 6 vials	5/02/88
Abbott Laboratories	TDx Benzodiazepines Serum Controls L,M, & H: No. 9682 L,M,H.	Bottle: 4 ml	12/07/87
Abbott Laboratories	TDx Benzodiazepines Serum Controls L,M,H: No. 9682 L,M,H	Bottle: 4 ml	5/02/88
Abbott Laboratories	TDx Benzodiazepines Serum Controls: Code No. 9682-10	Kit	12/07/88
Abbott Laboratories	TDx Benzodiazepines Serum Controls: No. 9682-10	Kit containing 3 vials	5/02/88
Abbott Laboratories	TDx Cannabinoids Calibrators B-F (9671-02)	Bottle: 5 ml	6/19/87
Abbott Laboratories	TDx Cannabinoids Calibrators B-F (No. 9671-01)	Bottles: 5 ml	10/24/86
Abbott Laboratories	TDx Cannabinoids Controls L,M, and H (9671-11)	Bottle: 5 ml	06/19/87
Abbott Laboratories	TDx Cannabinoids Controls L,M,H (No. 9671-10)	Bottles: 5 ml	10/24/86
Abbott Laboratories	TDx Cannabinoids Fluorescein Tracer Solution (No. 9671-T)	Bottle: 5 ml	10/27/86
Abbott Laboratories	TDx Cannabinoids Reagent Pack (No. 9671-20)	100 tests	10/27/86
Abbott Laboratories	TDx Cocaine Metabolite Calibrator B-F No. 9670 B-F	5 ml Vial	7/07/88
Abbott Laboratories	TDx Cocaine Metabolite Calibrator, B-F No. 9670	Bottle: 4ml	10/02/85
Abbott Laboratories	TDx Cocaine Metabolite Calibrators No. 9670-01	Kit: 5 Vials, 5 ml each	7/07/88
Abbott Laboratories	TDx Cocaine Metabolite Control L,H No. 9670 L,H	5 ml Vial	7/07/88
Abbott Laboratories	TDx Cocaine Metabolite Control, L and H No. 9669	Bottle: 4ml	10/02/85
Abbott Laboratories	TDx Cocaine Metabolite Controls No. 9670-10	Kit: 2 Vials, 5 ml each	7/07/88

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Abbott Laboratories	TDx Cocaine Metabolite Fluorescein Tracer Solution No. 9670 T0001.	Kit: 100 Vials, 5 ml Each	7/07/88
Abbott Laboratories	TDx Cocaine Metabolite Fluorescein Tracer Solution No. 9670-T.	Box: 5 ml Vial	7/07/88
Abbott Laboratories	TDx Cocaine Metabolite Reagent Pack	Reagent well: 5ml	10/02/85
Abbott Laboratories	TDx Cocaine Metabolite Reagent Pack No. 9670-20	Kit: 100 Tests	7/07/88
Abbott Laboratories	TDx Multiconstituent Controls L,M,H (No. 9687-L,M,H)	Bottle: 5 ml	9/03/87
Abbott Laboratories	TDx Opiates Calibrators B-F: No. 9673-01	Vial: 4 ml	2/29/88
Abbott Laboratories	TDx Opiates Calibrators B-F No. 9673,	5 ml Vial,	5/07/86
Abbott Laboratories	TDx Opiates Controls L and H: No. 9673 L,H	Vial: 4 ml	2/29/88
Abbott Laboratories	TDx Opiates Controls L and H No. 9673	Vials: 5ml	5/07/86
Abbott Laboratories	TDx Opiates Fluorescein Tracer Solution No. 9673 T0001	Box: 10 Vials, 5 ml each	7/08/88
Abbott Laboratories	TDx Opiates Fluorescein Tracer Solution: No. 9673-T	Reagent Well: 5 ml	2/29/88
Abbott Laboratories	TDx Opiates Reagent, Pack No. 9673-20, 100 tests	Reagent Well: 5ml, 100 tests,	5/07/86
Abbott Laboratories	TDx Phencyclidine Bulk Calibrator B-F No. 9672 B-F	5 ml Vial	7/18/88
Abbott Laboratories	TDx Phencyclidine Bulk Calibrator B-F No. 9672 B-F	Carboy: 9.5, 19 L	7/18/88
Abbott Laboratories	TDx Phencyclidine Bulk Control L,M,H No. 9672 L,M,H	Carboy: 9.5, 19 L	7/18/88
Abbott Laboratories	TDx Phencyclidine Calibrators B-F No. 9672-01	Kit: 5 Vials, 5 ml each	7/18/88
Abbott Laboratories	TDx Phencyclidine Calibrators, B-F No. 9672	Bottle: 4ml	10/09/85
Abbott Laboratories	TDx Phencyclidine Control M No. 9672	Bottle: 4ml	9/26/86
Abbott Laboratories	TDx Phencyclidine Controls L,M,H No. 9672 L,M,H	5 ml Vial	7/18/88
Abbott Laboratories	TDx Phencyclidine Controls No. 9672-10	Kit: 3 Vials, 5 ml each	7/18/88
Abbott Laboratories	TDx Phencyclidine Controls, L and H No. 9672	Bottle: 4ml	10/09/85
Abbott Laboratories	TDx Phenobarbital Bulk Calibrators No. 9500 B-F	Carboy: 10 L, 20 L	6/16/88
Abbott Laboratories	TDx Phenobarbital Bulk Calibrators No. 9500 L,M,H	Carboy: 10 L, 20 L	6/16/88
Abbott Laboratories	TDx Phenobarbital Calibrator-0.0, 5.0, 10.0, 20.0, 40.0, and 80.0 mcg/ml.	Kit ctg: 6 vials	8/31/81
Abbott Laboratories	TDx Phenobarbital Calibrators B-F No. 9500 B-F	5 ml Vial	6/16/88
Abbott Laboratories	TDx Phenobarbital Calibrators No. 9500-01	5 Vials, 5 ml each	6/16/88
Abbott Laboratories	TDx Phenobarbital Controls No. 9500 L,M,H	5 ml Vial	6/16/88
Abbott Laboratories	TDx Phenobarbital Controls No. 9500-10	Kit: 3 Vials, 5 ml each	6/16/88
Abbott Laboratories	TDx Phenobarbital Controls- 15.0, 30.0, 50.0 mcg/ml	Kit ctg: 3 vials	8/31/81
Abbott Laboratories	TDx Propoxyphene Reagent Pack Item No. 9675-20	Kit: 100 tests	11/30/90
Abbott Laboratories	TDx Systems Multiconstituent Controls for Abused Drug (No. 9687-10).	Kit: 6 Bottles	9/03/87
Abbott Laboratories	TDx or TDx/TDxFLx Propoxyphene Fluorescein Tracer Solution Item No. 9675T0001.	Box: 100 bottles or less	11/30/90
Abbott Laboratories	TDx, ADx Amphetamine Class Reagent Pack, No.9667-20, No. 9667-55.	Kit: 100 tests	3/01/88
Abbott Laboratories	TDx/TDxFLx Propoxyphene Reagent Pack Item No. 9675-60	Kit: 100 tests	11/30/90
Abbott Laboratories	Thyroxine Binding Globulin, Thyroxine I 125	Glass Bottle: 13ml. Plastic Bottle: 250ml	4/22/76
Abbott Laboratories	TrakPak Five Drug Control 2-6 QT Nos. 92212-92216	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950,500,100,50,5ml Ampule: 20,10,5,2ml.	10/19/90
Abbott Laboratories	TrakPak Five Drug Control 8QT No. 93349	Carboy: 20, 10l; FlaskL: 6, 4, 2, 1L, 500, 250, 200, 100ml; Bottle: 950,500,100,50,5ml; Ampule: 20,10,5,2ml.	10/25/91
Abbott Laboratories	TrakPak Five Drug Control Stock No. 92210	Carboy: 20, 10L Flask: 6, 4, 2, 1L, 500, 250, 200, 100ml Bottle: 950,500,100,50,5ml Ampule: 20,10,5,2ml.	10/19/90
Abbott Laboratories	TrakPak Card w/Cover Code #01249	Box: 2000 cards w/cover	3/08/91
Abbott Laboratories	TrakPak Card w/Tracers Code #01248	Box: 2000 cards	3/08/91
Abbott Laboratories	TrakPak Cocaine Tracer Code #92199	Flasks: 6,4,2,1L,500,250,200,100ml Bottles: 950,500,100,50,5ml Ampules: 20,10,5,2ml.	3/08/91
Abbott Laboratories	TrakPak Drug of Abuse Screening System (40 test kit) Code #04A74.	Kit: 40 cartridges	3/08/91
Abbott Laboratories	TrakPak Negative Control Code #04A74C	Vial: 5ml	3/08/91
Abbott Laboratories	TrakPak Opiates Tracer Code #92198	Flasks: 6,4,2,1L,500,250,200,100ml Bottles: 950,5,00,100,50,5ml Ampules: 20,10,5,2ml.	3/08/91
Abbott Laboratories	TrakPak Reaction Cartridge Code #04A74B	Cartridge: 1 card	3/08/91
Abbott Laboratories	TrakPak THC Tracer Code #92200	Flasks: 6,4,2,1L,500,250,200,100ml; Bottles: 950,500,100,50,5ml; Ampules: 20,10,5,2ml.	3/08/91
Abbott Laboratories	X Systems Amphetamine/Methamphetamine II Calibrator B,C,D,E,F No. 01A99-B,C,D,E,F.	Vial: 5 ml	7/14/89
Abbott Laboratories	X Systems Amphetamine/Methamphetamine II Calibrators, No. 01A99-01.	Kit: 6 vials	7/14/89
Abbott Laboratories,	X Systems Amphetamine/Methamphetamine II Control L,M,H; No. 01A99-L,M,H,.	Vial: 5 ml,	7/14/89
Abbott Laboratories,	X Systems Amphetamine/Methamphetamine II Controls, No. 01A99-10,.	Kit: 3 vials,	7/14/89
Abbott Laboratories	d-Amphetamine (II) Bulk Stock Standard Code No. 95947	10 L Carboy; 6 L, 2 L, 1 L Flask	8/26/88
Abbott Laboratories	d-Amphetamine (II) Stock Standard Code No. 95934	1 L, 500 ml, 100 ml Bottle	8/26/88
Abbott Laboratories	d-Amphetamine (II) Stock Standard No. 95934, 95934 A-B	Carboy: 20L, 10L Flask: 4L, 2L, 1L, 500 ml, 250 ml, 200 ml, 100 ml Bottle: 950ml, 500ml, 100ml,5ml.	11/22/88
Adri/Technam	3-Ortho-Carboxymethylmorphine	Screw Cap Vial	5/03/73
Adri/Technam	5-Ethyl-5-(1-Carboxy-n-propyl) Barbituric Acid	Screw Cap Vial	5/03/73
Adri/Technam	5-Ethyl-5-(1-Carboxy-n-propyl) Barbituric Acid-Bovine Serum Albumin.	Vaccine Vial: 10ml	5/03/73

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Adri/Technam	5-Ethyl-5-(1-Carboxy-n-propyl) Barbituric Acid-Rabbit Serum Albumin.	Vaccine Vial: 10ml	5/03/73
Adri/Technam	Barbiturate Standard	Screw-cap vial: 10ml	7/17/76
Adri/Technam	Barbituric Acid Sensitized Red Blood Cells	Vaccine Vial: 50ml	5/03/73
Adri/Technam	Benzoyl Ecgonine	Screw-cap vial: 10ml	4/18/74
Adri/Technam	Benzoyl Ecgonine Sensitized Red Blood Cells	Vaccine Vial: 50ml	5/03/73
Adri/Technam	Benzoyl Ecgonine Standard	Screw-cap vial: 10ml	7/17/76
Adri/Technam	Benzoyl Ecgonine-BSA	Vaccine Vial	7/21/75
Adri/Technam	Benzoyl Ecgonine-RSA	Vaccine Vial	7/21/75
Adri/Technam	CMM-BSA and CMM-RSA (Carboxymethylmorphine Bovine Serum Albumin or Carboxymethylmorphine Rabbit Serum Albumin).	Vaccine Vial: 10ml	5/03/73
Adri/Technam	Cannabuse Cannabidiol Standard	Disks: 25/package	5/03/85
Adri/Technam	Cannabuse Delta 8 THC Carboxylic Acid Standard	Disks: 25/package	9/19/84
Adri/Technam	Cannabuse Delta 8 THC Carboxylic Acid Standard	Vial: 6 ml	9/19/84
Adri/Technam	Cannabuse Delta 9 THC Carboxylic Acid Standard	Vial: 6 ml	9/19/84
Adri/Technam	Cannabuse Delta 9 THC Carboxylic Acid Standard	Disks: 25/package	9/19/84
Adri/Technam	Cannabuse Delta 9 THC Standard	Vial: 6 ml	9/19/84
Adri/Technam	Cannabuse Delta 9 THC Standard	Disks: 25/package	9/19/84
Adri/Technam	Drug Standards, Acid/ Neutral Mixture A and B	Disks: 25/package	11/15/85
Adri/Technam	Drug Standards, Basic Mixture A and B	Disks: 25/package	11/15/85
Adri/Technam	Methadone Standard	Screw-cap vial: 10ml	7/17/76
Adri/Technam	Morphine Sensitized Red Blood Cells	Vaccine Vial: 50ml	5/03/73
Adri/Technam	Morphine Standard (in distilled water)	Screw-cap vial: 10ml	7/17/77
Adri/Technam	Tropinecarboxylic Acid (ecgonine)	Screw-cap Bottle: 10ml	5/03/73
Alltech-Applied Science	4-Methylaminorex	Vial: 1 ml	6/16/89
Alltech-Applied Science	6-Acetylcodeine	Vial: 1 ml	6/16/89
Alltech-Applied Science	Benzoylecgonine Tetrahydrate 7.5ug, 50ug, 250ug	Amber Ampoule: 1ml	2/16/90
Alltech-Applied Science	Bromazepam	Vial: 1 ml	6/16/89
Alltech-Applied Science	Cyclopentobarbital	Vial: 1 ml	6/16/89
Alltech-Applied Science	GC/MS Benzoylecgonine Calibration Standards Kit	Kit: 3 vials	2/16/90
Alltech-Applied Science	L-Amphetamine HCl	Vial: 1 ml	6/16/89
Alltech-Applied Science	MDE HCl	Vial: 1 ml	6/16/89
Alltech-Applied Science	Medazepam	Vial: 1 ml	6/16/89
Alltech-Applied Science	Metharbital	Vial: 1 ml	6/16/89
Alltech-Applied Science	N-Ethylamphetamine	Amber Ampoule: 1ml	2/16/90
Alltech-Applied Science	N-Hydroxy-MDA	Amber Ampoule: 1ml	2/16/90
Alltech-Applied Science	Normeperidine HCl	Vial: 1 ml	6/16/89
Alltech-Applied Science	Phenmetrazine HCl	Amber Ampoule: 1ml	2/16/90
Alltech-Applied Science	Talbutal	Vial: 1 ml	6/16/89
Alltech-Applied Science	Thiopental	Vial: 1 ml	6/16/89
Alltech-Applied Science	d3-Benzoylecgonine Tetrahydrate	Amber Ampoule: 5ml	2/16/90
Alltech-Applied Science	l-Methamphetamine HCl	Vial: 1 ml	6/16/89
American Biological Technologies, Inc., Dade Urine Chemistry Control, Level I & II.	Glass Vial: 15ml	4/08/91	
American Monitor Corporation	Qualify I	Glass Vial: 10ml	10/09/75
American Monitor Corporation	Qualify II	Glass Vial: 10ml	10/09/75
Amersham Corporation	5 Alpha-Dihydro[1,2,4,5,6,7-3H]Testosterone Cat. No. TRK.443.	Vial: 6ml	4/02/91
Amersham Corporation	5 alpha-Dihydro[1 alpha, 2 alpha(n)-3H] Testosterone Cat. No. TRK.395.	Vial: 6ml	4/02/91
Amersham Corporation	5 alpha-dihydro[1,2,4,5,6,7-3H] Testosterone Reagent 4 T/DHT RIA Kit.	Vial: 1ml	4/11/91
Amersham Corporation	Amerlex T-3 RIA Kit, IM 2000, IM 2001, IM 2004	Kit: 50 tests, 100 tests, 400 tests	2/18/80
Amersham Corporation	Amerlex T-4 RIA Kit, IM 2010, IM 2011, IM 2014	Kit: 50 tests, 100 tests, 400 tests	2/06/80
Amersham Corporation	Amerlex-M B-hCG Radioimmunoassay Kit IM 3091,IM 3094	Kit: 100 tests, 400 tests	6/19/85
Amersham Corporation	Amerlex-M T3 RIA Kit, 1M.3001, 1M.3004	Kit: 100 Tests 400 Tests	8/27/86
Amersham Corporation	Amerlex-M T4 RIA Kit, 1M.3011, 1M.3014	Kit: 100 Tests 400 Tests	8/27/86
Amersham Corporation	Amerlite FSH Assay, Cat. Code LAN.0077, Cat. Code LAN.2077.	Glass vial: 5.8ml, 38.1ml, 240 tests, 144 tests	5/30/89
Amersham Corporation	Amerlite Rubella Antibody Assay, Cat. Code LAN.0200, Cat. Code LAN.2200.	Glass vial: 5.8ml, 38.1ml, 240 tests, 144 tests	5/30/89
Amersham Corporation	Amerlite TSH Assay, Cat. Code LAN.0001, Cat. Code LAN.2001.	Glass vial: 5.8ml, 240 tests, 144 tests	5/30/89
Amersham Corporation	Amerlite TT3 Assay: Catalog Code Lan. 0003, Lan. 1003, and Lan.2003.	Kit: 144 tests, 240 tests, 480 tests	11/24/87
Amersham Corporation	Amerlite TT4 Assay: Catalog Code Lan. 0002, Lan. 1002, Lan. 2002.	Kit: 144 tests, 240 tests, 480 tests	11/24/87
Amersham Corporation	Codeine (N-methyl-C14) Hydrochloride	Custom Preparation	3/27/72
Amersham Corporation	Dihydrotestosterone Standard Reagnet 3 T/DHT RIA Kit	Vial: 5.5ml	4/11/91
Amersham Corporation	Morphine (N-methyl-C14) Hydrocloride No. CFA-363	Vial: 0.32 to 1.89mg	3/27/72
Amersham Corporation	Pheno [2-14C] barbital Catalog No. CFA 537	Vial: 0.39 to 5.85mg	11/05/74
Amersham Corporation	Prolactin RIA Kit, IM 1060, 1061	Kit: 50 tests, 100 tests	3/28/80
Amersham Corporation	T-3 Uptake (MAA) Kit-IM 1020, IM 1021, IM 1024	Kit: 50 tests, 100 tests, 400 tests	2/05/79
Amersham Corporation	Testosterone Standard Reagent 2 T/DHT RIA Kit	Vial: 5.5ml	4/11/91
Amersham Corporation	Testosterone-3-(0-carboxymethyl)oximino-(2-[125I] iodohistamine)10uCi, 25uCi Cat. No. IM.128.	Vial: 1.2ml	4/02/91
Amersham Corporation	Testosterone/dihydrotestosterone [3H] assay system Cat. No. TRK-600.	Kit: 200 assays	4/11/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Amersham Corporation	[1(N)-3H] Hydromorphone TRQ 4729	Vial: 47.5-95 micrograms	7/31/87
Amersham Corporation	[1(n)-3H] Codeine, No. TRK 448	Ampule: 0.002mg to 0.015mg	2/26/74
Amersham Corporation	[1(n)-3H]Morphine, No. TRK-447	Vial: 0.002 mg to 0.015 mg	2/26/74
Amersham Corporation	[1,2,6,7-3H] Testosterone Cat. No. TRK.402	Vial: 6ml	4/02/91
Amersham Corporation	[1,7,8(n)-3H]Dihydromorphine, No. TRK-450	Vial: 0.0008 mg to 0.008 mg	2/26/74
Amersham Corporation	[15, 16(n)-3H] Etorphine, Catalog No. TRK 476	Vial: 3.45 to 6.9 micrograms	11/19/74
Amersham Corporation	[15,16(n)-3H] Etorphine Catalog No. TRK 476	Vial: 13.8 to 27.6 micrograms	2/17/75
Amersham Corporation	[17 alpha-methyl-3H] Mibolerone Cat. No. TRK.764	Vial: 6ml	4/02/91
Amersham Corporation	[2(n)-3H] Lysergic Acid Diethylamide, No. TRK. 461	Vial: 0.003mg to 0.04mg	5/22/74
Amersham Corporation	[2-14C] Diazepam Catalog No. CFA.591, Multidose	Glass Vial: 56mm x 25mm	9/28/77
ersham Corporation	[3H]11-Ketotestosterone Cat. No. TRQ.5919	Vial: 5.7ml	6/13/91
Amersham Corporation	[4-14C] Testosterone 50uCi, 250uCi Cat. No. CFA.129	Vial: 6ml	4/02/91
Amersham Corporation	[N-methyl-3H] Diazepam Catalog Code: TRK.572	Multidose Glass Vial: 56mm x 25mm	9/28/77
Analytical Control Systems, Inc	Accumark I TDM Control 1L, 2M, 3H	Plastic Vial: 6ml; Bag: 1-120 vials	10/02/91
Applied Science Laboratories	6-Monoacetylmorphine HCl	Vial: 1 ml	3/30/88
Applied Science Laboratories	Allylisobutylbarbituric Acid	Vial: 1ml	1/24/73
Applied Science Laboratories	Alphaprodine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Alphenal	Vial: 1ml	1/24/73
Applied Science Laboratories	Alprazolam	Vial: 1ml	4/16/85
Applied Science Laboratories	Amobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Amphetamine HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Aprobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Barbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Barbiturates, Mixture 4	Vial: 10ml	10/04/72
Applied Science Laboratories	Benzoylecgonine Tetrahydrate	Vial: 1ml	4/16/85
Applied Science Laboratories	Benzphetamine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Butabarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Butethal	Vial: 1ml	1/24/73
Applied Science Laboratories	Cannabidiol	Vial: 1ml	3/30/88
Applied Science Laboratories	Cannabinol	Vial: 1ml	3/30/88
Applied Science Laboratories	Chloral Hydrate	Vial: 1ml	4/16/85
Applied Science Laboratories	Chlordiazepoxide HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Clonazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Clorazepate Dipotassium	Vial: 1ml	4/16/85
Applied Science Laboratories	Cocaine	Vial: 1ml	1/24/73
Applied Science Laboratories	Codeine	Vial: 1ml	1/24/73
Applied Science Laboratories	Delta-8-Tetrahydro-cannabinol	Vial: 1 ml	3/30/88
Applied Science Laboratories	Delta-9-Tetrahydrocannabinol	Vial: 1ml	4/16/85
Applied Science Laboratories	Depressants, Mixture 3	Vial: 10ml	10/04/72
Applied Science Laboratories	Dextropropoxyphene HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Diacetylmorphine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Diallybarbituric acid	Vial: 1ml	1/24/73
Applied Science Laboratories	Diazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Diethylpropion HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Dihydrocodeine	Vial: 1ml	4/16/85
Applied Science Laboratories	Dimethyltryptamine	Vial: 1ml	4/16/85
Applied Science Laboratories	Drug Mix Four	Ampoule: 1ml	11/03/86
Applied Science Laboratories	Drug Mix One	Ampoule: 1ml	10/21/86
Applied Science Laboratories	Drug Mix Three	Ampoule: 1ml	11/03/86
Applied Science Laboratories	Drug Mix Two	Ampoule: 1ml	10/21/86
Applied Science Laboratories	Ecgonine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Ecgonine Methyl Ester HCl	Vial: 1ml	3/30/88
Applied Science Laboratories	Ethchlorvynol	Vial: 1ml	1/24/73
Applied Science Laboratories	Ethinamate	Vial: 1ml	1/24/73
Applied Science Laboratories	Ethylmorphine HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Fenfluramine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Fentanyl	Vial: 1ml	4/16/85
Applied Science Laboratories	Flurazepam HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Glutethimide	Vial: 1ml	1/24/73
Applied Science Laboratories	Halazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Hexobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Hydrocodone Bitartrate	Vial: 1ml	1/24/73
Applied Science Laboratories	Hydromorphone HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Levorphanol Tartrate	Vial: 1ml	4/16/85
Applied Science Laboratories	Lorazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Lysergic Acid	Vial: 1ml	4/16/85
Applied Science Laboratories	Lysergic Acid N-(methylpropyl) amide	Vial: 1ml	4/16/85
Applied Science Laboratories	Lysergic Acid diethylamide	Vial: 1ml	4/16/85
Applied Science Laboratories	MDA HCl	Vial: 1ml	3/30/88
Applied Science Laboratories	MDMA HCl	Vial: 1ml	3/30/88
Applied Science Laboratories	Meperidine HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Mephobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Meprobamate	Vial: 1ml	1/24/73
Applied Science Laboratories	Mescaline	Vial: 1ml	1/24/73
Applied Science Laboratories	Methadone HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Methamphetamine HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Methaqualone HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Methohexital	Vial: 1ml	4/16/85
Applied Science Laboratories	Methylphenidate	Vial: 1ml	1/24/73
Applied Science Laboratories	Methyprylon	Vial: 1ml	4/16/85

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Applied Science Laboratories	Mixture 1–Opiates	Vial: 1ml	10/04/72
Applied Science Laboratories	Mixture 2–Stimulants	Vial: 1ml	10/04/72
Applied Science Laboratories	Mixture 3–Depressants	Vial: 1ml	10/04/72
Applied Science Laboratories	Mixture 4–Barbiturates	Vial: 1ml	10/04/72
Applied Science Laboratories	Mixture 5–Kit of Representatives	Vial: 1ml	10/04/72
Applied Science Laboratories	Morphine	Vial: 1ml	1/24/73
Applied Science Laboratories	Nalorphine	Vial: 1ml	1/24/73
Applied Science Laboratories	Nitrazepam	Vial: 1ml	3/30/88
Applied Science Laboratories	Norcodeine HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Nordiazepam	Vial: 1ml	3/30/88
Applied Science Laboratories	Normorphine	Vial: 1ml	4/16/85
Applied Science Laboratories	Opiates, Mixture 1	Vial: 10ml	10/04/72
Applied Science Laboratories	Oxazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Oxycodone HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Oxymorphone HCL	Vial: 1ml	4/16/85
Applied Science Laboratories	Paraldehyde	Vial: 1ml	4/16/85
Applied Science Laboratories	Pemoline	Vial: 1ml	4/16/85
Applied Science Laboratories	Pentazocine	Vial: 1ml	4/16/85
Applied Science Laboratories	Pentazocine HBr	Vial: 1ml	1/24/73
Applied Science Laboratories	Pentobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Phencyclidine HCL	Vial: 1ml	1/24/73
Applied Science Laboratories	Phendimetrazine Bitartrate	Vial: 1ml	4/16/85
Applied Science Laboratories	Phenobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Phentermine	Vial: 1ml	4/16/85
Applied Science Laboratories	Prazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Propylbenzoyl–ecgonine	Vial: 1ml	3/30/88
Applied Science Laboratories	Psilocybin	Vial: 1ml	4/16/85
Applied Science Laboratories	Psilocyn	Vial: 1ml	11/06/87
Applied Science Laboratories	Secobarbital	Vial: 1ml	1/24/73
Applied Science Laboratories	Stimulants, Mixture 2	Vial: 10ml	10/04/72
Applied Science Laboratories	Temazepam	Vial: 1ml	4/16/85
Applied Science Laboratories	Thebaine	Vial: 1ml	1/24/73
Applied Science Laboratories	Thiamylal	Vial: 1ml	1/24/73
Applied Science Laboratories	Toxi Clean Test Mix	Vial: 1ml	3/30/88
Applied Science Laboratories	Triazolam	Vial: 1ml	4/16/85
Armed Forces Institute of Pathology	11-nor-9-carboxy-delta 8-THC in Ethanol Ampules	Glass Ampoule: 1mg/ml, 1ml, 5ml, 10ml	11/25/82
Astral Medical Systems	Barbital Buffer	Plastic bag: 12.2g/bag	5/01/85
Astral Medical Systems	Barbital Lactate Buffer	Plastic bag: 18g/bag	5/01/85
Astral Medical Systems	Isoenzyme Buffer	Plastic bag: 14g/bag	5/01/85
Astral Medical Systems	Tris-Barbital Sodium Barbital Buffer	Plastic bag: 18g/bag	5/01/85
Atochem North America, Inc	M&T NiproTeq SB Additive	Polypropylene Containers: 5 gallons, 55 gallons	3/10/88
BHP Diagnostix, Inc	Kallestad TDM Multi-Calibrator-Pilot Lot B-G	Kit: 7–3 ml Vials; 3 ml Vial	8/18/88
BHP Diagnostix, Inc	Kallestad TDM Multi-Calibrator-Pilot-Lot Phenobarbital	3ml, 6ml, 10ml, 30ml, 50ml Vial	8/18/88
BHP Diagnostix, Inc	Kodak Ektachem-DT Calibrator	Bottle: 6ml	1/05/85
Baxter Diagnostics Inc, Dade Division.	(125I) Human TSH Tracer (Lyophilized), Catalog No. CA–2691	Glass Vial: 10ml	9/09/86
Baxter Diagnostics Inc, Dade Division.	(125I) Human TSH Tracer, Cat. No. CA–2611	Vial: 15ml	12/07/89
Baxter Diagnostics Inc, Dade Division.	(125I) Human TSH Tracer, Cat. No. CA–2623	Vial: 15ml	12/07/89
Baxter Diagnostics Inc, Dade Division.	Absorbed Plasma and Serum Reagents Kit B4233–2	Glass Vial: 5ml (Lyophilized Material)	8/16/71
Baxter Diagnostics Inc, Dade Division.	Anticonvulsant Drug Controls, Levels I and II, Catalog No. CA–2419 and CA–2420.	Glass Vial: 3.5ml	9/09/86
Baxter Diagnostics Inc, Dade Division.	Assay Buffer Cat. No. CA–2742	Plastic Bottle: 150ml	9/09/86
Baxter Diagnostics Inc, Dade Division.	Bovine Chemistry Control I.X Special Order Request B5107–55XX.	Bottle: 18ml (Lyophilized Material)	1/29/86
Baxter Diagnostics Inc, Dade Division.	Bovine Chemistry Control II.X Special Order Request B5107–65XX.	Bottle: 18ml (Lyophilized Material)	1/29/86
Baxter Diagnostics Inc, Dade Division.	Buffered Thrombin (Bovine) Catalog No. B4233–40	Bottle: 5ml (Lyophilized Material)	1/24/86
Baxter Diagnostics Inc, Dade Division.	Clinical Assays GammaCoat (125I) Phenobarbital Radioimmunoassay Kits Catalog No. CA–2545, CA–2565.	Kit: 50 Assays, 500 Assays	9/09/86
Baxter Diagnostics Inc, Dade Division.	Clinical Assays GammaCoat (125I) Phenytoin Radioimmunoassay Kit Catalog No. CA–2537 CA–2557.	Kit: 50 Assays, 500 Assays	9/09/86
Baxter Diagnostics Inc, Dade Division.	Clinical Assays GammaCoat (125I) T3 Uptake Radioimmunoassay Kit Catalog No. CA–2539, CA–2539J, CA–2559, CA–2559J.	Kit: 100 Assays, 100 Assays, 500 Assays, 500 Assays.	9/09/86
Baxter Diagnostics Inc, Dade Division.	Clinical Assays GammaDab (125I) HS–hTSH Radioimmunoassay Kit Catalog No. CA–1573.	Kit: 125 Assays, Vial: 15ml	9/09/86
Baxter Diagnostics Inc, Dade Division.	Clinical Assays GammaDab (125I) hTSH Radioimmunoassay Kit Catalog No. CA–591.	Kit: 125 Assays, Vial: 15ml	9/09/86
Baxter Diagnostics Inc, Dade Division.	Dade IAC.X Comprehensive Immuno-Assay Control, Tri-Level Unassayed.	Kit: 6 bottles	8/27/91
Baxter Diagnostics Inc, Dade Division.	Dade Immunoassay Control, Level I–Low	Bottle: 9ml (Lyophilized Material)	4/25/86
Baxter Diagnostics Inc, Dade Division.	Dade Immunoassay Control, Level II–Intermediate,	Bottle: 9ml (Lyophilized Material)	4/25/86

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Baxter Diagnostics Inc, Dade Division.	Dade Immunoassay Control, Level III-High	Bottle: 9ml (Lyophilized Material)	4/25/86
Baxter Diagnostics Inc, Dade Division.	Dade Immunoassay Controls, Tri-Level	Kit: 3 bottles	4/25/86
Baxter Diagnostics Inc, Dade Division.	Dade TDM Control Level I-Low B5700-2	Glass Vial: 9ml (Lyophilized Material)	1/21/82
Baxter Diagnostics Inc, Dade Division.	Dade TDM Control Level II-Intermediate B5700-3	Glass Vial: 9ml (Lyophilized Material)	1/21/82
Baxter Diagnostics Inc, Dade Division.	Dade TDM Control Level III-High B5700-4	Glass Vial: 9ml (Lyophilized Material)	1/21/82
Baxter Diagnostics Inc, Dade Division.	Dade Therapeutic Drug Monitoring (TDM) Controls (Catalog No. B5700-1).	Kit: 9 Vials	3/10/87
Baxter Diagnostics Inc, Dade Division.	Dade Urine Chemistry Control Level I, II Kit: 10 Bottles	Bottle: 18ml	8/02/91
Baxter Diagnostics Inc., Dade Division.	Data-Fi Euglobulin Lysis Set Cat. No. B4233-40	Kit: 70 Tests	9/09/86
Baxter Diagnostics Inc., Dade Division.	Data-Fi Fibrin Monomer Control Catalog Nos. B4233-30 & B4233-38.	Glass Vial: 5ml (Lyophilized Material)	1/24/86
Baxter Diagnostics Inc., Dade Division.	Data-Fi Fibrinogen Determination Reagents Cat. No. B4233-15.	Kit: 50 tests	9/09/86
Baxter Diagnostics Inc., Dade Division.	Data-Fi Protamine Sulfate Reagents Kit (Catalog No. B4233-30).	Kit:10 Vials	3/10/87
Baxter Diagnostics Inc., Dade Division.	Data-Fi Thrombin Reagent	Bottle: 5ml (Lyophilized Material) Vial: 9ml Carton: 10 vials Cat. No. 28 10 09.	5/18/81
Baxter Diagnostics Inc., Dade Division.	Data-Fi Thrombin Reagent	Bottle:9 ml (Lyophilized Material)	7/20/83
Baxter Diagnostics Inc., Dade Division.	HTSH Non-Specific Binding Reagent, Catalog No. CA-2752	Glass Vial:3.5 ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	HTSH Non-Specific Binding Reagent, Catalog No. CA-2780	Glass Vial:3.5 ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	Human TSH Controls Levels I and II, Catalog No. CA-2452 and CA-2453.	Glass Vial:3.5 ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	Human TSH Standards (2,5,10,20 & 50 ulU/ml) Cat. No. CA-(2886-2890).	Glass Bottle: 3.5ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	Human hTSH Blank, Cat. No. CA-2885	Vial: 15ml	12/07/89
Baxter Diagnostics Inc., Dade Division.	Immunoassay Control Level I-III Unassayed	Bottle: 9ml	8/27/91
Baxter Diagnostics Inc., Dade Division.	Moni-Trol Level I Chemistry Control, Assayed, Special Order Request. B5103-XXX.	Bottle:9ml (Lyophilzed Material)	1/20/84
Baxter Diagnostics Inc., Dade Division.	Moni-Trol Level I.X Special Order Request B5106-5X	Bottle: 18ml (Lyophilized Material)	6/30/83
Baxter Diagnostics Inc., Dade Division.	Moni-Trol Level II Chemistry Control, Assayed, Special Order Request. B5103-XXX, B5113-XXX.	Bottle: 9ml (Lyophilized Material)	1/20/84
Baxter Diagnostics Inc., Dade Division.	Moni-Trol Level II.X Special Order Request B5106-6X	Bottle: 18ml (Lyophilized Material)	6/30/83
Baxter Diagnostics Inc., Dade Division.	Moni-Trol. ES Level I Chemistry Control, Assayed	Bottles: 9ml, 6.7ml (Lyophilized Material)	7/15/83
Baxter Diagnostics Inc., Dade Division.	Moni-Trol. ES Level I.X Special Order Request Catalog No. B5106-75AAA Catalog No. B5106-1XAAA.	Bottle: 18ml, 9ml (Lyophilized Material)	6/27/86
Baxter Diagnostics Inc., Dade Division.	Moni-Trol. ES Level II Chemistry Control, Assayed	Bottle:9ml, 6.7ml (Lyophilized Material)	7/15/83
Baxter Diagnostics Inc., Dade Division.	Moni-Trol. ES Level II.X Special Order Request Catalog No. B5106-85AAA Catalog No. B5106-2XAAA.	Bottle: 18ml, 9ml (Lyophilized Material)	6/27/86
Baxter Diagnostics Inc., Dade Division.	Owren's Veronal Buffer	Bottle: 18ml	8/16/71
Baxter Diagnostics Inc., Dade Division.	Phenobarbital Serum Standards (1,3,10,30 & 100 ug/ml) Cat. No. CA-2380-2384.	Glass Bottle: 3.5ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	Rabbit Anti-Human TSH Serum, Cat. No. CA-2145	Vial: 15ml	12/07/89
Baxter Diagnostics Inc., Dade Division.	Rabbit Anti-Human TSH Serum, Catalog No. CA-2109	Glass Vial:20 ml	9/09/86
Baxter Diagnostics Inc., Dade Division.	Stratus Phenobarbital Calibrators B, C, D, E, & F	Glass Vial: 3ml	6/27/83
Baxter Diagnostics Inc., Dade Division.	Stratus Phenobarbital Conjugate	Glass Vial: 6ml	1/25/82
Baxter Diagnostics Inc., Dade Division.	Stratus Phenobarbital Fluorometric Enzyme Immunoassay Kit (Catalog No. B5700-22).	Kit:120 tests	3/10/87
Baxter Diagnostics Inc., Dade Division.	Thrombin Reagent (Bovine)	Bottle: 5ml (Lyophilized Material) Vial: 5ml Carton: 10 vials, Cat.No. 28 10 12.	8/16/71
Beckman Instruments, Inc.	Beckman B-1 Buffer	Plastic Vial: 15 g	5/22/79
Beckman Instruments, Inc.	Beckman Buffer B-2	Packet: 18.16 g	4/24/71
Beckman Instruments, Inc.	Beckman ICS Drug Calibrators A, B, C, D, and E.	Vials: 5ml	10/29/80
Beckman Instruments, Inc.	Beckman ICS Drug Control Sera	Kit containing: 6-1ml bottles.	11/11/80
Beckman Instruments, Inc.	Beckman ICS Phenobarbital Conjugate	Vial: 5ml	10/29/80
Beckman Instruments, Inc.	Beckman LD Buffer	Bottle: 14.3 grams	7/31/86
Beckman Instruments, Inc.	Beckman LD Buffer	Bottle: 14.3 grams	7/31/86
Beckman Instruments, Inc.	Paragon Electrophoresis System: Alkaline Phosphatase Isoenzyme Electrophoresis (Isopal) Kit.	Plastic Tray: 3.5ml, Box: 10 trays, Kit: 10 trays	5/19/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Beckman Instruments, Inc.	Paragon Electrophoresis System: High Resolution Electrophoresis (HRE) Kit.	Plastic Tray: 3.5ml, Box: 10 trays, Kit: 10 trays	5/19/89
Beckman Instruments, Inc.	Paragon Electrophoresis System: Immunoelectrophoresis (IEP) Kit.	Plastic Tray: 3.5ml, Box: 10 trays, Kit: 10 trays	5/19/89
Beckman Instruments, Inc.	Paragon Electrophoresis System: Immunofixation Electrophoresis (IFE) Kit.	Plastic Tray: 3.5ml	7/31/86
Beckman Instruments, Inc.	Paragon Electrophoresis System: Lactate Dehydrogenase Isoenzyme Electrophoresis (LD) Kit.	Plastic Tray: 3.5ml	7/31/86
Beckman Instruments, Inc.	Paragon Electrophoresis System: Lipoprotein Electrophoresis (LIPO) Kit.	Plastic Tray: 3.5 ml, Box: 10 trays, Kit: 10 trays	5/19/89
Beckman Instruments, Inc.	Paragon Electrophoresis System: Protein Electrophoresis (SPE-II) Kit.	Plastic Tray: 3.5ml	7/31/86
Beckman Instruments, Inc.	Paragon Electrophoresis System: Serum Protein Electrophoresis (SPE) Kit.	Plastic Tray: 3.5ml, Box: 10 trays, Kit: 10 trays	5/19/89
Beckman Instruments, Inc.	Synchron Control: Multilevel Comprehensive Chemistry Control Serum Levels I, II, III.	Plastic Bottle: 20ml; Kit: 6 bottles	5/13/91
Beckman Instruments, Inc.	Triad LINK Comprehensive Custom Unassayed Chemistry Control Serum Levels I, II, III.	Plastic Bottle: 20ml; Box: 20 Bottles	5/13/91
Beckman Instruments, Inc.	Triad NYSPATH Comprehensive Custom Unassayed Chemistry Control Serum Levels I, II, III.	Plastic Bottle: 20ml; Box 20 Bottles	5/13/91
Beckman Instruments, Inc.	Vigil PRx Multilevel Protein/Drug Control Serum Levels I, II, III	Plastic Bottle: 10ml; Kit: 6 Bottles	5/13/91
Becton Dickinson & Company	Barbital Buffer Solution, Catalog No. 246514	Bottle: 1 ounce	8/01/84
Becton Dickinson & Company	Human Thyroid Stimulating Hormone (hTSH) Radioimmunoassay Kit (125I)Catalog No. 258423.	Kit: 250 tubes	8/01/84
Becton Dickinson & Company	IQ Immunochemistry System	Thyroid Stimulating Hormone Catalog No. 3010, Kit: 25 tests.	6/30/87
Becton Dickinson & Company	Neonatal T4 Tracer Cat. No. 264016	Bottle: 500ml	4/02/90
Becton Dickinson & Company	Neonatal TSH Antiserum, Catalog No. 244716	Vial: 50 ml	8/01/84
Becton Dickinson & Company	Precipitating Antiserum, Catalog No. 247618	Vial: 50 ml	8/01/84
Becton Dickinson & Company	Simul Trac Free T4/TSH Antiserum, No. 262641	Vial: 1 oz	2/21/86
Becton Dickinson & Company	Simul Trac Free T4[57 Co]/TSH[125I] Radioimmunoassay Kit, No. 262625.	Kit: 200 tubes	2/21/86
Becton Dickinson & Company	T3 Tracer Solution Catalog No. 237728	Bottle: 125ml	9/27/78
Becton Dickinson & Company	T4 Tracer Solution Catalog No. 232611	White NALGENE Polypropylene Bottle: 125 ml	2/13/78
Becton Dickinson & Company	TSH (125I) Tracer, Catalog No. 243621	Vial: 50 ml	8/01/84
Becton Dickinson & Company	TSH Antiserum Catalog No. 263001	Clear Vial: 10ml	9/04/86
Becton Dickinson & Company	TSH Antiserum, Catalog No. 258431	Vial: 50 ml	8/01/84
Becton Dickinson & Company	TSH [125I] Tracer, Catalog No. 259624	Clear vial: 10ml	9/04/86
Behring Diagnostics	IEP Buffer, 793001 pH 8.2	Foil Pouch: 6.5 g.	9/17/79
Behring Diagnostics	Immuno-tec II Agarose Plate, 839013, 850013	Foil Pouch: "5.35"×"5.25"	9/17/79
Bio-Rad Laboratories	Benzodiazepines/Tricyclic Antidepressants by HPLC	Kit: 100 tests	2/08/90
Bio-Rad Laboratories	Dade Urine Chemistry Control Levels I AND II	Vial: 20 ml, 50 ml	1/05/88
Bio-Rad Laboratories	Dade Urine Toxiology Control	Vial: 50 ml	1/05/88
Bio-Rad Laboratories	Internal Standard	Amber vial: 30ml Flask: 200ml-2000ml	2/08/90
Bio-Rad Laboratories	Lyphochek Therapeutic Drug Monitoring Control (TDM), Levels I, II, III.	Vial: 10ml	8/20/84
Bio-Rad Laboratories	Lypochek Immunoassay Control Levels I, II, III	Vial: 10 ml	9/24/87
Bio-Rad Laboratories	Lypochek Quantitative Urine Control Levels I and II	Vial: 20 ml, 50 ml	9/24/87
Bio-Rad Laboratories	Lypochek Unassayed Chemistry Control (Bovine) Levels I, II	Vial: 20ml	9/24/87
Bio-Rad Laboratories	Lypochek Unassayed Chemistry Control (Human) Levels I, II	Vial: 20ml	9/24/87
Bio-Rad Laboratories	Methadone/Methadone Metabolite Reagent Kit	400 tests	9/17/90
Bio-Rad Laboratories	Quantaphase Thyroxine RIA-125I Tracer/Dissociating Reagent	Plastic bottle: 60ml, 260ml	5/06/81
Bio-Rad Laboratories	Quantaphase Thyroxine RIA-Thyroxine Immunobeads	Plastic bottle: 60ml 260ml	5/06/81
Bio-Rad Laboratories	Quantimune Barbital Buffer	Plastic Bottle: 1000ml, 250ml, 200ml	5/31/78
Bio-Rad Laboratories	Quantimune Radioimmunoassay T-4 Tracer Iodine-125	Vial: 10ml	7/21/76
Bio-Rad Laboratories	Quantimune T-3 RIA Barbital Buffer	Bottle: 220ml	9/24/82
Bio-Rad Laboratories	Quantimune T-3 RIA Test Kit	Kit: 500 tests, 100 tests	5/31/78
Bio-Rad Laboratories	Quantimune T-4 RIA Kit	Kit: 500 tests	7/01/77
Bio-Rad Laboratories	Quantimune T-4 RIA Test Kit	Kit: 5000 tests, 100 tests	5/31/78
Bio-Rad Laboratories	Quantimune Thyroxine Radioimmunoassay Barbital Buffer	Plastic Bottle with Screw cap: 1 liter	7/01/77
Bio-Rad Laboratories	Quantimune Thyroxine Radioimmunoassay T-4 125I Tracer/Dissociating Agent.	Glass Serum Vial: 10ml	7/01/77
Bio-Rad Laboratories	REMEDI DPS Check Mix	Vial: 20ml, Flask: 1L-10L	9/17/90
Bio-Rad Laboratories	REMEDI DPS Internal Standard Combination	Vial: 20ml, Flask: 250ml-6000ml	9/17/90
Bio-Rad Laboratories	REMEDI DPS Internal Standard One	Vial: 20ml, Flask: 250ml-2500ml	9/17/90
Bio-Rad Laboratories	REMEDI DPS Internal Standard Two	Vial: 20ml, Flask: 250ml-5000ml	9/17/90
Bio-Rad Laboratories	REMEDI DPS Urine Calibrator	Vial: 20ml, Flask: 1L-10L	9/17/90
Bio-Rad Laboratories	Serum Calibrator 1	Amber vial: 20ml Polypropylene container: 20L	2/08/90
Bio-Rad Laboratories	Serum Calibrator 2	Amber vial: 20ml Polypropylene container: 20L	2/08/90
Bio-Rad Laboratories	Serum Calibrator for Benzodiazepines/Tricyclics, Contains 2	Box: 2 vials	2/08/90
Bio-Rad Laboratories	T-4 Competitive Binding Reagent, Iodine-125	Bottle: 385ml	7/21/76
Bio-Rad Laboratories	Urine Toxicology Control No. C-470-25	Amber Vial: 50ml	9/19/79
Bio-Rad Laboratories, (Chemical Division).	Barbital Buffer	Vial: 10ml	7/21/76
Bio-Rad Laboratories, (Chemical Division).	Barbital Buffer Powder	Plastic bottle: 250ml	9/09/77
Bio-Rad Laboratories, (Chemical Division).	Barbital Buffer Powder	Plastic bottle: 250ml	7/21/76
Bio-Rad Laboratories, (Chemical Division).	Barbital Buffer-Dry Pack	Packages: 9.11 g., 18.21 g., 12.14 g	5/09/74

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Bio-Rad Laboratories, (Chemical Division).	Bio-Rad Electrophoresis Buffer	Bottle: 500ml	12/14/72
Bio-Rad Laboratories, (Chemical Division).	Electrophoresis Buffer, Dry-Pack	Package: 6.15 g	12/14/72
Bio-Rad Laboratories, (Chemical Division).	Immunoelectrophoresis Barbital Buffer I, pH 8.6	Dry-pack: 25.6 g	8/06/75
Bio-Rad Laboratories, (Chemical Division).	Immunoelectrophoresis Barbital Buffer II, pH 8.6	Dry-pack: 15.61 g	8/06/75
Bio-Rad Laboratories, (Chemical Division).	Immunoelectrophoresis Barbital Buffer III, pH 8.6	Dry-pack: 6.82 g	1/22/76
Bio-Rad Laboratories, (Chemical Division).	Immunoelectrophoresis Barbital Buffer III-a, pH 8.8	Dry-pack: 15.07 g	8/06/75
Bio-Rad Laboratories, (Chemical Division).	Reagent No. 3	Bottle: 165ml	12/14/72
Bio-Rad Laboratories, (Clinical Division).	Benzodiazepines/Tricyclics/Plasma Catecholamines (BZ/TCA/pCats) Serum Calibrators Bulk Preparations.	Polypropylene Container: 15L-100L	3/28/91
Bio-Rad Laboratories, (Clinical Division).	Plasma Catecholamines by HPLC, 100 Test	Kit: 100 Test	3/28/91
Bio-Rad Laboratories, (Clinical Division).	Plasma Catecholamines by HPLC, Serum Calibrator Set, 1x6 vials.	Vial: 20ml; Set: 6 vials	3/28/91
Bio-Rad Laboratories, (ECS Division).	Benzo/TCA Control Levels I & II	Vial: 10ml; Box: 6 vials	3/20/91
Bio-Rad Laboratories, (ECS Division).	Blind Performance Specimen Set Cat. #610	Kit: 5 bottles	9/14/90
Bio-Rad Laboratories, (ECS Division).	LYPHOCHEK Assayed Chemistry Control Serum (Human) Levels I and II.	Vials: 10ml. each	4/13/88
Bio-Rad Laboratories, (ECS Division).	LYPHOCHEK Immunoassay Plus Control Serum Levels 1-3	Vial: 10ml; Kit: 12 vials	9/14/90
Bio-Rad Laboratories, (ECS Division).	LYPHOCHEK Urine Toxicology Control-Confirm	Box: 10 vials; Vial: 50ml	9/14/91
Bio-Rad Laboratories, (ECS Division).	LYPHOCHEK Urine Toxicology Control-Law	Vials: 20ml. each	4/13/88
Bio-Rad Laboratories, (ECS Division).	LYPHOCHEK Urine Toxicology Control-Screen	Box: 10 vials; Vial: 20ml	9/14/90
Bio-Rad Laboratories, (ECS Division).	Positive for Amphetamines	Bottle: 90ml	9/14/90
Bio-Rad Laboratories, (ECS Division).	Positive for Cocaine	Bottle: 90ml	9/14/90
Bio-Rad Laboratories, (ECS Division).	Positive for Marihuana	Bottle: 90ml	9/14/90
Bio-Rad Laboratories, (ECS Division).	Positive for Opiates	Bottle: 90ml	9/14/90
Bio-Rad Laboratories, (ECS Division).	Positive for Phencyclidine	Bottle: 90ml	9/14/90
Biodiagnostic International	Liqui-Ura Toxic Control	Vial: 5ml	3/11/85
Bioscientific Corp.	ECA Buffer, Catalog No. ECA 05805	Plastic Packet: 18.0 g., 10 packets per box	7/14/77
Bioscientific Corp/ECA	Agarose Barbital Buffer CSB 470182	Vial: 7 drams	11/15/90
Bioscientific Corp/ECA	Agarose Barbital Buffer ECA 470182	Vial: 12 drams; Box: 3 vials	11/15/90
Bioscientific Corp/ECA	Agarose Barbital-EDTA Buffer ECA 470180	Vial: 12 drams, Box: 3 vials	11/15/90
Bioscientific Corp/ECA	ECA Buffer ECA 0320024	Vial: 12 drams, Box: 12 vials	11/15/90
Bioscientific Corp/ECA	General Procedure Agarose Film #ECA 470100	Plastic Tray 4.5"×5", Kit: 10 trays	9/10/90
Bioscientific Corp/ECA	LD Agarose Gel #CSB 102	Plastic Tray: 3"×5", Kit: 10 trays	9/10/90
Bioscientific Corp/ECA	Protein Agarose Gel #PSB 103	Plastic Tray 3"×5", Kit: 10 trays	9/10/90
Biosite Diagnostics	Amphetamine Enzyme Conjugate 31111, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Amphetamine QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Amphetamine QC Control (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Barbiturate Conjugate	Plastic Bottles: 2ml-60 ml	11/30/90
Biosite Diagnostics	Barbiturate Derivative	Vial: 8,16,32ml	11/30/90
Biosite Diagnostics	Barbiturate Enzyme Conjugate 31110, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Barbiturate QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Barbiturate QC Control (Bulk)	Bottle: 5L-10L	10/29/91
Biosite Diagnostics	Benzodiazepine Controls, 1-6 31088-31093, 7-11 31098-31102, Bulk Formulation.	Vial: 50ml, 1.5ml	10/24/91
Biosite Diagnostics	Benzodiazepine QC Control 3	Vial: 5ml	10/29/91
Biosite Diagnostics	Benzodiazepines QC Control 1	Vial: 5ml	10/29/91
Biosite Diagnostics	Benzodiazepines QC Control 1 (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Benzodiazepines QC Control 2	Vial: 5ml	10/29/91
Biosite Diagnostics	Benzodiazepines QC Control 2 (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Benzodiazepines QC Control 3 (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Benzoylecgonine Conjugate	Plastic Bottles: 2ml-60ml	11/30/90
Biosite Diagnostics	Benzoylecgonine Conjugate II, III, IV, & V	Vial: 1.5ml	3/14/91
Biosite Diagnostics	Benzoylecgonine Conjugate II, III, IV, & V Bulk	Bottle: 5, 15, 30 & 60ml	3/14/91
Biosite Diagnostics	Benzoylecgonine Controls, 1-5 31041-31045, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Benzoylecgonine Enzyme Conjugate 31105, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Benzoylecgonine Enzyme Conjugate II	Vial: 1.5ml	3/14/91
Biosite Diagnostics	Benzoylecgonine Standards, 1-6 31035-31040, Bulk Formulation.	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Cocaine QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Cocaine QC Control (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Conjugate Beads (Bulk)	Bottles: 250ml-1L	11/30/90

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Biosite Diagnostics	Flurazepam Enzyme Conjugate 31109, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Flurazepam Standards, 1-7 31081-31087, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Labeled Conjugate Mixture 4	Bottles: 10ml-1L	10/29/91
Biosite Diagnostics	Labeled Conjugate Mixture 5	Bottles: 10ml-1L	10/29/91
Biosite Diagnostics	Labelled Barbiturate Conjugate	Plastic Bottles: 0.5, 1, 2 & 5L	11/30/90
Biosite Diagnostics	Labelled Benzoylecgonine Conjugate	Plastic Bottles: 0.5, 1, 2 & 5L	11/30/90
Biosite Diagnostics	Labelled Conjugate Mixture 1	Plastic Bottles: 10ml-1L	11/30/90
Biosite Diagnostics	Labelled Conjugate Mixture 2	Plastic Bottles:10ml-1L	11/30/90
Biosite Diagnostics	Labelled Morphine Conjugate	Plastic Bottles: 0.5, 1, 2 & 5L	11/30/90
Biosite Diagnostics	Labelled THC Conjugate	Plastic Bottles: 10ml-1L	11/30/90
Biosite Diagnostics	Lorazepam Enzyme Conjugate 31108, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Lorazepam Standards, 1-4 31094-31097, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Methamphetamine Enzyme Conjugate 31104, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Methamphetamine QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Methamphetamine QC Control (Bulk)	Bottle: 5L-10L	10/29/91
Biosite Diagnostics	Morphine Conjugate	Plastic Bottles: 2ml-60 ml	11/30/90
Biosite Diagnostics	Morphine Controls, 1-5 31076-31080, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Morphine Enzyme Conjugate 31107, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Morphine Standard 6, 31220 Bulk Formulation	Vial: 1.5ml, 5-20ml; Flask: 20-50ml	3/14/91
Biosite Diagnostics	Morphine Standards, 1-5 31071-31075, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Opiate QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Opiate QC Control (Bulk)	Bottle: 05.L-10L	10/29/91
Biosite Diagnostics	PCP QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	PCP QC Control (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Phencyclidine Controls 5-6, 31255-31256 Bulk Formulation	Vial: 1.5ml, 5-20ml; Flask: 20-50ml	3/14/91
Biosite Diagnostics	Phencyclidine Controls, 1-4 31010-31013, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Phencyclidine Enzyme Conjugate 31103, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	Phencyclidine Standards 1-4 31006-31009 Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Phencyclidine Standards 5-6, 31253-31254 Bulk Formulation	Vial: 1.5ml, 5-20 ml; Flask: 20-50ml	3/14/91
Biosite Diagnostics	Phenobarbital Controls, 1-8 31063-31070, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Phenobarbital Standards, 1-8 31055-31062, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	THC Conjugate	Plastic Bottles: 2ml-60 ml	11/30/90
Biosite Diagnostics	THC Controls, 1-3 31052-31054, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	THC Enzyme Conjugate 31106, Bulk Formulation	Vial: 100ml, 1.5ml	10/24/90
Biosite Diagnostics	THC QC Control	Vial: 5ml	10/29/91
Biosite Diagnostics	THC QC Control (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	THC Standards, 1-6 31046-31051, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	Threshold Control A & B	Vial: 5ml	10/29/91
Biosite Diagnostics	Threshold Control A & B (Bulk)	Bottle: 1L-20L	10/29/91
Biosite Diagnostics	Triage DOA Demo Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Triage DOA Demo Control (Bulk)	Bottle: 0.5L-10L	10/29/91
Biosite Diagnostics	Triage DOA Test Kit	Box: 25 pouches	11/30/90
Biosite Diagnostics	Triage Drug Screen Control	Vial: 5ml	10/29/91
Biosite Diagnostics	Triage Drug Screen Control (Bulk)	Bottle: 0.5-20L	10/29/91
Biosite Diagnostics	Triage Test Device	Metallic Pouch: 1 each	11/30/90
Biosite Diagnostics	d-Amphetamine Controls, 1-5 31030-31034, Bulk Formulation	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	d-Amphetamine Standards, 1-6 31024-31029, Bulk Formulation.	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	d-Methamphetamine Controls 5-6, 31020, 31257 Bulk Formulation.	Vial: 1.5ml, 20-50ml; Flask: 20-50ml	3/14/91
Biosite Diagnostics	d-Methamphetamine Controls, 1-4 31020-31023, Bulk Formulation.	Vial: 50ml, 1.5ml	10/24/90
Biosite Diagnostics	d-Methamphetamine Standards, 1-6 31014-31019, Bulk Formulation.	Vial: 50ml, 1.5ml	10/24/90
California Bionuclear Corporation	Amobarbital-2-C-14, Catalog No. 72077	Screw Cap Vial: 50 microcuries, 0.1, 0.5, and 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Cocaine (methoxy-C-14) Catalog No. 72182	Screw Cap Vial: 50 microcuries, 0.1, 0.5, and 1.0 millicuries.	1/08/75
California Bionuclear Corporation	D-Amphetamine (propyl-1-C-14) Sulfate, Catalog No. 72078	Screw Cap Vial: 50 microcuries, 0.1, 0.5, and 1.0 millicuries.	1/08/75
California Bionuclear Corporation	DL-Amphetamine (propyl-1-C-14) Sulfate, Catalog No. 72079	Screw Cap Vial: 50 microcuries, 0.1, 0.5, and 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Meperidine (N-methyl-C-14) Hydrochloride, Catalog No. 72508	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Mescaline (aminomethylene-C-14) Hydrochloride, Catalog No. 72512.	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Methadone (heptanone-2-C-14) Hydrochloride, Catalog No. 72516.	Screw Cap Vial: 50 microcuries 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Methamphetamine (propyl-1-C-14) Sulfate, Catalog No. 72517	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Methylphenidate (carbonyl-C-14) Hydrochloride, Catalog No. 72550.	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Morphine (n-methyl-C-14) Hydrochloride, Catalog No. 72560	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Pentobarbital-2-C-14, Catalog No. 72618	Screw Cap Vial: 50 microcuries, 0.1, 0.5, 1.0 millicuries.	1/08/75
California Bionuclear Corporation	Secobarbital-2-C-14, Catalog No. 72675	Ampule: 50 microcuries, 0.1, 0.5, and 1.0 millicuries.	1/08/75
Cambridge Medical Diagnostics Incorporated.	125I Human Parathyroid Hormone 44-68	Vial: 5ml	3/29/85

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Cambridge Medical Diagnostics Incorporated.	125I-Tetraiodothyronine	Vial: 11ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	125I-Triiodothyronine	Vial: 11ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	Donkey Anti Goat Gamma Globulin	Vial: 5ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	Parathyroid Hormone (Human 1-84) Standard	6 Vials: 5ml each	3/29/85
Cambridge Medical Diagnostics Incorporated.	Parathyroid Hormone Assay Buffer	Vial: 10ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	T3 AntiSerum (Rabbit)	Vial: 11ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	T3 Standard	Vial: 1ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	T4 Antiserum (Rabbit)	Vial: 11ml	3/29/85
Cambridge Medical Diagnostics Incorporated.	T4 Standard	Vial: 1ml	3/29/85
Casco Standards	1-(1-Phenylcyclohexyl)pyrrolidine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	1-Phenylcyclohexylamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/23/90
Casco Standards	1-[1-(2-thienyl)-cyclohexyl]-piperdine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/23/90
Casco Standards	1-[1-2(2-thienyl)-cyclohexyl]-pyrrolidine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 Plastic Cup: 125ml.	3/23/90
Casco Standards	11-OH-delta-8-THC Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	11-OH-delta-9-THC Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic cup: 125ml.	3/21/90
Casco Standards	11-nor-delta-8-THC-9-carboxilic acid Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	11-nor-delta-9-THC-9-carboxilic acid Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials	3/21/90
Casco Standards	8-B-11-diOH-delta-9-THC Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	8-B-OH-delta-9-THC Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Allobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Alphenal Cross-Reactant	Cryo-vial: 1.1ml Box: 25, 50 75 vials Plastic cup: 125ml.	3/21/90
Casco Standards	Alprazolam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Amobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Aprobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Barbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Benzoylecgonine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Benzphetamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Bromazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Butabarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25, 50, 75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Butalbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50, 75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Butethal Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Cannabidiol Cross-Reactant	Cryo-Vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Cannabinol Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Chlordiazepoxide Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Clonazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Cocaine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Cyclopentobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Diazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Ecgonine HCl Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Ecgonine-methyl ester HCl hydrate Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Casco Standards	Fenfluramine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Flunitrazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Flurazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Halazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Hexobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Lorazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	MDA Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	MDE Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	MDMA Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Medazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Midazolam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Nitrazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 3/21/90.	3/21/90
Casco Standards	Nordiazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Oxazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Pentobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Phencyclidine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/23/90
Casco Standards	Phenmetrazine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Phenobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Phentermine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Pinazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Prazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Propylhexedrine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Secobarbital Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Talbutal Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Temazepam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	Triazolam Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	d-Amphetamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	d-Methamphetamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	l-Amphetamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Casco Standards	p-HO-Amphetamine Cross-Reactant	Cryo-vial: 1.1ml Box: 25,50,75 vials Plastic Cup: 125ml.	3/21/90
Ciba Corning Diagnostics Corp.	AACC Tox	Glass Vial: 30ml	1/20/86
Ciba Corning Diagnostics Corp.	ACS FT4	Kit: 50 Test 300 Test	3/26/91
Ciba Corning Diagnostics Corp.	ACS FT4 Lite Reagent	Vial: 7ml	3/26/91
Ciba Corning Diagnostics Corp	ACS FT4 Lite Reagent	Vial: 7ml	3/26/91
Ciba Corning Diagnostics Corp.	ACS FT4 Solid Phase	Vial: 26ml	3/26/91
Ciba Corning Diagnostics Corp.	ACS Ferritin Lite Reagent	Vial: 7ml; Kit: 50 Tests 300 Tests	4/15/91
Ciba Corning Diagnostics Corp.	ACS Ferritin Solid Phase	Vial: 26ml; Kit: 50 Tests 300 Tests	4/15/91
Ciba Corning Diagnostics Corp.	ACS HCG Solid Phase	Vial: 26ml; Kit: 50 Tests 300 Tests	4/18/91
Ciba Corning Diagnostics Corp.	ACS Magnetic Check	Plastic Vial: 26ml	6/18/91
Ciba Corning Diagnostics Corp.	ACS Magnetic Check II	Plastic Vial: 26ml	6/18/91
Ciba Corning Diagnostics Corp.	ACS Performance Verification Test Kit	Kit: 6 Vials	6/18/91
Ciba Corning Diagnostics Corp.	ACS T3 300 Test Kit	Kit: 300 Tests	7/22/91
Ciba Corning Diagnostics Corp.	ACS T3 50 Test Kit	Kit: 50 Tests	7/22/91
Ciba Corning Diagnostics Corp.	ACS T3 Lite Reagent	Plastic Vial: 7ml	7/22/91
Ciba Corning Diagnostics Corp.	ACS T3 Solid Phase	Plastic Vial: 26ml	7/22/91
Ciba Corning Diagnostics Corp.	ACS T4	Kit: 50 Test 300 Test	3/26/91
Ciba Corning Diagnostics Corp.	ACS T4 Lite Reagent	Vial: 7ml	3/26/91
Ciba Corning Diagnostics Corp.	ACS T4 Solid Phase	Vial: 26ml	3/26/91
Ciba Corning Diagnostics Corp.	ACS Wash Check Solid Phase	Plastic Vial: 26ml	6/18/91
Ciba Corning Diagnostics Corp.	ALP Buffer Concentrate Cat. No. 470244	Plastic Bottle: 175ml	10/28/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Ciba Corning Diagnostics Corp.	ALP Gel/12 Cat. No. 470246	2 Plates: 24 Tests	10/28/91
Ciba Corning Diagnostics Corp.	ALP Gel/8 Cat. No. 470243	2 Plates: 16 Tests	10/28/91
Ciba Corning Diagnostics Corp.	ALP Gel/8 and Buffer Cat. No. 470240	Kit: 10 Plates; Plastic Bottle: 175ml	10/28/91
Ciba Corning Diagnostics Corp.	Alkaline Hemoglobin Buffer Cat. No. 470580	Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp.	Alkaline Hemoglobin Kit/8 Cat. No. 470678	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp.	Ciba Corning ANTICONV/ASTH I, II	Kit Contains: 10ml vial 5 Vials each level	10/22/85
Ciba Corning Diagnostics Corp.	Ciba Corning TDM I	Vial: 5ml 10 vials	10/22/85
Ciba Corning Diagnostics Corp.	Ciba Corning TDM I, II & III	Kit Contains: 5 Vials each level	10/22/85
Ciba Corning Diagnostics Corp.	Ciba Corning TDM II	Vial: 5ml, 10 vials	10/22/85
Ciba Corning Diagnostics Corp.	Ciba Corning TDM III	Vial: 5ml, 10 vials	10/22/85
Ciba Corning Diagnostics Corp.	Ciba Corning TOX I,II	Kit: Contains: 10ml vial 5 Vials each level	12/16/85
Ciba Corning Diagnostics Corp.	Ciba Corning Urine II	Vial:30ml	5/22/85
Ciba Corning Diagnostics Corp.	DAU I No. 9076	Glass vial: 25ml Box: 10 vials	5/23/89
Ciba Corning Diagnostics Corp.	DAU II No. 9077	Glass Vial: 25ml Box: 10 vials	5/23/89
Ciba Corning Diagnostics Corp.	DAU III No. 9078	Glass Vial: 25ml Box: 10 Vials	5/23/89
Ciba Corning Diagnostics Corp.	DAU IV No. 9079	Glass Vial: 25ml Box: 10 Vials	5/23/89
Ciba Corning Diagnostics Corp.	DAU V No. 9085	Glass Vial: 25ml; Box: 10 vials	5/10/91
Ciba Corning Diagnostics Corp.	Double Four-Track Gel Cat. No. 470179	Plate: 8 Tests; Kit: 12 Plates	10/28/91
Ciba Corning Diagnostics Corp.	HDL Cholesterol Gel/8 and Buffer Cat. No. 470618	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	High Resolution Protein Gel/8 Cat. No. 470201	Kit: 12 Plates; 2 Plates: 16 Tests	10/28/91
Ciba Corning Diagnostics Corp	High Resolution Protein Kit/8 Cat. No. 470682	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Immophase Ferritin Controls	Glass Vial: 3ml	1/19/87
Ciba Corning Diagnostics Corp	Immophase Ferritin Standards	Glass Vial: 5ml	9/16/86
Ciba Corning Diagnostics Corp	Immunoelectrophoresis Gel/10 Cat. No. 470090	Kit: 12 Plates; 2 Plates: 20 Tests	10/28/91
Ciba Corning Diagnostics Corp	Immunoelectrophoresis Kit/8 Cat. No. 470684	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	L-TDM I	Glass Vial: 5ml, Box: 15 Vials	5/23/89
Ciba Corning Diagnostics Corp	L-TDM I, II, III Kit	Kit: 15 Vials	5/23/89
Ciba Corning Diagnostics Corp	L-TDM II	Glass Vial: 5ml, Box: 15 Vials	5/23/89
Ciba Corning Diagnostics Corp	L-TDM III	Glass Vial: 5ml, Box: 15 Vials	5/23/89
Ciba Corning Diagnostics Corp	LD Isoenzyme Gel/8 and Buffer Cat. No. 470620	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	LVM HI-CHEM DIL	Vial: 10ml	6/21/90
Ciba Corning Diagnostics Corp	LVM, Product Code - 9774	Carton: 12 vials	6/21/90
Ciba Corning Diagnostics Corp	Lipoprotein Kit/8 Cat. No. 470694	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	MULTIQUAL ABN UNASY	Vial: 3ml, 10ml, Carton: 15 vials, 10 vials	4/09/89
Ciba Corning Diagnostics Corp	MULTIQUAL NOR UNASY	Vial: 3ml, 10ml, Carton: 15 vials, 10 vials	4/09/89
Ciba Corning Diagnostics Corp	Magic Ferritin 2000 Standard	Plastic Vial: 1ml	1/19/87
Ciba Corning Diagnostics Corp	Magic Ferritin Controls	Plastic Vial: 5ml	1/19/87
Ciba Corning Diagnostics Corp	Magic Ferritin Standards	Polypropylene Vial: 3ml	9/16/86
Ciba Corning Diagnostics Corp	Magic Ferritin Zero Standard	Plastic Vial: 50ml	1/19/87
Ciba Corning Diagnostics Corp	Magic Lite Ferritin Bulk Lite Reageant	Plastic Vial: 50ml	2/16/88
Ciba Corning Diagnostics Corp	Magic Lite Ferritin Bulk Solid Phase	Plastic Vial: 200ml	2/16/88
Ciba Corning Diagnostics Corp	Magic Lite Ferritin Solid Phase	Plastic Vial: 50ml	2/16/88
Ciba Corning Diagnostics Corp	Magic Lite T3 Bulk Solid Phase	Plastic Vial: 200ml	2/16/88
Ciba Corning Diagnostics Corp	Magic Lite T3 Kit	Kit: 100 Tests	6/27/91
Ciba Corning Diagnostics Corp	Magic Lite T3 Lite Reagent	Plastic Vial: 30ml	6/27/91
Ciba Corning Diagnostics Corp	Magic Lite T3 Solid Phase	Plastic Vial: 75ml	6/27/91
Ciba Corning Diagnostics Corp	Magic T4 Antibody	Vial: 50ml, 200ml	11/01/90
Ciba Corning Diagnostics Corp	Magic T4 Antibody	Plastic Vial: 50ml and 200ml	2/16/88
Ciba Corning Diagnostics Corp	Multi-LD Gel Cat. No. 470221	Kit: 12 Plates; 2 Plates: 32 Tests	10/28/91
Ciba Corning Diagnostics Corp	Multi-SPE Gel Cat. No. 470252	Kit: 12 Plates; 2 Plates: 32 Tests	10/28/91
Ciba Corning Diagnostics Corp	Multitrac ALP Gel/12 and Buffer Cat. No. 470240	Kit: 10 Plates; Plastic Bottle: 175ml	10/28/91
Ciba Corning Diagnostics Corp	Multitrac Immunofixation Kit/12 Cat. No. 470685	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Multitrac LD Isoenzyme Gel/12 and Buffer Cat. No. 470622	Kit: 10 Plates; Plastic vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Multitrac LD Isoenzyme Gel/16 and Buffer Cat. No. 470625	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Multitrac Lipoprotein Kit/12 Cat. No. 470695	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Multitrac Serum Protein Kit/12 Cat. No. 470697	Kit: 10 Plates; Plastic vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	QCS ABN ASY	Vial: 5ml Kit: 5 vials	1/21/89
Ciba Corning Diagnostics Corp	QCS ABN ASY No. 9705/9705A	Box: 10 vials, Vial: 5ml	12/15/89
Ciba Corning Diagnostics Corp	QCS ABN ASY No. 9707/9707A	Box: 10 vials, Vial: 5ml	12/15/89
Ciba Corning Diagnostics Corp	QCS ABN UNASY No. 9691/9691A	Box: 40 vials, Vial: 25ml	12/15/89
Ciba Corning Diagnostics Corp	QCS ABN UNASY No. 9717/9717A	Box: 10 vials, Vial: 10ml	12/15/89
Ciba Corning Diagnostics Corp	QCS NOR ASY	Vial: 5ml Kit: 5 vials	1/21/89
Ciba Corning Diagnostics Corp	QCS NOR ASY No. 9702/9702A	Box: 10 vials, Vial: 5ml	12/15/89
Ciba Corning Diagnostics Corp	QCS NOR ASY No. 9704/9704A	Box: 10 vials, Vial: 5ml	12/15/89
Ciba Corning Diagnostics Corp	QCS NOR UNASY No. 9681/9681A	Box: 40 vials, Vial: 25ml	12/15/89
Ciba Corning Diagnostics Corp	QCS NOR UNASY No. 9716/9716A	Box: 10 vials, Vial 10ml	12/15/89
Ciba Corning Diagnostics Corp	Reagent A- Alt 14	Vial: 15ml	3/24/79
Ciba Corning Diagnostics Corp	Reagent A- Alt 7	Vial: 15ml	3/24/79
Ciba Corning Diagnostics Corp	Reagent A-Ammonia 10	Vial: 10ml	3/24/79
Ciba Corning Diagnostics Corp	Serum Protein Kit/8 Cat. No. 470696	Kit: 10 Plates; Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Special Barbital Buffer Set, Catalog No. 470182	Vial: 3 per kit	4/17/79
Ciba Corning Diagnostics Corp	Univeral II Gel/8 Cat. No. 470261	Kit: 12 Plates; 2 Plates: 16 Tests	10/28/91
Ciba Corning Diagnostics Corp	Universal Buffer Cat. No. 470586	Plastic Vial: 25 Drams	10/28/91
Ciba Corning Diagnostics Corp	Universal Electrophoresis Film Agarose, Catalog No. 470100	Plates: 12 per kit	4/17/79
Ciba Corning Diagnostics Corp	Universal Gel/12 Cat. No. 470554	Kit: 12 Plates; 2 Plates: 24 Tests	10/28/91
Ciba Corning Diagnostics Corp	Universal Gel/16 or Multi-SPE Gel Cat. No. 470066	Kit: 12 Plates; 2 Plates: 32 Tests	10/28/91
Ciba Corning Diagnostics Corp	Universal IEP Gel Cat. No. 470222	Kit: 12 Plates; 2 Plates: 16 Tests	10/28/91
Ciba Corning Diagnostics Corp	Universal II Gel/12 Cat. No. 470262	Kit: 12 Plates; 2 Plates: 24 Tests	10/28/91
Ciba Corning Diagnostics Corp	Universal II Gel/16 Cat. No. 470268	Kit: 12 Plates; 2 Plates: 32 Tests	10/28/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Ciba Corning Diagnostics Corp	Universal PHAB Buffer Set Catalog No. 470180	Kit: 3 vials per kit	9/26/79
Ciba Corning Diagnostics corp	Magic Lite HCG Solid Phase	Plastic vial: 50ml Kit: 100 tests	12/09/88
Ciba-Corning Diagnostics Corp	Linearity Reference Material LNM-A, LNM-B, LNM-C	Vial: 10ml; Kit: 2 vials	2/12/91
Ciba-Corning Diagnostics Corp	Linearity Survey LN3-A, LN3-B, LN3-C	Vial: 10ml; Kit: 2 vials	2/12/91
Ciba-Corning Diagnostics Corp	Linearity Survey LN4-A, LN4-B, LN4-C	Vial: 25ml; Kit: 2 vials	2/12/91
Cone Biotech, Inc	American Association of Bioanalysts, Urine Toxicology Survey	Vial: 20ml Kit: 2 vials	5/30/90
Cone Biotech, Inc	CAP/Cocaine Reference Material Levels II, III, and IV	Vial: 20ml	3/07/88
Cone Biotech, Inc	College of American Pathologists (CAP) Reference Material for Cocaine in Urine.	Vial: 15ml Kit: 4 vials	5/30/90
Cone Biotech, Inc	College of American Pathologists Forensic Urine Drug Testing Survey Material (AACC/CAP).	Vial: 100ml	5/30/90
Cone Biotech, Inc	College of American Pathologists Toxicology Survey (CAP)	Vial: 50ml	5/30/90
Cone Biotech, Inc	College of American Pathologists Urine Toxicology Survey (CAP).	Vial: 50ml	5/30/90
Cone Biotech, Inc	QCM-UTI	Vial: 20ml	3/07/85
Cone Biotech, Inc	RIATRAC-Three Level Ligand Assay Controls	Vials: 8ml	2/27/84
Cone Biotech, Inc	UDM-CAP/AACC Forensic Urine Drug Testing Survey (Initial Phase).	Bottle: 60ml	8/31/87
Cone Biotech, Inc	UDS and UDC CAP/AACC Forensic Urine Drug Testing	Vial: 30ml	1/06/88
Diagnostic Products Corporation	125-I Barbiturate Isotope: Cat. No. TBA2, TBAY2	Vial: 110ml, 550ml	3/01/88
Diagnostic Products Corporation	125-I Benzolyecgonine Isotope: Cat. No. TCN2, TCNY2	Vial: 100ml, 550ml	3/01/88
Diagnostic Products Corporation	125-I Benzoylecgonine Isotope (DA): Cat. No. CND2, YCND2	Vial: 10ml, 100ml, 675ml	3/01/88
Diagnostic Products Corporation	125-I Fentanyl Isotope: Cat. No. TFN2	Vial: 500ml	3/01/88
Diagnostic Products Corporation	125-I Methadone Isotope: Cat. No. TMD2	Vial: 100ml	3/01/88
Diagnostic Products Corporation	125-I Methaqualone Isotope: Cat. No. TMQ2	Vial: 100ml	3/01/88
Diagnostic Products Corporation	125-I Morphine Isotope: Cat. No. TMP2, TMPY2	Vial: 110ml, 550ml	3/01/88
Diagnostic Products Corporation	125-I PCP Isotope: Cat. No. TPC2, TPCY2	Vial: 110ml, 550ml	3/01/88
Diagnostic Products Corporation	125-I Serum Morphine Isotope: Cat. No. TSM2	Vial: 110ml	3/01/88
Diagnostic Products Corporation	125-I THC Isotope: Cat. No. THD2, YTHD2	Vial: 20ml, 110ml, 550ml	3/01/88
Diagnostic Products Corporation	Amphetamine Calibrators B-F: Cat. No. APD4-8	Vial: 3.5ml	3/01/88
Diagnostic Products Corporation	Amphetamine Calibrators Cat. No. MAP 4-8	Vial: 5ml	7/05/90
Diagnostic Products Corporation	Amphetamine Controls, Cat. No. ACO1, ACO2	Vial: 5ml	3/20/89
Diagnostic Products Corporation	Amphetamine Controls: Cat. No. 5AC01, 5ACO2	Vial: 100ml	3/01/88
Diagnostic Products Corporation	Amphetamine Isotope: Cat. No. APD2, 5APD2, YAPD2	Vial: 20ml, 100ml, 550ml	3/01/88
Diagnostic Products Corporation	Amphetamine Reference Preparation: Cat. No. 5YAP7	Vial: 120ml	3/01/88
Diagnostic Products Corporation	Amphetamine Reference Preparations, Cat. No. APD5, APD9	Vial: 5ml	3/20/89
Diagnostic Products Corporation	Barbiturate Calibrators B-G: Cat. No. BAC4-9	Vial: 3.5ml	3/01/88
Diagnostic Products Corporation	Barbiturate Reference Preparations: Cat. No. 5YBA5	Vial: 120ml	3/01/88
Diagnostic Products Corporation	Benzoylecgonine Calibrators (CAC) B-F: Cat. No. COC4-8	Vial: 3.5ml	3/01/88
Diagnostic Products Corporation	Benzoylecgonine Calibrators (DA) B-F: Cat. No. CND4-8	Vial: 3.5ml	3/01/88
Diagnostic Products Corporation	Benzoylecgonine Calibrators (DA): Cat. No. CNC4-8	Vial: 3.5ml	3/01/88
Diagnostic Products Corporation	Benzoylecgonine Reference Preparation (DA): Cat. No. 5YCN5	Vial: 120ml	3/01/88
Diagnostic Products Corporation	Benzoylecgonine Reference Preparation: Cat. No. 5YCN5	Vial: 120 ml	3/01/88
Diagnostic Products Corporation	C-Terminal PTH Antiserum: Cat. No. PCD1	Vial: 10 ml	3/01/88
Diagnostic Products Corporation	CON6 Immunoassay Tri-level Control Cat. No. CON6	Kit: 6 vials	3/25/91
Diagnostic Products Corporation	Canine T3 Isotope: Cat. No. TC32	Vial: 120 ml	3/01/88
Diagnostic Products Corporation	Coat-A-Count Barbiturates In Urine: Cat. No. TKBA1,TKBA5	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Barbiturates Qualitative Determination In Urine: Cat. No. TKBAY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Canine T3: Cat. No. TKC31, TKC35	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Cocaine Metabolite: Cat. No. TKCN1, TKCN5	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Fentanyl: Cat. No. TKFN1	Kit: 100 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Free Testosterone Cat. No. TKTF 1,2	Kit: 100, 200 Tests	3/25/91
Diagnostic Products Corporation	Coat-A-Count LSD 100, 500, Cat. No. TKLS1, TKLS5	Kit: 8 vials, 19 vials	3/20/89
Diagnostic Products Corporation	Coat-A-Count LSD Qualitative Determination in Urine, Cat. No. TKLSY.	Kit: 8 vials	3/20/89
Diagnostic Products Corporation	Coat-A-Count Metabolite Qualitative Determinants In Urine: Cat. No. TKCNY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Methadone: Cat. No. TKMD1	Kit: 100 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Methaqualone: Cat. No. TKMQ1	Kit: 100 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Morphine Qualitative Determinations In Urine: Cat. No. TKMPY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Morphine: Cat. No. TKMP1, TKMP5, TKMPX	Kit: 100 tests, 500 tests, 1000 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Opiates Screen Qualitative Determinations In Urine: Cat. No. TKOSY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Opiates Screen: Cat. No. TK0S1, TKOS5	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count PCP (Phencyclidine) In Urine: Cat. No. TKCY1	Kit: 100 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count PCP (Phencyclidine) Qaulitatives Determinations In Urine: Cat. No. TKPCY	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Serum Morphine: Cat. No. TKSM1	Kit: 100 tests	3/01/88
Diagnostic Products Corporation	Coat-A-Count Total Testosterone Cat. No. TKTT 1,2,5	Kit: 100, 200, 500 tests	3/25/91
Diagnostic Products Corporation	Donkey Anti-Goat Gamma Globulin (PTH-Ultra): Cat. No. PTDG.	Vial: 10 ml	3/01/88
Diagnostic Products Corporation	Double Antibody Amphetamine, Cat. No. KAPD1, KAPD5	Kit: 6 vials	3/20/89
Diagnostic Products Corporation	Double Antibody Amphetamine, Qualitative Determinations In Urine: Cat. No. KAPDY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Double Antibody Amphetamine: Cat. No. KAPD1, KAPD5	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Double Antibody Cannabinoids (THC) In Urine: Cat. No. KTHD1, KTHD5.	Kit: 100 tests, 500 tests	3/01/88

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Diagnostic Products Corporation	Double Antibody Cannabinoids (THC) Quantitative Determinations In Urine: Cat. No. KTHDY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Double Antibody Cocaine Metabolite Qualitive Determination In Urine: Cat. No. KCNDY.	Kit: 2500 tests	3/01/88
Diagnostic Products Corporation	Double Antibody Cocaine Metabolite: Cat. No. KCND1, KCND5	Kit: 100 tests, 500 tests	3/01/88
Diagnostic Products Corporation	Double Antibody PTH-C: KPCD1, KPCD2	Kit: 70 tests, 140 tests	3/01/88
Diagnostic Products Corporation	Double Antibody PTH-M: Cat. No. KPMD1	Kit: 70 tests	3/01/88
Diagnostic Products Corporation	Double Antibody Testosterone Cat. No. KTTD1,2	Kit: 100, 200 tests	3/25/91
Diagnostic Products Corporation	Double Antibody Ultra-PTH: Cat. No. KPTD1, KPTD2	Kit: 70 tests, 140 tests	3/01/88
Diagnostic Products Corporation	Enzyme-Labeled Amphetamine Cat. No. MEAP2, 5MEAP2	Vial: 20ml, 60ml	7/05/90
Diagnostic Products Corporation	Enzyme-Labeled Cocaine Metabolite Cat. No. MECC2, 5MECC2.	Glass Vial: 11ml, 60ml	1/25/91
Diagnostic Products Corporation	Enzyme-Labeled Methamphetamine Cat. No. MEMA2, 5MEMA2.	Vial: 11ml, 60ml	9/28/90
Diagnostic Products Corporation	Enzyme-Labeled Opiates Cat. No. MEOP2, 5MEOP2	Vial: 20ml, 60ml	7/05/90
Diagnostic Products Corporation	Enzyme-Labeled PCP Cat. No. MEPC2, 5MEPC2	Vial: 20ml, 60ml	7/05/90
Diagnostic Products Corporation	Enzyme-Labeled THC Cat. No. METH 2, 5METH2	Vial: 20ml, 60ml	7/05/90
Diagnostic Products Corporation	EquiCON-DOA Drugs of Abuse Equine Urine Controls Cat. No. EDAC.	Kit: 2 Vials	3/25/91
Diagnostic Products Corporation	EquiCon-DOA Level 2,3 Cat. No. EDAC 2,3	Vial: 30ml	3/25/91
Diagnostic Products Corporation	Fentanyl Calibrators: Cat. No. FNC4-9	Vial: 3.5 ml	3/01/88
Diagnostic Products Corporation	Free Testosterone Calibrators Cat. No. TFC4-8	Vial: 3.5ml	3/25/91
Diagnostic Products Corporation	Goat Anti-Rabbit Gamma Globulin/4% PEG Saline: Cat. No. 5N6.	Vial: 110 ml, 320 ml	3/01/88
Diagnostic Products Corporation	LSD Calibrators B-F, Cat. No. LSCH-8	Vial: 5 ml	3/20/89
Diagnostic Products Corporation	LSD Controls, Cat. No. 5LCO1, 5LCO2, LSCO1, LSCO2	Vial: 120ml, 5ml	3/20/89
Diagnostic Products Corporation	LSD Isotope, Cat. No. TLSY2, TLS2	Vial: 105 ml, 550 ml	3/20/89
Diagnostic Products Corporation	LSD Reference Preparation, Cat. No. 5YLS6	Vial: 120ml	3/20/89
Diagnostic Products Corporation	Low and High Barbiturate Urinary Controls: Cat. No. 5BCO1, 5BCO2.	Vial: 100 ml	3/01/88
Diagnostic Products Corporation	Low and High Benzoylecgonine Urinary Controls (DA): Cat. No. 5COO1, 5COO2, CNC02, CNCO3.	Vial: 3.5 ml, 100 ml	3/01/88
Diagnostic Products Corporation	Low and High Cannabinoid Urinary Controls: Cat. No. 5TC01, 5TCO2.	Vial: 100 ml	3/01/88
Diagnostic Products Corporation	Low and High Morphine Urinary Controls: Cat. No. 5MCO1, 5MCO2.	Vial: 100 ml	3/01/88
Diagnostic Products Corporation	Low and High Opiate Urinary Controls: Cat. No. 5OCO1, 5OCO2.	Vial: 100 ml	3/01/88
Diagnostic Products Corporation	Low and High PCP Urinary Controls: Cat. No. 5PCO1, 5PCO2	Vial: 100 ml	3/01/88
Diagnostic Products Corporation	Methadone Calibrators: Cat. No. MDC4-8	Vial: 3.5 ml	3/01/88
Diagnostic Products Corporation	Methamphetamine Calibrators Cat. No. MMA-8	Vial: 5ml	9/28/90
Diagnostic Products Corporation	Methamphetamine Cartridges Cat. No. VMADC	Cartridge: 5ml	1/25/91
Diagnostic Products Corporation	Methamphetamine Positive Reference Cat. No. VMAPC	Vial: 3ml	1/25/91
Diagnostic Products Corporation	Methaqualone Calibrators: Cat. No. MQC4-8	Vial: 3.5 ml	3/01/88
Diagnostic Products Corporation	Mid-Molecule PTH Antiserum: Cat. No. PMD1	Vial: 10 ml	3/01/88
Diagnostic Products Corporation	Milenia Amphetamine Cat. No. MKAP1, MKAP5	Kit: 7 vials, 96 tests, 480 tests	7/05/90
Diagnostic Products Corporation	Milenia Cannabinoids Cat. No. MK TH1, MKTH5	Kit: 6 vials, 96 Tests, 480 Tests	7/05/90
Diagnostic Products Corporation	Milenia Cocaine Metabolite Cat. No. MKCC1, MKCC5	Kit: 96 Tests, 480 Tests	1/25/91
Diagnostic Products Corporation	Milenia Cocaine References and Glass Controls Cat. No. MC3,6 MCCC1,2.	Vial: 5ml	1/25/91
Diagnostic Products Corporation	Milenia Methamphetamine Cat. No. MKMA1, MKMA5	Kit: 96 wells, 480 wells	9/28/90
Diagnostic Products Corporation	Milenia Opiates Cat. No. MKOP1, MKOP5	Kit: 6 vials, 96 Tests, 480 Tests	7/05/90
Diagnostic Products Corporation	Milenia PCP Cat. No. MKPC1, MKPC5	Kit: 6 vials, 96 tests, 480 tests	7/05/90
Diagnostic Products Corporation	Morphine Calibrators: Cat. No. MPC4-8	Vial: 3.5 ml, 10 ml	3/01/88
Diagnostic Products Corporation	Morphine Reference Preparation: Cat. No. 5YMPY7	Vial: 120 ml	3/01/88
Diagnostic Products Corporation	Opiate Calibrators: Cat. No. OSC4-8	Vial: 3.5 ml	3/01/88
Diagnostic Products Corporation	Opiate Cartridges Cat. No. VOSDC	Cartridge: 5ml	7/05/90
Diagnostic Products Corporation	Opiates Calibrators Cat. No. MOP 4-7	Vial: 5ml	7/05/90
Diagnostic Products Corporation	Opiates Positive Reference Cat. No. VOSPC	Vial: 1ml	07/05/90
Diagnostic Products Corporation	Opiates Reference Preparation: Cat. No. 5YOS7	Vial: 120 ml	03/01/88
Diagnostic Products Corporation	PCP Calibrators Cat. No. MPC 3-7	Vial: 5ml	07/05/90
Diagnostic Products Corporation	PCP Calibrators: Cat. No. PCC4-8	Vial: 3.5 ml	03/01/88
Diagnostic Products Corporation	PCP Reference Preparation: Cat. No. 5YPC6	Vial: 120 ml	03/01/88
Diagnostic Products Corporation	PTH (C-Terminal) Isotope: Cat. No. PCD2	Vial: 10 ml	03/01/88
Diagnostic Products Corporation	PTH (Ultra) Antiserum: Cat. No. PTD1	Vial: 5 ml	03/01/88
Diagnostic Products Corporation	PTH (Ultra) Isotope: Cat. No. PTD2	Vial 5 ml	03/01/88
Diagnostic Products Corporation	PTH-M Isotope: Cat. No. PMD2	Vial: 10 ml	03/01/88
Diagnostic Products Corporation	RIA Controls Level 4,5,6 Cat. NO. CON4, CON5, CON6	Vial: 10ml	03/25/91
Diagnostic Products Corporation	Serum Morphine Calibrators: Cat. No. SMC4-8	Vial: 3.5 ml	03/01/88
Diagnostic Products Corporation	Serum Morphine Controls: Cat. No. SMCO2, SMCO3	Vail: 3.5 ml	03/01/88
Diagnostic Products Corporation	THC Calibrators B-F: Cat. No. THD4-8	Vial: 3.5 ml	03/01/88
Diagnostic Products Corporation	THC Calibrators Cat. No. MTH 4-7	Vial: 5ml	07/05/90
Diagnostic Products Corporation	THC Reference Preparation: Cat. No. 5YTH7	Vial: 120 ml	03/01/88
Diagnostic Products Corporation	Ten One Methamphetamine Cat. No. VKMA1, VKMA4	Kit: 12 Tests, 48 Tests	01/25/91
Diagnostic Products Corporation	Ten One Opiates Cat. No. VKSO1, VKSO4	Kit: 1 vial 12 & 48 5ml cartridges	07/05/90
Diagnostic Products Corporation	Testosterone Calibrators Cat. No. TTD3-8	Vial: 3.5ml	03/25/91
Diagnostic Products Corporation	Total Testosterone Calibrators Cat. No. TTC4-8	Vial: 3.5ml	03/25/91
Diagnostic Products Corporation	Triiodothyronine (T3) Isotope: Cat. No. TT32	Vial: 120 ml	03/01/88
Diagnostic Products Corporation	[125I] Free Testosterone Cat. No. TTF2	Vial: 105ml	03/25/91
Diagnostic Products Corporation	[125I] Testosterone Cat. No. TTD2	Vial: 10ml	03/25/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Diagnostic Products Corporation	[125I] Total Testosterone Cat. No. TTT 2	Vial: 105ml	03/25/91
Diamedix Corporation	Barbital-Acetate Buffer, Powder 709-317	Package: 20 envelopes-10.65 g. per envelope	07/27/72
Diamedix Corporation	CEP Plate-Amebiasis Testing 40 Test No. 730-274	Plate: 40mm x 80mm x 2.5mm	08/09/73
Diamedix Corporation	CEP VI No. 709-339	Plate: 40mm x 80mm x 2.5mm	08/09/73
Diamedix Corporation	Counterelectrophoresis (CEP) Plates for Trichinosis Testing	Plastic plates: 40mm x 80mm x 2.5mm	06/16/75
Diamedix Corporation	EDTA (0.014M)-GVB Buffer, 753-034	Bottle: 5ml	08/09/73
Diamedix Corporation	EDTA (0.01M)-GVB Buffer, 753-031	Bottle: 5ml	08/09/73
Diamedix Corporation	GVB(3+) Buffer 753-037	Bottle: 50ml	08/09/73
Diamedix Corporation	Glucose-GVB 1 Buffer, 753-036	Bottle: 50ml	08/09/73
Duo Research, Inc.	Drug Testing Assessment Program Quality Control Samples	Kit: 25 bottles	12/26/86
Duo Research, Inc.	Drug Testing Assessment Program-Quality Control Sample	Bottle: 65ml	02/27/86
Duo Research, Inc.	Drug Testing Assessment Program-Quality Control Sample Kit	Kit: 5-65ml bottles	02/27/86
E.I. duPont de Nemours & Co., Inc.	(1) PREP Sample Preparation and Analysis Kit	Kit containing following:	09/25/78
E.I. duPont de Nemours & Co., Inc.	(2) PREP Buffer/Internal Standard and Liquid Chromatography Verifier.	Box containing following:	09/25/78
E.I. duPont de Nemours & Co., Inc.	(2a) PREP Liquid Chromatography Verifier	Vial: 10ml (1 vial/box)	09/25/78
E.I. duPont de Nemours & Co., Inc.	(2b) PREP Buffer/Internal Standard	Vial: 100ml (3 vials/box)	09/25/78
E.I. duPont de Nemours & Co., Inc.	(3) PREP Calibrators	Box containing following:	09/25/78
E.I. duPont de Nemours & Co. Inc.	(3a) PREP Calibrator-Level 1	Vial: 10ml (1 vial/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	(3b) PREP Calibrator-Level 2	Vial: 10ml (1 vial/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	(3c) PREP Calibrator-Level 3	Vial: 10ml (1 vial/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	(3d) PREP Calibrator-Level 4	Vial: 10ml (1 vial/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	(4) PREP Controls	Box containing following:	09/25/78
E.I. duPont de Nemours & Co. Inc.	(4a) PREP Control-Low Level	Vial: 10ml (2 vials/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	(4b) PREP Control-High Level	Vial: 10ml (2 vials/box)	09/25/78
E.I. duPont de Nemours & Co. Inc.	DM/TU Saturating Reagent	Plastic Bottle: 1L, 10L, 20L	02/22/89
E.I. duPont de Nemours & Co. Inc.	DuPont Drug Calibrator-A (levels 1-5)	Vial: 6ml, Box: 10 vials	09/28/90
E.I. duPont de Nemours & Co. Inc.	DuPont Drug Calibrators- Levels 1 through 5	Vial: 6ml (1 vial and 2 vials/box)	04/04/86
E.I. duPont de Nemours & Co. Inc.	DuPont Phenobarbital Assay	Vial:6 ml	10/13/86
E.I. duPont de Nemours & Co. Inc.	DuPont U Amp Enzyme Pack Reagent	Bottle:1 liter	10/19/87
E.I. duPont de Nemours & Co. Inc.	DuPont U Barb Enzyme Pack Reagent	Bottle:1 liter	10/19/87
E.I. duPont de Nemours & Co. Inc.	DuPont U Benz Enzyme Pack Reagent	Bottle:1 liter	10/19/87
E.I. duPont de Nemours & Co. Inc.	DuPont U COC Enzyme Pack Reagent	Bottle:1 liter	10/19/87
E.I. duPont de Nemours & Co. Inc.	DuPont U OPI Enzyme Pack Reagent	Bottle:1 liter	08/28/87
E.I. duPont de Nemours & Co. Inc.	DuPont U THC Enzyme Pack Reagent	Bottle: 1 Liter	01/04/88
E.I. duPont de Nemours & Co. Inc.	DuPont Urine Drugs-of-Abuse Calibrator (Levels 0,1,2)	Box:6, Vials,6ml, Vial	07/27/87
E.I. duPont de Nemours & Co. Inc.	DuPont Urine Drugs-of-Abuse Control	Vial:6 ml	08/03/87
E.I. duPont de Nemours & Co. Inc.	DuPont aca Barbiturate Screen Analytical Test Pack	Plastic Packs: 25 tests	12/23/84
E.I. duPont de Nemours & Co. Inc.	DuPont aca Barbiturate Screen/Benzodiazepine Screen Calibrator	6 Vials: 3ml	02/23/84
E.I. duPont de Nemours & Co. Inc.	DuPont aca Benzodiazepine Screen Analytical Test Pack	Plastic Packs: 25 tests	02/23/84
E.I. duPont de Nemours & Co. Inc.	Phenobarbital Calibrator- Level 1	Vial: 6ml (1 vial/box)	04/02/86
E.I. duPont de Nemours & Co. Inc.	Phenobarbital Calibrator- Level 2	Vial: 6ml (1 vial/box)	04/02/86
E.I. duPont de Nemours & Co. Inc.	Phenobarbital Calibrator- Level 3	Vial: 6ml (1 vial/box)	04/02/86
E.I. duPont de Nemours & Co. Inc.	Phenobarbital Calibrator- Level 4	Vial: 6ml (1 vial/box)	04/02/86
E.I. duPont de Nemours & Co. Inc.	Phenobarbital Calibrator- Level 5	Vial: 6ml (1 vial/box)	04/02/86
E.I. duPont de Nemours & Co. Inc.	Theophylline Calibrator Levels 1, 2 and 3	Vial: 6 ml. Box contains 2 vials each level	09/21/88
E.I. duPont de Nemours & Co. Inc.	Thyroid Rotor	Foil Pouch: 1 Rotor Shelf Carton: 10 Rotors Box: 5 Shelf Cartons(50 Rotors).	10/25/88
E.I. duPont de Nemours & Co. Inc.	Thyronine (TU) Uptake Flex	32 Test Cartridge, Carton: 7 cartridges	03/29/89
E.I. duPont de Nemours & Co. Inc.	Thyronine (TU) Uptake Flex(tm) Reagent Cartridge	Plastic container: 2.3ml (20 tests)	04/28/86
E.I. duPont de Nemours & Co. Inc.	Urine Amphetamine (U Amp) Test Pack	Carton:50 tests	08/27/87
E.I. duPont de Nemours & Co. Inc.	Urine Barbiturate (U Barb) Test Pack	Carton:50 tests	08/27/87
E.I. duPont de Nemours & Co. Inc.	Urine Benzodiazepine (U Benz) Test Pack	Carton:50 tests	08/27/87
E.I. duPont de Nemours & Co. Inc.	Urine Cannabinoid (U THC) Test Pack	Carton: 50 tests	11/09/87
E.I. duPont de Nemours & Co. Inc.	Urine Cocaine (U COC) Test Pack	Carton:50 tests	08/27/87
E.I. duPont de Nemours & Co. Inc.	Urine Opiate (U OPI) Test Pack	Carton:50 tests	07/08/87
E.I. duPont de Nemours & Co. Inc.	aca PHNO Analytical Test Pack	Carton: 40 tests packs	08/25/77
E.I. duPont de Nemours & Co. Inc.	aca Thryonine Uptake Analytical Test Pack	Plastic Pack: 1 test	08/25/83
E.I. duPont de Nemours & Co. Inc., Medical Products.	5-Cyclohexenyl-3,5,-Dimethyl barbituric Acid (3H(G)), Catalog No. NET-426.	Combi-Vial:250 microcuries, millicurie, and 5 millicuries.	01/04/77
E.I. duPont de Nemours & Co. Inc., Medical Products.	Acetaldehyde (1,2-14C) as Paraldehyde, Catalog No. NEC-158.	Pyrex Glass Breakseal Tube: 250 microcuries, millicurie.	01/04/77
E.I. duPont de Nemours & Co. Inc., Medical Products.	Cocaine, Levo-[Benzoyl] [3.4-3H(N)] Catalog No. NET-510	Combi-Vial: 100 microcuries, 250 microcuries	01/04/77
E.I. duPont de Nemours & Co. Inc., Medical Products.	Diazepam [Methyl-3H] Catalog No. NET-564	Combi-Vial: 0.250 millicuries, 1.0 millicurie	09/06/79
E.I. duPont de Nemours & Co. Inc., Medical Products.	Dihydromorphine [7,8-3H(N)]	Combi- Vial: 250 microcuries, 1 millicurie	01/04/77
E.I. duPont de Nemours & Co. Inc., Medical Products.	Dihydromorphine[N-Methyl-3H] NET-658	Combi- Vial: 0.250 millicuries, 1.0 millicurie	02/29/80
E.I. duPont de Nemours & Co. Inc., Medical Products.	Dihydrotestosterone, [1,2,4,5,6,7,16,17-3H(N)]	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Dihydrotestosterone, [1,2,4,5,6,7-3H(N)]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Dihydrotestosterone, [1,2-3H(N)]	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Dihydrotestosterone, [4-14C]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
E.I. duPont de Nemours & Co., Inc., Medical Products.	Drug Discovery Kit, No. NED-002, NED-002A	Kit: 100 tests, 500 tests	08/08/89
E.I. duPont de Nemours & Co., Inc., Medical Products.	Flunitrazepam (Methyl-3H)	Combi-Vial: 5 microcuries, 14 microcuries	08/08/89
E.I. duPont de Nemours & Co., Inc., Medical Products.	Flunitrazepam 2.5 Micro M	Combi-Vial: 2.0 ml	08/08/89
E.I. duPont de Nemours & Co., Inc., Medical Products.	Flunitrazepam [Methyl-3H] NET 567	Combi-Vial: 0.250 millicuries, 1.0 millicurie	04/29/87
E.I. duPont de Nemours & Co., Inc., Medical Products.	LSD [N-Methyl-3H] NET-638	Combi-Vial: 0.250 millicuries, 1.0 millicurie	11/06/79
E.I. duPont de Nemours & Co., Inc., Medical Products.	Mazindol (4'-3H) Catalog No.NET-816	Combi-Vial: 0.250 millicuries, 1.0 millicurie	05/17/84
E.I. duPont de Nemours & Co., Inc., Medical Products.	Methylenedioxymethamphetamine, (+)3,4-[N-methyl-3H] NET 957.	Combi-Vial: 0.0250 millicuries, 0.25 millicuries, 1.0 millicuries.	08/25/75
E.I. duPont de Nemours & Co., Inc., Medical Products.	Methylphenidate, +/- threo[methyl-3H]NET-857	Combi-Vial: 0.250 millicuries, 1.0 millicurie	06/11/84
E.I. duPont de Nemours & Co., Inc., Medical Products.	Mibolerone	Glass Vial: 5ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Mibolerone, [17Alpha-methyl-3H]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Morphine [N-methyl-3H] NET-653	Combi-Vial: 0.250 millicuries, 1.0 millicurie	02/29/80
E.I. duPont de Nemours & Co., Inc., Medical Products.	N-[1-(2-Thienyl) Cyclohexyl]-3,4-Piperidine (Piperidyl-3,4-3H) NET-886.	Combi-Vial: 0.250 millicuries, 1.0 millicurie	06/11/84
E.I. duPont de Nemours & Co., Inc., Medical Products.	Phencyclidine [Piperidyl-3,4-3H(N)], Catalog No.NET-630	Combi-Vial: 0.250 millicurie, 1.0 millicurie	09/06/79
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [1,2,6,7,16,17-3H(N)]	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [1,2,6,7-3H(N)]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [1Alpha, 2Alpha, -3H(N)]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [1Beta, 2Beta,-3H(N)]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [4-14C]-	NENSURE Vial: 0.8ml, 6.2ml; Glass Vial: 10ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	Testosterone, [7-3H(N)]-	NENSURE Vial: 0.8ml, 6.2ml	11/01/91
E.I. duPont de Nemours & Co., Inc., Medical Products.	d-Amphetamine Sulfate (3H(G)), Catalog No. NET-140	Combi-Vial: 250 microcuries, 1 millicurie, and 5 millicuries.	01/04/77
EM Diagnostic Systems, Inc	EMDS Antiepileptic Drug Calibrator Item No. 67630/95	Box: 3 Vials, 5 ml each	06/11/86
EM Diagnostic Systems, Inc	EMDS Test Packs, Phenobarbital (PHENO) Item No. 67677/95	Carton:48 Test Packs	09/09/86
EM Diagnostic Systems, Inc	Easytest Phenobarbital Assay Item No. 67534/93	Cuvette:1.8ml (40 cuvettes /carton)	06/11/86
Eastman Kodak Company	KODATROL Control I Control and Diluent Set	1 Set: 2 amber glass vials ea. 6 ml 1 Box: 12 sets.	07/21/88
Eastman Kodak Company	KODATROL Control II Control and Diluent Set	1 Set: 2 amber glass vials ea. 6 ml 1 Box: 12 sets.	07/21/88
Eastman Kodak Company	Kodak EKTACHEM Specialty Calibrator	Vial: 3ml	09/13/85
Eastman Kodak Company	Kodak EKTACHEM Specialty Control I	Vial: 3ml	09/13/85
Eastman Kodak Company	Kodak Ektachem Specialty Control II	Glass Vial: 6 ml	11/10/87
Electro-Nucleonics Laboratories, Incorporated.	VIRGO IPA Immuno-Precipitation Assay for Phenobarbital	Kit	11/30/82
Endocrine Metabolic Center	0.1% Lysozyme-Barbital Buffer, 0.05M	Glass Bottle: 2 liter	05/28/87
Endocrine Metabolic Center	1% Lysozyme-Barbital Buffer, 0.05M	Glass Bottle: 2 liter	05/28/87
Endocrine Metabolic Center	Barbital Buffer, 0.05M	Plastic Bottle: 3000 ml	05/28/87
Endocrine Metabolic Center	Barbital Buffer, 0.1M	Plastic Bottle: 3000 ml	05/28/87
Endocrine Metabolic Center	Tracer Diluent	Glass Bottle: 1 or 2 liter	05/26/87
Environmental Diagnostics, Inc	EZ-Screen: Cannabinoid Enzyme Conjugate	Ampule: 1 ml	02/03/87
Environmental Diagnostics, Inc	EZ-Screen: Cannabinoid Kit Catalog No. 216-2BP	Kit: 1 test	02/03/87
Environmental Diagnostics, Inc	EZ-Screen: Cannabinoid Positive Control	Ampule: 1 ml	02/03/87
Environmental Diagnostics, Inc	EZ-Screen: Cannabinoid/Cocaine-Enzyme Conjugate	Polyethylene Tube: containing ampule with 1 tablet Kit: 1 test.	12/20/88
Environmental Diagnostics, Inc	EZ-Screen: Cannabinoid/Cocaine-Positive Control	Polyethylene Tube: 2.2ml Kit: 1 test	12/20/89
Fisher Diagnostics	TheraChem Anticonvulsants/Theophylline, Level I, II	Kit: 9 vials, vial: 5ml	03/03/81
Fisher Scientific	Electrophoretic Buffer No. 1 pH 8.60, Ionic Strength 0.05, Catalog No. E-1.	Packet: 12.14 g	10/27/72
Fisher Scientific	Electrophoretic Buffer No. 2, pH 8.60, Ionic Strength 0.075, Catalog No. E-2.	Packet: 18.16 g	10/27/72
Fisher Scientific	IL-Test Phenobarbital	Kit: contains 2 plastic containers of reagent 2	03/15/88
Fisher Scientific	IL-Test Phenobarbital Conjugate, Reagent 2	Plastic Container: 16 ml	03/15/88
Fisher Scientific	Owren's Veronal Buffer, CS1094-34	Vial: 10 ml	8/18/86
Fisher Scientific	Owren's Veronal Buffer, CS1094-38	Vial: 25 ml	8/18/86
Fisher Scientific	SeraChem Abnormal Clinical Chemistry Control Serum (Human) Unassayed No. 2906.	Vial: 5ml, 10ml	4/16/82
Fisher Scientific	SeraChem Abnormal Clinical Chemistry Control Serum (Human), Assayed No. 2905.	Vial: 5ml	4/16/82
Fisher Scientific	SeraChem Normal Clinical Chemistry Control Serum (Human), Assayed No.2907.	Vial: 5ml	4/16/82
Fisher Scientific	Serachem Normal Clinical Chemistry Control Serum (Human), Unassayed No. 2908.	Vial: 5ml, 10ml	4/16/82

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Fisher Scientific	TDM Cal	Kit: 7 Vials	11/26/86
Fisher Scientific	TDM Cal (B-F)	Vials: 5 ml	11/26/86
Fisher Scientific	Thera Chem TDC Therapeutic Drug Controls, Low and High Levels, 2840-58.	Kit: 6 vials	1/12/84
Fisher Scientific	TheraChem-Plus TDC Therapeutic Drug Controls, Tri-Level, No. 2845-94.	Kit: 9 vials	3/19/86
Fisher Scientific	Therapeutic Drug Control, High Level III, No. 2848-31	Vial: 5ml	3/19/86
Fisher Scientific	Therapeutic Drug Control, High Level, 2842-31	Vial: 5ml	1/12/84
Fisher Scientific	Therapeutic Drug Control, Low Level I, No. 2846-31	Vial: 5ml	3/19/86
Fisher Scientific	Therapeutic Drug Control, Low Level, 2841-31	Vial: 5ml	1/12/84
Fisher Scientific	Therapeutic Drug Control, Mid-Range Level II, No. 2847-31	Vial: 5ml	3/19/86
Fisher Scientific	Urine Chemistry Control (Human) Level II, No. 2935-80	Vial: 25ml	4/06/78
Fisher Scientific	Urine Toxicology Control No. 2950-61	Vial: 25ml	4/06/78
Fisher Scientific Group	SeraChem Plus Clinical Chemistry Control Sera Unassayed (Bovine) Level I.	Vial: 10ml, Box: 50 vials, Carton: 4 boxes	7/25/89
Fisher Scientific Group	SeraChem Plus Clinical Chemistry Control Sera Unassayed (Bovine) Level II.	Vial: 10 ml, Box: 50 vials, Carton: 4 boxes	7/25/89
Flow Laboratories	DGV No. 28-010	Bottle: 125 ml	4/16/73
Flow Laboratories	Human "O" DGV (Dextrose Gelatin Veronal Buffer) No. 28-080.	Glass Vial: 100 ml	10/14/76
GIBCO Laboratories	Complement Fixation Buffer Solution, pH 7.3-7.4, NDC 0118115-0247-1.	Bottle: 1 liter	1/28/74
GIBCO Laboratories	Complement Fixation Buffer Solution, pH 7.3-7.4, NDC 011815-0247-2.	Bottle:500 ml	4/05/77
GIBCO Laboratories	Dextrose-Gelatin-Veronal Buffer Solution NDC No.815-0566-1 and No.815-0566-2.	Bottle: 100 and 500 ml	7/05/73
GIBCO Laboratories	Electrophoresis Buffer Solution, pH 8.6, NDC 011815-0245-1	Bottle: 1 liter	1/28/74
GIBCO Laboratories	I.E.P. Buffer Solution pH 8.2 NDC 011815-0246-1	Bottle: 1 liter	01/28/74
Gelman Sciences, Inc	Drug Control Set No. 51911	Set: 3 vials of 50 ml each	04/06/72
Gelman Sciences, Inc	Drug Standard Set, No. 51910	Set: 3 vials of 2 ml each	04/06/72
Gelman Sciences, Inc	Hi-Phore Buffer	Glass Vial: 15 g	2/11/82
Gelman Sciences, Inc	High Resolution Buffer-Tris Barbital Buffer No. 51104	Vial: 10 dr	12/22/71
Gumm Chem. Co	Niflow Initial Additive	Drums: 5 Gallons	9/30/85
Gumm Chem. Co	Niflow Maintenace Additive	Drums:5 Gallons	9/30/85
Hach Chemical Co	pH 8.3 Buffer Powder Pillows. No.898-98	Pillow: 1 g. each	11/30/71
Helena Laboratories	CK-LD Buffer Catalog No. 5808	Packet: 18.332 g. 10 packets/box	3/26/86
Helena Laboratories	Electra B1 Buffer Catalog No.5016	Packet: 13.1g. 10 packets/box	12/28/73
Helena Laboratories	Electra B2 Buffer Catalog No. 5017	Packet: 18.2 g. 10 packets/box	12/28/73
Helena Laboratories	Electra HR Buffer Catalog No. 5805	Packet: 18.1 g. 10 packets/box	12/28/73
Helena Laboratories	HDL Electrophoresis Buffer	Packet: 36 g.	12/18/85
Helena Laboratories	Isoamylase Cathode Buffer	Packet: 9.7 g.	12/18/85
Helena Laboratories	Isoamylase Kit Catalog No. 5925	Kit: 2 Packets Cathode Buffer	1/24/86
Helena Laboratories	Owren's Veronal Buffer Cat. No. 5375	Plastic Bottle: 125 ml	9/15/88
Helena Laboratories	REP CK Isoforms-15	Plate: 5.8"×5.5"	3/09/88
Helena Laboratories	REP CK Isoforms-15 Kit: Cat. No. 3081	Kit: 10 plates	3/09/88
Helena Laboratories	REP CK-12	Plate: 5.8"×2.18"	3/09/88
Helena Laboratories	REP CK-12 Isoenzyme Kit: Cat. No. 3071	Kit: 10 plates	3/09/88
Helena Laboratories	REP CK-2 STAT Kit Cat. No. 3074	Kit: 10 plates (5.8"×0.6")	3/30/89
Helena Laboratories	REP CK-30	Plate: 5.8"×5.5"	3/09/88
Helena Laboratories	REP CK-30 Isoenzyme Kit	Kit: 10 plates	3/09/88
Helena Laboratories	REP CK-6	Plate: 5.8"×1.25"	3/09/88
Helena Laboratories	REP CK-6 Isoenzyme Kit: Cat. No. 3072	Kit: 10 plates	3/09/88
Helena Laboratories	REP LD	Plates: 5.8"×5.5" 5.8"×2.18" D5.8"×1.25"	3/09/88
Helena Laboratories	REP SPE Hi Res-15 Kit Cat. No. 3176	Kit: 10 plates (5.8"×5.5")	3/30/89
Helena Laboratories	REP-HDL-12 Isoenzyme Kit Cat. No. 3187	Kit: 10 Plates (5.8"×2.18")	9/15/88
Helena Laboratories	REP-HDL-30 Isoenzyme Kit Cat. No. 3186	Kit: 10 Plates (5.8"×5.5")	9/15/88
Helena Laboratories	REP-HDL-6 Isoenzyme Kit Cat. No. 3188	Kit: 10 Plates (5.8"×1.25")	9/15/88
Helena Laboratories	REP-Lipo-12 Kit Cat. No. 3181	Kit: 10 Plates (5.8"×2.18")	9/15/88
Helena Laboratories	REP-Lipo-30 Kit Cat. No. 3180	Kit: 10 Plates (5.8"×5.5")	9/15/88
Helena Laboratories	REP-Lipo-6 Kit Cat. No. 3182	Kit: 10 Plates (5.8"×1.25")	9/15/88
Helena Laboratories	REP-SP-12 Isoenzyme Kit Cat. No. 3171	Kit: 10 Plates (5.8"×2.18")	9/15/88
Helena Laboratories	REP-SP-30 Isoenzyme Kit Cat. No. 3170	Kit: 10 Plates (5.8"×5.5")	9/15/88
Helena Laboratories	REP-SP-6 Isoenzyme Kit Cat. No. 3172	Kit: 10 Plates (5.8"×1.25")	9/15/88
Helena Laboratories	Super Z-12XHDL Cholesterol Supply Kit Catalog No. 5470)	Kit: 3 Packages buffer 36 g.	1/24/86
Helena Laboratories	TITAN GEL Alkaline Phosphatase (HR) Kit, Cat. No. 3058	Kit: 1 bag	6/19/89
Helena Laboratories	TITAN GEL Alkaline Phosphatase Buffer	Plastic Bag: 13.1g	6/19/89
Helena Laboratories	Titan Gel High Resolution Protein Buffer	Packet: 25.9 g.	4/12/83
Helena Laboratories	Titan Gel High Resolution Protein Kit Catalog No. 3040	Kit: 10 Plates (90mm×75mm) 2 Packages Buffer.	3/03/86
Helena Laboratories	Titan Gel High Resolution Protein Plate	Plate: (90mm×75mm)	3/03/86
Helena Laboratories	Titan Gel IFE Buffer	Packet: 25.9 g.	12/18/85
Helena Laboratories	Titan Gel IFE Plate	Plate: (90mm×75mm)	3/05/86
Helena Laboratories	Titan Gel Immuno Fix Kit Catalog No.3046	Kit: 10 Plates (90mm×75mm) 2 Packets IFE Buffer.	1/24/86
Helena Laboratories	Titan Gel Iso Dot LDH Buffer	Packet: 19.6 g.	1/07/86
Helena Laboratories	Titan Gel Iso Dot LDH Isoenzyme Plate	Plate: (90mm×75mm)	12/18/85
Helena Laboratories	Titan Gel Iso Dot LDH Kit Catalog No.3062	Kit: 10 Plates (90mm×75mm), 1 Packet Iso Dot LDH Buffer.	1/24/86
Helena Laboratories	Titan Gel LD Buffer	Packet: 21.5 g	11/26/86
Helena Laboratories	Titan Gel LD Isoenzyme Diluent	Bottle: 10 ml	11/26/86

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Helena Laboratories	Titan Gel LDH Isoenzyme Buffer	Packet: 22.7 g.	3/07/83
Helena Laboratories	Titan Gel LDH Isoenzyme Plate	Plate: (90mm×75mm)	12/18/85
Helena Laboratories	Titan Gel LDH Isoenzyme Reagent	Vial: 2ml 10 vials/box	1/07/86
Helena Laboratories	Titan Gel Lipoprotein Buffer	Packet: 17.3 g.	12/18/85
Helena Laboratories	Titan Gel Lipoprotein Kit Catalog No.3045	Kit: 1 Packet Buffer	1/24/86
Helena Laboratories	Titan Gel Lipoprotein Plate	Plate: (90×75 mm)	1/09/87
Helena Laboratories	Titan Gel Multi-Slot Lipo-17 Kit Catalog No. 3095	Kit: 10 plates (81×143 mm) 1 packet buffer (21.6 g).	1/09/87
Helena Laboratories	Titan Gel Multi-Slot Lipo-17 Plate	Plate: (81×143 mm)	1/09/87
Helena Laboratories	Titan Gel Multi-Slot SP-17 Kit Catalog No. 3091	Kit: 10 plates (81×143 mm) 1 packet buffer (29.1 g).	1/09/87
Helena Laboratories	Titan Gel Multi-Slot SP-17 Plate	Plate: 81×143 mm	1/09/87
Helena Laboratories	Titan Gel Serum Protein Buffer	Packet: 29.1 g.	4/12/83
Helena Laboratories	Titan Gel Serum Protein Kit Catalog No. 3041	Kit: 10 Plates (90mm×75mm) 1 Packet Buffer	1/24/86
Helena Laboratories	Titan Gel Serum Protein Plate	Plate: (90mm×75mm)	12/18/85
Helena Laboratories	Titan Gel Silver Stain Buffer	Packet: 25.9g	12/18/85
Helena Laboratories	Titan Gel Silver Stain Kit Catalog No.3035	Kit: 10 Plates (90mm×75mm), 2 Packets Buffer.	1/24/86
Helena Laboratories	Titan Gel Silver Stain Plate	Plate: (90mm×75mm)	3/03/86
Helena Laboratories	Titan Gel-PC LDH Isoenzyme Kit Catalog No. 3053	Kit: 10 Plates (90mm×75mm), 1 Packet LDH Buffer, 1 Box LDH Reagent.	1/24/86
Helena Laboratories	Titan Gel-PC LDH Isoenzyme Plate	Plate: (90mm×75mm)	12/18/85
Helena Laboratories	Titan III Agar Catalog No. 5023	Packet: 5 g. (5 Packets/box)	12/28/73
Helena Laboratories	Titan IV IE Plate (large)	Package: plates, 3 by 4 in.	12/28/73
Helena Laboratories	Titan IV IE Plate (small)	Package: plates, 1 by 3 in.	12/28/73
Helena Laboratories	Titan IV IE Plate Kit	Kit: 12 small (1 by 3 in.) IE plates, 1 box B1 Buffer.	12/28/73
Helena Laboratories	Titan IV IE Plate Kit	Kit: 10 large (3 by 4 in.) IE Plates, 1 box B1 Buffer.	12/28/73
Hycor Biomedical, Inc	Hycor AccuPINCH Cocaine Test	Bottle: 3ml Kit: 50 tests	8/21/90
Hycor Biomedical, Inc	Hycor AccuPINCH Morphine Test	Bottle: 3ml Kit: 50 tests	8/21/90
Hycor Biomedical, Inc	Hycor AccuPINCH Phencyclidine Test	Bottle: 3ml Kit: 50 tests	8/21/90
Hycor Biomedical, Inc	Hycor Accupinch Methamphetamine Test	Bottle: 3ml; Kit: 50 Tests	10/29/91
Hycor Biomedical, Inc	Hycor Accupinch THC Test	Bottle: 3ml; Kit: 50 Tests	10/29/91
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator BARBITURATES Urine Calibrator—4 levels.	Bottle: 10ml Kit: 4 bottles, 12 bottles	8/24/90
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator DELTA-9-THCC Urine Calibrator—4 levels.	Bottle: 10ml Kit: 4 bottles, 12 bottles	8/24/90
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator NORDIAZEPAM Urine Calibrator—3 levels.	Bottle: 10ml Kit: 4 bottles, 12 bottles	8/24/90
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator OPIATES Urine Calibrator—4 levels.	Bottle: 10ml Kit: 4 bottles, 12 bottles	8/24/90
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator PHENCYCLIDINE Urine Calibrator—4 levels.	Bottle: 10ml Kit: 4 bottles, 12 bottles	8/24/90
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator, Amphetamine Urine Calibrator—4 level.	Vial: 10ml Kit: 12 vials, Kit: 4 vials	3/29/89
Hycor Biomedical, Inc	Sentry Drugs of Abuse Urine Calibrator, Benzoylecgonine Urine Calibrator—4 level.	Vial: 10ml, Kit: 12 vials, Kit: 4 vials	3/29/89
Hycor Biomedical, Inc	Sentry Ligand/Combo Control High Level	Vial: 10ml Box: 15 vials	3/01/90
Hycor Biomedical, Inc	Sentry Ligand/Combo Control Low Level	Vial: 10ml Box: 15 vials	3/01/90
Hycor Biomedical, Inc	Sentry Ligand/Combo Control Mid Level	Vial: 10ml Box: 15 vials	3/01/90
Hycor Biomedical, Inc	Sentry Ligand/Combo Control Multi-Pack	Kit: 15 vials	3/01/90
Hycor/ICL Scientific	Drugs of Abuse Comprehensive Urine Control, HIGH POSITIVE	Bottle: 30ml	2/24/89
Hycor/ICL Scientific	Drugs of Abuse Comprehensive Urine Control, LOWER THRESHOLD.	Bottle: 30ml	2/24/89
Hycor/ICL Scientific	Drugs of Abuse Comprehensive Urine Control, UPPER THRESHOLD.	Bottle: 30ml	2/24/89
Hycor/ICL Scientific	Drugs of Abuse Urine Control, CONFIRMATION	Box: 4-100 ml Bottles	10/21/88
Hycor/ICL Scientific	Drugs of Abuse Urine Control, SCREEN	Box: 4-30 ml Bottles	10/21/88
ICL Scientific	Therapeutic Drug Control I, TDC I (High Level)	Glass Vial: 10ml	8/14/85
ICL Scientific	Therapeutic Drug Control I, II, III, Tri-Level TDC Multipack	Glass Vials (12): 10ml	8/14/85
ICL Scientific	Therapeutic Drug Control II, TDC II (Mid-Level)	Glass Vial: 10ml	8/14/85
ICL Scientific	Therapeutic Drug Control III, TDC III (Low Level)	Glass Vial: 10ml	8/14/85
ICN Micromedic Systems, Inc.	Immunogen: BZ-A	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Immunogen: BZ-B	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Immunogen: CD-A	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Immunogen: M-A	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Immunogen: M-B	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Immunogen: TF-A	Plastic Vial: 1.5 ml	2/29/88
ICN Micromedic Systems, Inc.	Micromedic Combostat THC/Cocaine STANDARDS-2, 3, and 4.	Amber Glass Vial: 2 ml Plastic Bottle: 100 ml	2/24/88
ICN Micromedic Systems, Inc.	Micromedic CrackPot 57Co/125I Tracer Solution	Plastic Bottle: 25 ml, 1000 ml	2/24/88
ICN Micromedic Systems, Inc.	Micromedic Morphine 125I Tracer Solution	Bottle: 50 ml, 1000 ml	2/29/88
ICN Micromedic Systems, Inc	Micromedic Morphine Standards 2, 3 and 4	Bottle: 5 ml, 100 ml	2/29/88
INCSTAR Corporation	(125I) Human TSH Tracer Cat. No. CA-2623	Vial: 15ml	3/08/91
INCSTAR Corporation	Anticonvulsant Drug Controls Levels I and II Cat. Nos. CA-2419, CA-2420.	Vial: 3.5ml	3/08/91
INCSTAR Corporation	Assay Buffer Cat. No. CA-2742	Bottle: 150ml	3/08/91
INCSTAR Corporation	Clinical Assays Gamma Coat (125I) Phenobarbital Radioimmunoassay Kits Cat. Nos. CA-2545, CA-2565.	Kit: 50, 500 assays	3/08/91

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
INCSTAR Corporation	Clinical Assays Gamma Coat (125I) Phenytoin Radioimmunoassay Kits Cat. Nos. CA-2537, CA-2557.	Kit: 50, 500 assays,	3/08/91
INCSTAR Corporation	Clinical Assays Gamma Coat (125I) T3 Uptake Radioimmunoassay Kit Catalog Nos. CA-2539, CA-2539J, CA-2559, CA-2559J.	Kit: 100, 500 assays	3/08/91
INCSTAR Corporation	Clinical Assays Gamma Dab (125I) hTSH Radioimmunoassay Kit Cat. No. CA-1591.	Kit: 125 assays Vial: 15ml	3/08/91
INCSTAR Corporation	HTSH Non-Specific Binding Reagent Cat. No. CA-2752	Vial: 3.5ml	3/08/91
INCSTAR Corporation	Human TSH Controls Levels I & II Cat. Nos. CA-2452, CA-2453.	Vial: 3.5ml	3/08/91
INCSTAR Corporation	Human hTSH Blank Cat. No. CA-2885	Vial: 15ml	3/08/91
INCSTAR Corporation	Phenobarbital Standards: 1,3,10,30,100 ug/ml Cat. Nos. CA-2380-2384.	Bottle: 3.5ml	3/08/91
INCSTAR Corporation	Rabbit Anti-Human TSH Serum Cat. No. CA-2145	Vial: 15ml	3/08/91
INCSTAR Corporation	htsH Standards: 2,5,10,20,50 ulU/ml Cat. Nos. CA-2886-2890	Bottle: 3.5ml	3/08/91
Immunotech Corp	Amphetamine Enzyme Conjugate	Bottle: 10.5ml	9/28/89
Immunotech Corp	Amphetamine Positive Urine Calibrator	Bottle: 1ml	9/28/89
Immunotech Corp	Amphetamine-ALK Phos Cat. No. 612 50 units, 300 units	Bottle: 10ml	3/12/90
Immunotech Corp	Amphetamine-HRP Cat. No. 613; 50 units	Bottle: 10ml	3/12/90
Immunotech Corp	Benzoylecgonine-Alk Phos Cat.ε 602 50 units, 300 units	Bottle: 10ml	3/12/90
Immunotech Corp	Benzoylecgonine-HRP Cat. No. 604 50 units, 300 units	Bottle: 10ml	3/12/90
Immunotech Corp	Cocaine Conjugate No. 0364-SIG	Bottle: 75ml	6/13/91
Immunotech Corp	Cocaine Metabolite Enzyme Conjugate	Vial: 10.5ml	9/28/89
Immunotech Corp	Cocaine Metabolite Positive Urine Calibrator	Vial: 2ml	9/28/90
Immunotech Corp	Delta-8-tetrahydrocannabinol-ALK Phos Cat. No. 616 50 units, 300 units.	Bottle: 10ml	3/12/90
Immunotech Corp	Delta-8-tetrahydrocannabinol-HRP Cat. No. 618 50 units	Bottle: 10ml	3/12/90
Immunotech Corp	ENDAB Phenobarbital Kit, Cat. No. 119	Kit: 100 tests, 4 Bottles: 1 ml ea	9/28/89
Immunotech Corp	Methamphetamine-ALK Phos Cat. No. 614 50 units	Bottle: 10ml	3/12/90
Immunotech Corp	Methamphetamine-HRP Cat. No. 615 50 units	Bottle: 10 ml	3/12/90
Immunotech Corp	Micro Dau Amphetamine Enzyme Immunoassay Test Kit	Kit: 96 tests, Bottle: 10.5 ml, 2 ml	9/28/89
Immunotech Corp	Micro Dau Benzodiazepine Enzyme Immunoassay Test Kit	Kit: 96 tests, Bottle: 10.5 ml 2 ml	9/28/89
Immunotech Corp	Micro Dau Cocaine Metabolite Enzyme Immunoassay Test Kit	Kit: 96 tests, Bottle: 10.5 ml, 2 ml	9/28/89
Immunotech Corp	Micro Dau Opiates Enzyme Immunoassay Test Kit	Kit: 96 tests	12/19/89
Immunotech Corp	Micro Dau PCP Enzyme Immunoassay Kit Cat. No. 175	Kit: 96 tests	7/11/90
Immunotech Corp	Micro Dau THC Enzyme Immunoassay Test Kit Cat. No. 173	Kit: 96 tests	7/11/90
Immunotech Corp	Morphine Positive Urine Calibrator	Vial: 3.5 ml	12/19/89
Immunotech Corp	Morphine-ALK Phos Cat. No. 610; 50 units, 300 units	Bottle: 10ml	3/12/90
Immunotech Corp	Morphine-HRP Cat. No. 611; 50 units, 300 units	Bottle: 10ml	3/12/90
Immunotech Corp	Opiates Enzyme Conjugate	Vial: 10 ml	12/19/89
Immunotech Corp	Oxazepam Enzyme Conjugate	Bottle: 10.5ml	9/28/89
Immunotech Corp	Oxazepam Positive Urine Calibrator	Bottle: 2ml	9/28/89
Immunotech Corp	Oxazepam-ALK Phos Cat. No. 606; 50 units	Bottle: 10ml	3/12/90
Immunotech Corp	Oxazepam-HRP Cat No. 608; 50 units	Bottle: 10ml	3/12/90
Immunotech Corp	PCP Enzyme Conjugate Cat. No. 375	Vial: 20ml	7/11/90
Immunotech Corp	PCP Positive Urine Calibrator Cat. No. 418	Vial: 3ml	7/11/90
Immunotech Corp	Phenobarbital Enzyme Conjugate	Bottle: 10.0ml	9/28/89
Immunotech Corp	Phenobarbital Serum Standard: 3ug/ml, 10ug/ml, 30ug/ml, 80ug/ml.	4 Bottles: 1ml each	9/28/89
Immunotech Corp	THC Enzyme Conjugate Cat. No. 373	Vial: 20ml	7/11/90
Immunotech Corp	THC Positive Urine Calibrator Cat No. 416 50ng/ml, 417 100ng/ml.	Vial: 3ml	7/11/90
Industrial Analytical Laboratory, Inc	11-Nor-Carboxy-Delta-9-Tetrahydrocannabinol	Ampule: 1ml	9/04/85
Industrial Analytical Laboratory, Inc	11-hydroxy-delta-9-tetrahydrocannabinol	Ampule: 1 ml	2/18/87
Industrial Optical	Opti-Kleen	Bottle: 5 gallon	6/24/81
International BioClinical, Inc	Innofluor Phenobarbital Calibrators 0.0, 3.0, 8.0, 20.0, 40.0, and 80.0 mcg/ml.	Bottle: 3 ml	7/09/87
International BioClinical, Inc	Phenobarbital Stock Tracer	Vial: 5 ml	9/23/87
International Technidyne Corp	Hemochron Control Plasma Quality Control Test Kit	Kit: 18 Tests; Test tube: 9ml; Vial: 5ml	3/11/91
Janssen Pharmaceutica, Inc	3H Alfentanil	Vial: 0.5 ml	2/01/87
Janssen Pharmaceutica, Inc	3H Fentanyl	Vial: 0.5 ml	2/01/87
Janssen Pharmaceutica, Inc	3H Sufentanil	Vial: 0.5 ml	2/01/87
Janssen Pharmaceutica, Inc	Alfentanil Radioimmunoassay Kit	Kit: 200 tests	5/13/85
Janssen Pharmaceutica, Inc	Fentanyl Radioimmunoassay Kit	Kit: 200 tests	5/13/85
Janssen Pharmaceutica, Inc	Sufentanil Radioimmunoassay Kit	Kit: 500 tests	5/13/85
Kallestad Diagnostics	Barbital Buffer 901	Vial	5/19/81
Kallestad Diagnostics	IEP Buffer No. 900	Vial: 7 Dram	12/26/78
Kallestad Diagnostics	Immunoelectrofilm Catalog No. 910	1 Film Sealed in Cardboard Container	3/11/80
Kallestad Diagnostics	Immunoelectrofilms, Catalog No. 1013	Styrofoam Container: 25 film	6/22/87
Kallestad Diagnostics	Immunoelectrophoresis Reagent Kit, Catalog No. 1012	Kit: 3 Vials	6/22/87
Kallestad Diagnostics	Quanticoat 125I-T3 Uptake Kit Catalog No. 823	Kit: 400 Determinations	12/16/85
Kallestad Diagnostics	Quanticoat 125I-T3 Uptake Kit, Catalog No. 833	Kit: 100 tests,	6/24/81
Kallestad Diagnostics	Quanticoat 125I-T3 Uptake Reagent Catalog No. 785	Bottle: 500ml	12/16/85
Kallestad Diagnostics	Quanticoat 125I-T3 Uptake Reagent No. 834	2 Glass Bottles: 110ml	6/24/81
LKB Instruments, Inc	Tris-barbiturate Buffer pH 8.6	Packet: each 6.788 g. 20 packets/box	5/15/78
Lemmon Company	Etorphine Standard Solution	Plastic Carboy: 1 Liter	10/31/83
MCI Biomedical	IEP Buffer, pH 8.2, 0.04 Ionic Strength	Package: 6.510 grams	8/28/72
Materials & Technology Systems	5-Ethyl-5-(1-Carboxy-N-Propyl) Barbituric Acid	Screw Cap Vial: 8ml	5/03/73
Materials & Technology Systems	5-Ethyl-5-(1-Carboxy-N-Propyl)Barbituric Acid Bovine Serum Albumin or Rabbit Serum Albumin.	Vaccine Vial: 8ml	5/03/73

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Materials & Technology Systems	5-Ethyl-5-(1-Carboxy-N-Propyl)Barbituric Acid Sensitized RBC	Vaccine Vial: 8ml	5/03/73
Materials & Technology Systems	Barbiturate Standard	Screwcap Vial: 10ml	9/17/76
Materials & Technology Systems	Benzoyl Ecgonine	Screwcap Vial: 25mg and 100 mg	4/18/74
Materials & Technology Systems	Benzoylecgonine Standard	Screwcap Vial: 10ml	9/17/76
Materials & Technology Systems	Carboxymethyl-Morphine	Screwcap Vial: 8ml	5/03/73
Materials & Technology Systems	Carboxymethyl-Morphine Bovine Serum Albumin or Rabbit Serum Albumin.	Vaccine Vial: 8ml	5/03/73
Materials & Technology systems	Carboxymethylmorpine Sensitized RBC	Vaccine Vial: 50ml	5/03/73
Materials & Technology Systems	Ecgonine Bovine Serum Albumin or Rabbit Serum Albumin	Vaccine Vial: 8ml	5/03/73
Materials & Technology systems	Ecgonine Sensitized RBC	Vaccine Vial: 50ml	5/03/73
Materials & Technology Systems	Methadone Standard	Screwcap Vial: 10ml	9/17/76
Materials & Technology Systems	Morphine Standard	Screw Cap Vial: 10ml	7/17/73
Materials & Technology Systems	Tropinecarboxylic Acid	Screw Cap Vial: 8ml, 10ml	5/03/73
Medi-Chem, Inc	Barbiturate Test Set (Sodium Secobarbital Standard 10mg % w/v) Catalog No.250.	Bottle: 120ml	2/22/74
Medical Analysis Systems, Inc	ACE II Calibrator for the DuPont aca Level 1	Glass Vial: 22 X 38mm, 5ml	8/07/86
Medical Analysis Systems, Inc	ACE II Calibrator for the DuPont aca Level 2	Glass Vial: 22 X 38mm, 5ml	8/07/86
Medical Analysis Systems, Inc	ACE II Calibrator for the DuPont aca Level 3	Glass Vial: 22 X 38mm, 5ml	8/07/86
Medical Analysis Systems, Inc	CHALLENGE Liquid Therapeutic Drug Linearity Controls	Kit: 10 Bottles	1/24/91
Medical Analysis Systems, Inc	CHALLENGE Liquid Therapeutic Drug Linearity Controls TD1 A-E; TD2 A-E.	Glass Bottles: 5ml; 1 Set: 5 Bottles	1/24/91
Medical Analysis Systems, Inc	ChemTrak Liquid Unassayed	Vial: 15ml	4/30/85
Medical Analysis Systems, Inc	Chemistry Control Assayed, Level 1, 2,& 3	Vial: 15ml	4/30/85
Medical Analysis Systems, Inc	Chemistry Control, Level 1, 2,& 3	Vial: 15ml	4/30/85
Medical Analysis Systems, Inc	DOA Liquid Drugs of Abuse Controls Level 2,3,4	Vial: 5ml, 18ml; Box: 6-8ml vials; Box: 8-5ml vials.	10/12/90
Medical Analysis Systems, Inc	Liquid Urine Control Level 1	Vial: 5 ml	4/03/87
Medical Analysis Systems, Inc	TDM Plus.XL Level I, II or III Unassayed Enhanced Liquid Drug Control.	Bottle: 5ml, Box: 6 bottles	9/05/90
Medical Analysis Systems, Inc	Tri-Point Liquimmune Ligand Control, Levels 1, 2 and 3	Glass Bottle: 5ml; Kit: 6 Bottles	10/23/91
Medical Analysis Systems, Inc	Tri-Point Liquimmune Ligand Control, Levels 1, 2 and 3	Glass Bottle: 5ml; Kit: 6 bottles	10/23/91
Medical Analysis Systems, Inc	chemTRAK Liquid Unassayed Therapeuitic Drug Control Level 2.	Kit: 6 x 5ml Vials	10/08/86
Medical Analysis Systems, Inc	chemTRAK Liquid Unassayed Therapeutic Drug Control Level 3.	Kit: 6 x 5ml Vials	10/08/86
Medical Analysis Systems, Inc	chemTRAK Liquid Unassayed Therapeutic Drug Control Level I	Kit: 6 x 5ml Vials	10/08/86
Meloy Labs, Inc	Counterelectrophoresis Plates G-301	Plates: 10 determinations	9/05/73
Meloy Labs, Inc	Immunoelectrophoresis Plates, G-201	Plates: 6 / unit	9/05/73
Merck and Co., Inc	Amphetamine - d6 HCl, Cat. No. MD-3892	Ampule: 2 or 5 ml	8/30/89
Merck and Co., Inc	Cocaine - d3 HCl Catalog #MD-3677	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	Codeine - d3 H2O (N-methyl-d3) No. MD-3776	2 ml, 5ml ampule Carton: 5 ampules	9/06/88
Merck and Co., Inc	Codeine-d3 Catalog #MD-3678	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	DL-1 Phenyl-2-aminopropane 1,1,2,3,3,3,-d6 (Amphetamine-d6) Catalog #MD-3682.	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	DL-1 Phenyl-2-methylam-inopropane-1,1,2,3,3,3-d6 HCl (Methamphetamine d6) Catalog #MD-3683.	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	DL-1-Phenyl-2-aminopropane-1,1,2,3,3,3-d6 HCL No. MD-3778.	2 ml, 5 ml amber ampule Carton: 5 ampules	9/06/88
Merck and Co., Inc	Ecgonine - d3 Methyl Ester HCl Catalog #MD3679	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	Methamphetamine - d9 HCl, Cat. No. MD-3853	Ampule: 2 or 5 ml	8/30/89
Merck and Co., Inc	Morphine - d3 HCl 3H20 (N-methyl-d3) No. MD-3777	2 ml, 5 ml ampule Carton: 5 ampules	9/06/88
Merck and Co., Inc	Morphine - d3 HCl Catalog #MD-3680	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	O-Benzoylecgonine-d3 Catalog #MD-3676	Ampule: 2 or 5 ml	6/13/88
Merck and Co., Inc	Phen-d5-cyclidine HCl Catalog #MD-3681	Ampule: 2 or 5 ml	6/13/88
Microgenics Corporation	Bulk Calibrator Solution 80ug/ml, 40ug/ml	Carboy: 10L	11/13/90
Microgenics Corporation	In-house Phenobarbital Bulk Primary Standard 40ug/ml, 80ug/ml.	Bottle: 2L	11/13/90
Microgenics Corporation	In-house Phenobarbital Primary Standard 40ug/ml, 80ug/ml	Micro tube: 1.5ml; Box: 100 tubes	11/13/90
Microgenics Corporation	In-house manufacturing Bulk Calibrator 10ug/ml, 20ug/ml, 40 ug/ml,60ug/ml, 80ug/ml, 90ug/ml Phenobarbital.	Bottle: 2L	11/13/90
Microgenics Corporation	In-house manufacturing Calibrator 10ug/ml, 20ug/ml, 40ug/ml, 60ug/ml80ug/ml, 90ug/ml Phenobaribtal.	Vial: 3.5ml	11/13/90
Microgenics Corporation	Microgenics CEDIA Phenobarbital Assay 40ug/ml, 80ug/ml	Vial: 3.5ml; Kit: 2 vials	11/13/90
Microgenics Corporation	Phenobarbital Stock Solution	Flask: 100ml	11/13/90
Micromedic Systems	Micromedic Neonatal T4 125I Tracer Solution	Nalgene Bottle: 4 oz.	6/25/87
Micromedic Systems	Micromedic Neonatal T4 Elution Solution	Nalgene Bottle: 2 oz.	6/25/87
Micromedic Systems	Neonatal T4 125I Tracer Solution	Vial: 30ml	5/21/80
Micromedic Systems	Neonatal T4 Buffer Solution	Bottle: 8ounce	5/21/80
Micromedic Systems	T3 RIA 125I Tracer Solution	Vial: 30ml	12/14/76
Micromedic Systems	T3 RIA Buffer Solution	High Density Polyethylene Bottle: 8 ounce	12/14/76
Micromedic Systems	T3 Uptake 125I Tracer Solution	Vial: 30ml	12/14/76
Micromedic Systems	T3 Uptake Buffer Solution	High Density Polyethylene Bottle: 8 ounce	12/14/76
Micromedic Systems	T4 RIA 125I Tracer Solution	Vial: 30ml	12/14/76
Micromedic Systems	T4 RIA Buffer Solution	High Density Polyethylene Bottle: 8 ounce	12/14/76
Miles Laboratories, Inc	Ames Phenobarbital Assay,Kit Contains: Phenobarbital Standards; 10, 20, 40,& 60mcg/ml.	6.1 ml Vials	3/01/79
Miles Laboratories, Inc	Ames Phenobarbital Controls, 15mcg/ml, 30mcg/ml, 50mcg/ml.	Vial: 6.1ml	5/21/80
Miles Laboratories, Inc	Cliniria T-3 Uptake Test,Kit Contains: (1)125I T-3 Uptake Reagent & (2) Separating Reagent.	200ml Bottles	11/10/78

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Miles Laboratories, Inc	Clinistat Calibrator Nos. 1 and 2	Vial: 1ml	12/19/80
Miles Laboratories, Inc	Clinistat Control B,C,D,and E	Vial: 1ml	12/19/80
Miles Laboratories, Inc	Seralute Total T-4 (RIA) 125I Reagent Kit, No.3304, No.3305	Kit: 20 columns, 100 columns	3/28/77
Miles Laboratories, Inc	Seralyzer ARIS Drug Assay Control	Vial: 1ml	1/17/84
Miles Laboratories, Inc	Seralyzer ARIS Drug Assay High Calibrator	Vial: 0.5ml	1/17/84
Miles Laboratories, Inc	Seralyzer ARIS Drug Assay Low Calibrator	Vial: 0.5ml	1/17/84
Miles Laboratories, Inc	Seralyzer ARIS Phenytoin Reagent Strips	Bottle Containing 25 and 50 Strips	5/28/86
Miles Laboratories, Inc	T-4 Buffer	Glass Screwtop Vial: 3/4 ounce	3/28/77
Miles Laboratories, Inc	TDA Cross-Reactivity Cocktails	Glass Vial: 1ml	2/01/83
Miles Laboratories, Inc	TEK-CHEK Special Urine Control (supplemental)	Vial: 25ml	5/01/70
Miles Laboratories, Inc	Tetralute	Bottle: 4.9 g	7/29/70
Miles Laboratories, Inc	Thyrolute I125, Reagent Kit, No.5250	Kit: 20 columns	12/02/74
Miles Laboratories, Inc	Thyrolute I125, Reagent Kit, No.5252	Kit: 100 columns	12/02/74
Monobind, Inc	Monobind T3 Antibody Reagent	Test Tube w/Cap: 70ml	11/08/77
Monobind, Inc	Monobind T3 Tracer Reagent	Wheaton Glass Container: 55ml	11/08/77
Monobind,Inc	Monobind T4 Antibody Reagent	Test Tube w/Cap: 70ml	11/08/77
Monobind Inc	Monobind T4 Tracer Reagent	Wheaton Glass Container 55ml	11/08/77
Monobind Inc	Monobind TSH Antibody Reagent	Test Tube w/Cap: 10.5ml	11/08/77
Monobind Inc	Monobind TSH Non-Specific Buffer	Wheaton Glass: 1.05ml	11/08/77
Monobind Inc	Monobind TSH Precipitating Reagent	Plastic Container w/Cap : 105ml	11/08/77
Monobind Inc	Monobind TSH Tracer Reagent	Wheaton Glass Container 10.5ml	11/08/77
Monobind Inc	T3 Adsorbent Reagent	Glass Bottle: 110ml, 50ml Plastic Bottle: 260ml	5/15/78
Monobind Inc	T3 Uptake Tracer Reagent	Glass Bottle: 55ml, 30ml Plastic Bottle: 125ml	5/15/78
Monobind Inc	TSH Radioimmunoassay Test System	Kit: 100 Tests	11/08/77
Monobind Inc	Thyroxine Radioimmunoassay Test System	Kit: 100 Tests	11/08/77
Monobind Inc	Triiodothyronine Radioimmunoassay Test System	Kit: 100 tests	11/08/77
Monoclonal Antibodies, Inc	Test Kit for Cocaine Metabolites in Urine	Kit: 50 tests	10/17/86
Monoclonal Antibodies, Inc	Test Kit for Opiates in Urine	Kit: 50 tests	10/17/86
Monoclonal Antibodies, Inc	Test Kit for Tetrahydrocannabinol (THC) in Urine	Kit: 50 tests	10/17/86
NSI Technology Services Corp	Alpha, alpha-dimethyl-phenethylamine	Amber Ampoule: 2ml	3/02/89
Nuclear Diagnostics Inc	MAAT T3 Uptake Reagent	Bottle: 105ml, 210ml; Kit: 1 bottle 210ml	11/16/90
Nuclear Diagnostics Inc.	SPINSEP-TBG Reagent Catalog No. 17100	Polypropylene Bottle: 105ml	12/15/77
Nuclear Diagnostics, Inc.	TETRIA P.E.G. Antiserum Catalog No. 16100A	Polypropylene Bottle: 55ml	03/10/78
Nuclear Diagnostics, Inc.	TETRIA P.E.G. Reagent Catalog No. 16100	Polypropylene Bottle: 105ml	07/08/77
Nuclear Diagnostics, Inc.	TETRIA P.E.G. Reagent Catalog No. 16100R	Polypropylene Bottle: 55ml	03/10/78
Nuclear Diagnostics, Inc.	TRIA-P.E.G. Antiserum Catalog No. 12100A	Polypropylene Bottle: 55ml	03/10/78
Nuclear Diagnostics, Inc.	TRIA-P.E.G. Reagent Catalog No.12100R	Polypropylene Bottle: 55ml	03/10/78
OMI International Corporation	Compound N Solution	Steel Drum: 55 gallon	10/01/75
Organon Teknika Corp	ASSURE, Levels I & II	Vial: 10 ml	06/27/80
Organon Teknika Corp	Barbital Buffered Saline with Azide	Plastic Bottle: 1L	01/05/90
Organon Teknika Corp	Bovine QAS Clinical Study	6 Vials/Kit (10ml/vial)	04/28/80
Organon Teknika Corp	Liothyronine T3 125I	Boston Round Amber Bottle: 4 ounce	02/18/79
Organon Teknika Corp	Liothyronine T3 125I	Boston Round Amber Bottle: 16 ounce	01/20/76
Organon Teknika Corp	Midwest/ Illinois/ New Jersey Quality Control Program, Level I & II.	Vial: 10 ml, 10 vials / kit	04/16/81
Organon Teknika Corp	Modified Barbital Buffer	Plastic Bottle: 1L	01/05/90
Organon Teknika Corp	Owren's Veronal Buffer for FIBRIQUIK	Bottle: 37 ml	05/07/80
Organon Teknika Corp	PACP I & II	Kit: 36 vials/kit	03/07/80
Organon Teknika Corp	PROFILE Anticonvulsant Levels I & II	Vial: 10 ml	11/28/80
Organon Teknika Corp	Platelin	Vial: 7.3ml	03/13/72
Organon Teknika Corp	Platelin Plus Activator	Vial: 7.3ml	03/13/72
Organon Teknika Corp	Profile General Set	Kit Ctg: 6 vials	02/22/82
Organon Teknika Corp	Profile General-Levels I & II	Vial: 5 ml	02/22/82
Organon Teknika Corp	Quality Assurance Serum Level I	Vial: 16.5 ml, 6 vials/ kit	08/17/78
Organon Teknika Corp	Quality Assurance Serum Level II	Vial: 16.5 ml, 6 vials/ kit	08/17/78
Organon Teknika Corp	Russell's Viper Venom Reagent	Vial: 7.3ml containing 48 mg of powder	07/08/74
Organon Teknika Corp	Simplastin	Vial: 4.7ml, 7.3ml, and 16.5ml	03/13/72
Organon Teknika Corp	Simplastin-A	Vial: 7.3ml	03/13/72
Organon Teknika Corp	T-4 125I Reagent	Boston Round Bottle: 2 ounce, amber bottle, 7 dr.	01/20/76
Organon Teknika Corp	T-4 Antiserum (rabbit)	Boston Round Bottle: 4 ounce, clear bottle, 7 dr.	01/20/76
Organon Teknika Corp	TETRA-TAB-RIA T4 Diagnostic Kit	Kit: 40 tests, 200 tests	01/20/76
Organon Teknika Corp	TETRA-TUBE RIA T4 Diagnostic Kit	Kit: 100 tests, 500 tests	06/03/83
Organon Teknika Corp	TGTR Set	Package: 4 Tests per set	03/13/72
Organon Teknika Corp	TRI-TAB T3 Uptake Diagnostic Kit	Kit: 200 Tests	01/20/76
Organon Teknika Corp	TRI-TAB T3 Uptake Diagnostic Kit	Kit: 40 tests	02/18/79
Organon Teknika Corp	TRIS/Barbital Buffer	Plastic Bottle: 1L	01/05/90
Organon Teknika Corp	Unassayed Chemistry Serum Control, Levels I & II	Vial: 25 ml	06/27/80
Ortho Diagnostic Systems, Inc	Activated ThromboFAX No.721000	Bottle: 3.2ml	09/21/71
Ortho Diagnostic Systems, Inc	Ortho Activated PTT Reagent	Glass Vial: 30 determination size, 100	05/23/83
Ortho Diagnostic Systems, Inc	Ortho Plasma Coagulation Control Level I	Glass Vial: 5ml	10/25/83
Ortho Diagnostic Systems, Inc	Ortho Plasma Coagulation Control Level II	Glass Vial: 5ml	10/25/83
Ortho Diagnostic Systems, Inc	ORTHO Owren's Buffer	Kit: 6-20 ml vials	08/26/88
PB Diagnostic Systems, Inc	OPUS Phenobarbital Calibrators: 5,10,20,40,80ug/ml	Vial: 2.5ml Carton: 5 vials	08/07/90
PB Diagnostic Systems, Inc	OPUS Phenobarbital Test Modules	Plastic Test Module, Tray: 5 modules, Carton: 50 modules.	08/07/90
Pacific Hemostasis	Barbital Buffered Saline	Vial: 100ml	05/24/84
Pacific Hemostasis	Barbital Buffered Saline with Heparin	Vial: 90ml	05/24/84
Pacific Hemostasis	Diluting Fluid	Vial: 20ml	05/24/84

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Pantex	Immuno T3 Kit: (1)L-Triiodothyronine 125I (2)1st Antiserum (3)2nd Antiserum (4)Diluent (5)Standards.	Kit Containing Bottles: (1)10ml (2)10ml (3)50ml (4)5ml (5)3ml.	01/04/79
Pantex	Immuno-Digoxin Kit Containing: (1)Digoxin 125I (2)1st Antiserum (3) 2nd Antiserum (4)Diluent.	Kit Containing Bottles: (1)10ml (2)20ml (3)50ml (4)5ml.	01/04/79
Pantex	Immuno-Estriol 125I Kit: 2nd Antiserum	Bottle: 50ml	01/04/79
Pantex	Immuno-Estriol Kit: (1)Estriol 3H RIA (2)Estriol 3H Recovery (3)1st Antiserum (4)2nd Antiserum (5)Diluent (6)Buffer (7)Standards.	Kit Containing Bottles: (1)10ml (2)5ml (3)10ml (4)20ml (5)100ml (6)50ml (7)5ml.	01/04/79
Pantex	Immuno-T4 Kit: (1)Thyroxine 125I (2)1st Antiserum (3)2nd Antiserum (4)Diluent (5)Standards.	Kit Containing Bottles: (1)100ml,1000ml (2)50ml (3)100ml (4)5ml (5)3ml.	01/04/79
Pantex	Immuno-Testosterone 125I Kit: (1)Testosterone 125I (2)1st Antiserum (3)2nd Antiserum (4)Diluent (5)Standards.	Kit Containing Bottles: (1)10ml (2)10ml (3)50ml (4)100ml (5)5ml.	01/04/79
Pantex	T3 Uptake Kit: L-Triiodothyronine 125I	Bottle: 100ml, 1000ml	01/04/79
Perkin-Elmer Corporation	Amphetamine Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Perkin-Elmer Corporation	Barbiturates Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Perkin-Elmer Corporation	Cocaine Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Perkin-Elmer Corporation	Methadone Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Perkin-Elmer Corporation	Morphine Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Perkin-Elmer Corporation	Opiates Polarization Fluoroimmunoassay Kit	Kit: 100 tests	12/18/86
Princeton Separations, Inc.	Panagel 16	Pouch: 1 slide	06/29/87
Princeton Separations, Inc.	Panagel 8	Pouch: 1 slide	06/29/87
Princeton Separations, Inc.	Panagel Electrobuffer	Fiber Drum: 25 kg	06/29/87
Princeton Separations, Inc.	Panagel Electrode Buffer	Pouch: 18.3 gms	06/29/87
Princeton Separations, Inc.	Panagel LD Isoenzyme Electrode Buffer	Pouch: 11.85 gms	06/29/87
Princeton Separations, Inc.	Panagel LD Isoenzyme Slide	Pouch: 1 slide	06/29/87
Quality Assurance Service Corp	Q.A. Toxicology Blood Controls	Vial: 6ml,12ml Plastic Bottle: 60ml,90ml,250ml,625ml Glass Bottle: 6ml-100ml.	01/23/90
Quality Assurance Service Corp	Q.A. Toxicology Serum Controls	Vial: 6ml,12ml Plastic Bottle: 60ml,90ml,250ml,625ml Glass Bottle: 6ml-100ml.	01/23/90
Quality Assurance Service Corp	Q.A. Toxicology Urine Controls	Vial: 6ml,12ml Plastic Bottle: 60ml,90ml,250ml,625ml Glass Bottle: 6ml-100ml.	01/23/90
Quantimetrix	Quantimetrix Anticonvulsant Serum Drug Control, Liquid Level II Control No. 17-0303-2.	Polyethylene Dropper Bottle: 15ml	04/16/86
Quantimetrix	Quantimetrix Antidepressant Serum Drug Control, Liquid Level I Control No. 17-0303-1.	Polyethylene Dropper Bottle: 15ml	04/16/86
Quantimetrix	Quantimetrix Antidepressant Serum Drug Control, Liquid Level I Control No. 17-0305-1.	Polyethylene Dropper Bottle: 15ml	04/16/86
Quantimetrix	Quantimetrix Antidepressant Serum Drug Control, Liquid Level II Control No. 17-0305-2.	Polyethylene Dropper Bottle: 15ml	04/16/86
Quantimetrix	Urine Drugs of Abuse Control Catalog No. 12-2411-1	Dropper Bottle: 15 ml	02/23/87
Quin-Tec, Inc.	Additive SB-1	Drum: 55 gals.	05/11/87
Quin-Tec, Inc.	Quin-Tec Brightener 402	Plastic Pail: 5 gallons, Plastic Drum: 55 gallons	10/13/81
Quin-Tec, Inc.	Quin-Tec Brightener 404	Plastic Pail: 5 gallons, Plastic Drum: 55 gallons	10/13/81
Radian Corporation	(+/-) 11-Nor-9-Carboxy-delta 9-THC-D9 0.1 mg/ml, 1.0 mg/ml.	Vial: 2ml	06/12/91
Radian Corporation	3,4-Methylenedioxy-amphetamine-D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	3,4-Methylenedioxy-amphetamine-D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	3,4-Methylenedioxy-methamphetamine-D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	3,4-Methylenedioxy-methamphetamine-D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	3,4-Methylenedioxyamphetamine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	01/12/89
Radian Corporation	3,4-Methylenedioxymethamphetamine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	01/12/89
Radian Corporation	6-Acetylmorphine	Ampule: 2 ml	12/04/87
Radian Corporation	6-Acetylmorphine-D3	Ampule: 2 ml	12/04/87
Radian Corporation	9-Carboxy-11-nor-Delta-9-Tetrahydrocannabinol-D3	Ampule: 2 ml	12/04/87
Radian Corporation	9-Carboxy-11-nor-delta-9-THC 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	01/12/89
Radian Corporation	Alpha-Hydroxyalprazolam 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	06/12/91
Radian Corporation	Alpha-Hydroxyalprazolam-D5 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	06/12/91
Radian Corporation	Alprazolam 0.1mg/ml, 1.0mg/ml	Ampule: 2ml	11/05/90
Radian Corporation	Alprazolam-D5 0.1mg/ml, 1.0mg/ml	Ampule: 2ml	11/05/90
Radian Corporation	Amphetamine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	01/12/89
Radian Corporation	Amphetamine-D3	Ampule: 2 ml	12/04/87
Radian Corporation	Amphetamine-D5	Ampule: 2 ml	12/04/87
Radian Corporation	Benzoylecgonine	Ampule: 2ml	12/04/87
Radian Corporation	Benzoylecgonine-D3	Ampule: 2ml	12/04/87
Radian Corporation	Buprenorphine 0.1	Ampule: 2ml	2/01/91
Radian Corporation	Buprenorphine-D4 0.1 mg/ml	Ampule: 2ml	2/01/91
Radian Corporation	Cocaethylene 0.1mg/ml, 1.0mg/ml	Ampule: 2ml	12/13/90
Radian Corporation	Cocaethylene-D3	Ampule: 2ml	12/13/90
Radian Corporation	Cocaine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Cocaine-D3	Ampule: 2 ml	12/04/87
Radian Corporation	Codeine	Ampule: 2 ml	3/09/88
Radian Corporation	Codeine-D3	Ampule: 2 ml	12/04/87
Radian Corporation	D-Amphetamine 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	6/12/91
Radian Corporation	D-Methamphetamine 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	6/12/91
Radian Corporation	Delta-9-Tetrahydro-cannabinol-D3	Ampule: 2 ml	12/04/87
Radian Corporation	Delta-9-Tetrahydrocannabinol 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Diazepam 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Radian Corporation	Diazepam-D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Diazepam-D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Ecgonine 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	6/12/91
Radian Corporation	Ecgonine Methyl Ester 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Ecgonine Methyl Ester-D3 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Ecgonine Methyl Ester-D3 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Ecgonine-D3 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	6/12/91
Radian Corporation	Fentanyl	Ampule: 2ml	1/02/91
Radian Corporation	Fentanyl-D5	Ampule: 2ml	1/02/91
Radian Corporation	Hydrocodone—D3 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Hydrocodone—D3 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Hydrocodone 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Hydromorphone—D3 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Hydromorphone—D3 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Hydromorphone 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Methadone—D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Methadone—D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Methadone 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Methamphetamine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Methamphetamine-D5	Ampule: 2 ml	12/04/87
Radian Corporation	Methaqualone—D4 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Methaqualone—D4 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Methaqualone 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Morphine	Ampule: 2 ml	3/09/88
Radian Corporation	Morphine-3-Beta-D-glucuronide 0.1, 1.0mg/ml	Ampule: 2ml	2/01/91
Radian Corporation	Morphine-3-Beta-D-glucuronide-D3 0.1, 1.0mg/ml	Ampule: 2ml	2/01/91
Radian Corporation	Morphine-D3	Ampule: 2 ml	12/04/87
Radian Corporation	Nitrazepam 0.1 mg/ml, 1.0 mg/ml	Ampule: 2ml	9/17/90
Radian Corporation	Nitrazepam-D5 0.1 mg/ml, 1.0 mg/ml	Ampule: 2ml	9/17/90
Radian Corporation	Norcocaine 0.1 mg/ml, 1.0 mg/ml	Vial: 2ml	6/12/91
Radian Corporation	Nordiazepam—D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Nordiazepam—D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Nordiazepam 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Oxazepam—D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Oxazepam—D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Oxazepam 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Pentobarbital 0.1mg/ml, 1.0mg/ml	Ampule: 2ml	9/24/90
Radian Corporation	Pentobarbital-D5 0.1mg/ml, 1.0mg/ml	Ampule: 2ml	9/24/90
Radian Corporation	Phencyclidine 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Phencyclidine-D5	Ampule: 2 ml	12/04/87
Radian Corporation	Phenobarbital 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Phenobarbital-D5	Ampule: 2 ml	12/04/87
Radian Corporation	Propoxyphene—D5 0.1 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Propoxyphene—D5 1.0 mg/ml	2 ml amber ampule	10/19/88
Radian Corporation	Propoxyphene 0.1, 1.0 mg/ml	Amber glass ampule: 2ml	1/12/89
Radian Corporation	Temazepam 0.1 mg/ml, 1.0 mg/ml	Ampule: 2ml	9/17/90
Radian Corporation	Temazepam-D5 0.1 mg/ml, 1.0 mg/ml	Ampule: 2ml	9/17/90
Research Diagnostics	3H Alfentanil	Vial: 0.5 ml	6/15/89
Research Diagnostics	3H Fentanyl	Vial: 0.5 ml	6/15/89
Research Diagnostics	3H Sufentanil	Vial: 0.5 ml	6/15/89
Research Diagnostics	Alfentanil Radioimmunoassay	Kit: 200 tests	6/15/89
Research Diagnostics	Fentanyl Analogs Reference Standards for Drug Analysis	Amber Ampule: 1 ml, Plastic Shell: 5 ampules, Kit: 2 shells (10 ampules).	10/17/89
Research Diagnostics	Fentanyl Radioimmunoassay	Kit: 200 tests	6/15/89
Research Diagnostics	Sufentanil Radioimmunoassay	Kit: 200 tests	6/15/89
Research Triangle Institute	11-Nor-9-carboxy-delta-9 THC Blood Standards Kit	Kit Containing: 18-21ml Ampuls; 1-5ml Ampul	10/26/81
Research Triangle Institute	11-Nor-9-carboxy-delta-9 THC Plasma Standards Kit	Kit Containing: 18-21ml Ampuls; 1-5ml Ampul	10/26/81
Research Triangle Institute	Delta-9 THC Blood Standards Kit	Kit Containing: 16-2ml Ampuls; 1-5ml Ampul	10/26/81
Research Triangle Institute	Delta-9 THC Plasma Standards Kit	Kit Containing: 16-2ml Ampuls; 1-5ml Ampul	11/02/81
Research Triangle Institute	Iodine Kit for Radioimmunoassay of 11-Nor-9-carboxy-delta-9 THC in Blood.	Kit Containing: 26-1ml Ampuls; 2-20ml Vials; 2-250ml Bottles.	10/26/81
Research Triangle Institute	Iodine Kit for Radioimmunoassay of 11-Nor-9-carboxy-delta-9 THC in Plasma.	Kit Containing: 24-1ml Ampuls; 2-20ml Vials; 2-250ml Bottles.	10/26/81
Research Triangle Institute	Iodine Kit for Radioimmunoassay of Delta-9 THC	Kit Containing: 20-1ml Ampules; 2-20ml Vials; 2-250ml Bottles.	10/20/80
Research Triangle Institute	Iodine Kit for Radioimmunoassay of Delta-9 THC in Blood	Kit Containing: 22-1ml Ampules; 2-20ml Vials; 2-250ml Bottles.	7/10/81
Research Triangle Institute	Tritium Kit for Radioimmunoassay of Delta-9 THC	Kit Containing: 20-1ml Ampules; 2-20ml Vials; 2-250ml Bottles.	6/27/80
Roche Diagnostic Systems, Inc.	125I T3 (for T3 Uptake Radioassay)	Vial: 15ml	7/22/81
Roche Diagnostic Systems, Inc.	ABUSCREEN 125 I-Methamphetamine Reagent	Vial: 500ml 30ml	3/01/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP Cocaine Metabolite 75, 150, 300 or 600 ng/ml Benzoylecgonine Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP Cocaine Metabolite Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Amphetamine	Kit: 1000 tests	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Amphetamine 250, 500, 1000 or 2000 ng/ml d-Amphetamine Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Amphetamine Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Amphetamine Tracer Reagent	Vial: 12ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Barbiturates	Kit: 1000 tests	3/23/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Barbiturates 50, 100, 200 or 400 ng/ml Secobarbital Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Barbiturates Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Barbiturates Tracer Reagent	Vial: 12 ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Benzodiazepines	Kit: 1000 tests	5/11/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cannabinoids	Kit: 1000 tests	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cannabinoids 25, 50, 100 or 200 ng/ml Cannabinoid Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cannabinoids Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cannabinoids Tracer Reagent	Vial: 12ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cocaine Metabolite	Kit: 1000 tests	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Cocaine Metabolite Tracer Reagent	Vial: 12ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Methamphetamine	Kit: 1000 tests	3/09/90
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Methamphetamine 250,500,1000 or 2000ng/ml d-Methamphetamine Calibrator.	Vial: 4ml	3/09/90
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Methamphetamine Cut-off Control	Vial: 4ml	3/09/90
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Methamphetamine Positive Control	Vial: 4ml	3/09/90
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Methamphetamine Tracer Reagent	Vial: 12ml	3/09/90
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Morphine	Kit: 1000 tests	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Morphine 75, 150, 300 or 600 ng/ml Morphine Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Morphine Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc.	ABUSCREEN FP for Morphine Tracer Reagent	Vial: 12ml	3/23/89
Roche Diagnostic Systems, Inc	ABUSCREEN FP for Phencyclidine	Kit: 1000 tests	3/23/89
Roche Diagnostic Systems, Inc	ABUSCREEN FP for Phencyclidine 5, 10, 25 or 50 ng/ml Phencyclidine Standard.	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc	ABUSCREEN FP for Phencyclidine Positive Control	Vial: 4ml	3/23/89
Roche Diagnostic Systems, Inc	ABUSCREEN FP for Phencyclidine Tracer Reagent	Vial: 12ml	3/23/89
Roche Diagnostic Systems, Inc	ABUSCREEN High Control (Methamphetamine)	Vial: 2 oz	3/01/89
Roche Diagnostic Systems, Inc	ABUSCREEN Low Control (Methamphetamine)	Vial: 2 oz	3/01/89
Roche Diagnostic Systems, Inc	ABUSCREEN Positive Reference Control (Methamphetamine)	Vial: 100ml, 6.6ml	3/01/89
Roche Diagnostic Systems, Inc	ABUSCREEN Radioimmunoassay for Methamphetamine High Specificity.	Kit: 100 tests, 2500 tests	3/01/89
Roche Diagnostic Systems, Inc	Abuscreen 125I Amphetamine Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Benzoylecgonine Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Methaqualone Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Morphine Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Oxazepam Reagent	Vial: 30ml, 500ml	3/06/87
Roche Diagnostic Systems, Inc	Abuscreen 125I Phencyclidine Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Secobarbital Reagent	Vial: 30ml, 500ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen 125I Tetrahydrocannabinol Reagent	Vial: 500ml, 30ml	8/14/81
Roche Diagnostic Systems, Inc	Abuscreen 125I-LSD Reagent	Vial: 500ml, 30ml	1/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Amphetamine	Kit: 100 tests	1/18/88
Roche Diagnostic Systems, Inc	Abuscreen EIA Amphetamine Conjugate Reagent	Vial: 30ml	1/18/88
Roche Diagnostic Systems, Inc	Abuscreen EIA Amphetamine Negative Control	Vial: 4ml	1/18/88
Roche Diagnostic Systems, Inc	Abuscreen EIA Amphetamine Positive Calibrator	Vial: 4ml	1/18/88
Roche Diagnostic Systems, Inc	Abuscreen EIA Amphetamine Positive Control	Vial: 4ml	1/18/88
Roche Diagnostic Systems, Inc	Abuscreen EIA Barbiturate Conjugate Reagent	Vial: 30ml	10/02/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Barbiturate Enzyme Immunoassay Test Kit for Barbiturate Metabolites.	Kit: 100 Tests	10/02/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Barbiturate Negative Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Barbiturate Positive Calibrator 50–1200 (in increments of 50) ng/ml.	Vial: 4ml, 10/02/86	
Roche Diagnostic Systems, Inc	Abuscreen EIA Barbiturate Positive Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Cannabinoid Positive Calibrator 50–1200 (in increments of 50) ng of THC derivative/ml.	Vial: 4ml	8/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cannabinoid THC Conjugate Reagent	Vial: 30ml	8/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cannabinoids Enzyme Immunoassay Test Kit for Cannabinoids.	Kit: 100 Tests	8/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cannabinoids Negative Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Cannabinoids Positive Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Cocaine Metabolite Benzoylecgonine Conjugate Reagent.	Vial: 30ml	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cocaine Metabolite Benzoylecgonine Positive Calibrator 50–1200 (in increments of 50) ng/ml.	Vial: 4ml	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cocaine Metabolite Enzyme Immunoassay Test Kit for Benzoylecgonine.	Kit: 100 tests	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Cocaine Metabolite Negative Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Cocaine Metabolite Positive Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Morphine Conjugate Reagent	Vial: 30ml	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Morphine Enzyme Immunoassay Test Kit for Morphine and Morphine Metabolites.	Kit: 100 tests	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Morphine Negative Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen EIA Morphine Positive Calibrator 50–1200 (in increments of 50) ng/ml.	Vial: 4ml	5/28/86
Roche Diagnostic Systems, Inc	Abuscreen EIA Morphine Positive Control	Vial: 4ml	4/15/87
Roche Diagnostic Systems, Inc	Abuscreen FP for Benzodiazepines-25, 50, 100 or 200 ng/ml Benzodiazepines Standard.	Vial: 4ml	5/11/89
Roche Diagnostic Systems, Inc	Abuscreen FP for Benzodiazepines-Positive Control	Vial: 4ml	5/11/89
Roche Diagnostic Systems, Inc	Abuscreen FP for Benzodiazepines-Tracer Reagent	Vial: 12ml	5/11/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Roche Diagnostic Systems, Inc	Abuscreen ONLINE Calibrator Level 3	Vial: 5ml; Kit: 6 vials	2/21/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE Calibrator Levels 2,4	Vial: 3ml; Kit: 6 vials	2/21/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE Cocaine Metabolite Calibrator Level 2, 3, 4	Vial: 7ml	9/11/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE Opiate Calibrator Level 2, 3, 4	Vial: 7ml	9/11/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE Positive Control	Vial: 3ml; Kit: 6 vials	2/21/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE THC Calibrator Level 2, 3, 4, 5	Vial: 7ml	9/11/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE for Cocaine Metabolite	Kit: 100 Test, 1000 Test	3/19/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE for Opiates	Kit: 100 Test, 1000 Test	3/19/91
Roche Diagnostic Systems, Inc	Abuscreen ONLINE for THC	Vial: 100 Test, 1000 Test	3/19/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK "THC"	Kit: 40 tests, 100 tests	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK "THC" Negative Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK "THC" Positive Control	Vial: 4 ML	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK "THC" Reagent C-Latex Reagent	Vial: 7ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine	Kit: 40 tests, 100 tests	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine (500ng/ml)	Kit: 40 Tests, 100 Tests	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine (500ng/ml) Negative Control.	Vial: 4ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine (500ng/ml) Reagent C—Latex Reagent.	Vial: 7ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine Negative Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine Positive Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Amphetamine Reagent C-Latex Reagent	Vial: 7ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Barbiturate	Kit: 40 tests, 100 tests	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Barbiturate Reagent C-Latex Reagent	Vial: 7ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Barbiturates Negative Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Barbiturates Positive Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Benzodiazepines	Kit: 40 Tests, 100 Tests	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Benzodiazepines Negative Control	Vial: 4ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Benzodiazepines Reagent C—Latex Reagent.	Vial: 7ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine (200ng/ml)	Kit: 40 Tests, 100 Tests	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine (200ng/ml) Negative Control	Vial: 4ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine (200ng/ml) Reagent C—Latex Reagent.	Vial: 7ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine Metabolite	Kit: 40 tests, 100 tests	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine Metabolite Benzoylecgonine Reagent C-Latex Reagent.	Vial: 7ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine Metabolite Negative Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Cocaine Metabolite Positive Control	Vial: 4ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Methamphetamine	Kit: 40 Tests, 100 Tests	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Methamphetamine Negative Control	Vial: 4ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Methamphetamine Reagent C-Latex Reagent.	Vial: 7ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Morphine	Kits: 40 tests, 100 tests	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Morphine Negative Control	Vial: 4 ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Morphine Positive Control	Vial: 4 ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK Morphine Reagent C-Latex Reagent	Vial: 7 ml	3/14/88
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK THC (50ng/ml)	Kit: 40 Tests, 100 Tests	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK THC (50ng/ml) Negative Control	Vial: 4ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK THC (50ng/ml) Reagent C-Latex Reagent	Vial: 7ml	5/03/91
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK phencyclidine (PCP)	Kit: 40 tests, 100 tests	11/22/89
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK phencyclidine (PCP) Negative Control	Vial: 7 ml	11/22/89
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK phencyclidine (PCP) Positive Control	Vial: 7 ml	11/22/89
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK phencyclidine (PCP) Reagent A-Antibody Reagent.	Vial: 7 ml	11/22/89
Roche Diagnostic Systems, Inc	Abuscreen ONTRAK phencyclidine (PCP) Reagent C-Latex Reagent.	Vial: 7 ml	11/22/89
Roche Diagnostic Systems, Inc	Abuscreen Positive Ref. Control (Benzodiazepines) 25, 50, 75, 100 ng/ml or 150–1000 (in increments of 50) ng/ml.	Vial: 5ml, 100ml	3/06/87
Roche Diagnostic Systems, Inc	Abuscreen Positive Ref. Control (LSD) 0.1, 0.2, 0.25, 0.3, 0.4, 0.5, 0.6, 0.7, 0.75, 0.8, 0.9, 1.0, 1.25, 1.5, 1.75, 2.0, 2.5, 5.0 or 10.0 ng/ml.	Vial: 5ml, 100ml	1/28/86
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Amphetamine) 100, 500, 750, 1000, 1500, or 2000 ng/ml.	Vial: 6.6ml, 100 ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Barbiturate) 50, 100, 200, 300, 400, 500, 750, 1000, or 2000 ng/ml.	Vial: 6.6ml 100 ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Benzoylecgonine) 100, 150, 200, 300, 400, 500, 600, 750, 1000, or 2000 ng/ml.	Vial: 6.6ml, 100 ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Methaqualone) 100, 300, 500, 750, 1000, or 2000 ng/ml.	Vial: 6.6ml, 100 ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Morphine) 40, 50, 100, 150, 200, 300, 500, 600, or 1000 ng/ml.	Vial: 6.6ml, 120ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control (Phencyclidine) 10, 12.5, 25, 50, 75, 100, 200, or 500 ng/ml.	Vial: 6.6ml 120ml	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Control Cannabinoid 20, 25, 50, 100, 150, 200, 300, 400, or 500 ng/ml.	Vial: 6.6ml, 100 ml	2/20/84
Roche Diagnostic Systems, Inc	Abuscreen Positive Reference Controls for Amphetamine (Single Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Amphetamine	Kit: 100 tests, 2500 tests	2/15/83

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Amphetamine High Specificity.	Kit: 100 tests, 2500 tests	9/13/85
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Barbiturates	Kit: 100 tests, 2500 tests	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Benzodiazepines	Kit: 100 tests, 2500 tests	3/06/87
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Cannabinoids	Kit: 100 Tests 2500 Tests	8/14/81
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Cocaine Metabolite	Kit: 100 Tests, 2500 Tests	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for LSD (Lysergic Acid Diethylamide).	Kit: 100 tests, 2500 tests	1/28/86
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Methaqualone	Kit: 100 tests, 2500 tests	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Morphine	Kit: 100 tests, 2500 tests	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Radioimmunoassay for Phencyclidine (PCP)	Kit: 100 tests, 2500 tests	2/15/83
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Amphetamine (Multi-Level)	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Barbiturate (Multi-Level)	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Barbiturate (Single-Level)	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Benzodiazepines (Single-Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Cannabinoids (Multi-Level)	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Cannabinoids (Single-Level)	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Cocaine Metabolite (Multi-Level).	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Cocaine Metabolite (Single-Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for LSD (Lysergic Acid Diethylamide) (Multi-Level).	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for LSD (Lysergic Acid Diethylamide) (Single-Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Methaqualone (Single-Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Morphine (Multi-Level)	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Morphine (Single-Level)	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Phencyclidine (PCP) (Multi-Level).	Kit: 3 Vials	10/12/87
Roche Diagnostic Systems, Inc	Abuscreen Reference Controls for Phencyclidine (PCP) (Single-Level).	Kit: 2 Vials	10/12/87
Roche Diagnostic Systems, Inc	Agglutex Amphetamine Latex Reagent	Vial: 2ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Amphetamine Positive Human Urine Control	Vial: 5ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Amphetamine Test Kit	Kit: 20 tests, 100 tests	2/15/83
Roche Diagnostic Systems, Inc	Agglutex Barbiturate Latex Reagent	Vial: 2ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Barbiturate Positive Human Urine Control	Vial: 5ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Barbiturate Test Kit	Kit: 20 tests, 100 tests	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Methaqualone Latex Reagent	Vial: 2ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Methaqualone Positive Human Urine Control	Vial: 5ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Methaqualone Test Kit	Kit: 20 tests, 100 tests	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Morphine Latex Reagent	Vial: 2ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Morphine Positive Human Urine Control	Vial: 5ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Morphine Test Kit	Kit: 20 tests, 100 tests	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Phencyclidine (PCP) Test Kit	Kit: 20 tests, 100 tests	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Phencyclidine Latex Reagent	Vial: 2ml	6/27/83
Roche Diagnostic Systems, Inc	Agglutex Phencyclidine Positive Human Urine Control	Vial: 5ml	6/27/83
Roche Diagnostic Systems, Inc	Amerifluor Florescent Immunoassay -Phenobarbital	Kit: 100 tests	4/30/82
Roche Diagnostic Systems, Inc	Anti-T3 Reagent 125I T3 (for T3 Radioimmunoassay)	Vial: 15ml	7/22/81
Roche Diagnostic Systems, Inc	Anti-T4 Reagent 125I T4 (for T4 Radioimmunoassay)	Vial: 15ml	7/22/81
Roche Diagnostic Systems, Inc	CAL PACK Abuscreen ONLINE Cocaine Metabolite Calibration Kit.	Kit: 6 vials	9/11/91
Roche Diagnostic Systems, Inc	CAL PACK Abuscreen ONLINE Opiate Calibration Kit	Kit: 6 vials	9/11/91
Roche Diagnostic Systems, Inc	CAL PACK Abuscreen ONLINE THC Calibration Kit	Kit: 4 vials	9/11/91
Roche Diagnostic Systems, Inc	COBAS FP Phenobarbital Calibrators	Kit: 6 Vials	11/13/84
Roche Diagnostic Systems, Inc	COBAS FP Phenobarbital Calibrators B through F	Vials: 5ml	11/13/84
Roche Diagnostic Systems, Inc	COBAS FP Phenobarbital Tracer Reagent	Vial: 5ml	11/13/84
Roche Diagnostic Systems, Inc	COBAS FP Reagents for Phenobarbital	Kit: 100 tests	11/13/84
Roche Diagnostic Systems, Inc	COBAS FP TDM Controls	Kit: 6 Vials	11/13/84
Roche Diagnostic Systems, Inc	CUTOFF CAL PACK Abuscreen ONLINE Cocaine Metabolite Calibration Kit.	Kit: 6 vials	9/11/91
Roche Diagnostic Systems, Inc	CUTOFF CAL PACK Abuscreen ONLINE Opiate Calibration Kit	Kit: 6 vials	9/11/91
Roche Diagnostic Systems, Inc	Immunizing Preparation No. 1, 2, 3, 4, 5, 6, 7, or 8.	Vial: 10, 20, 50, or 100ml	1/25/83
Roche Diagnostic Systems, Inc	Immunizing Preparation No. 9	Vial: 10ml, 20ml, 50ml, or 100ml	7/24/84
Roche Diagnostic Systems, Inc	Immunizing Preparation No. 9A	Vial: 10ml, 20ml, 50ml, or 100ml	7/24/84
Roche Diagnostic Systems, Inc	Immunizing Preparation No.10	Vial: 10ml, 20ml, 50ml, or 100ml	4/02/86
Roche Diagnostic Systems, Inc	Immunizing Preparation No.10A	Vial: 10ml, 20ml, 50ml, or 100ml	4/02/86
Roche Diagnostic Systems, Inc	Immunizing Preparations No. 1A, 2A, 3A, 4A, 5A, 6A, 7A,& 8A	Vial: 10ml, 20ml, 50ml, or 100ml	7/12/83
Roche Diagnostic Systems, Inc	NSB Reagent	Vial: 2ml	7/22/81
Roche Diagnostic Systems, Inc	TDM Controls, Levels I through III	Vials: 5ml	11/13/84
Rowley Biochemical Institute, Inc	Aldehyde Fuchsin Solution	Bottle: Pint, Quart, Gallon	2/02/84
Rowley Biochemical Institute, Inc	Aldehyde Thionin Solution	Bottle: Pint, Quart, Gallon	2/02/84
Rowley Biochemical Institute, Inc	Mayer's Hematoxylin Solution	Bottle: Pint, Quart, Gallon	2/02/84
Schering Corp	Hepaquik	Vial: 9 Dram and Plate	7/16/72
Serex Inc	Benzoylecgonine Positive Control	Bottle: 1 ml	12/16/89
Serex Inc	Benzoylecgonine Standards	Bottle: 1 ml	12/16/89
Serex Inc	CoMA EIA for Cocaine Metabolite	Kit: 96 tests, 2 Bottles: 5 ml ea., Assay Plate: 96 wells.	10/17/89

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Serex Inc.	Cocaine Metabolite Standards and Controls Kit	Kit: 3 bottles - 100 Assays	12/16/89
Serono Diagnostics, Inc	rT3 Barbital Buffer	Glass Vial: 120ml	10/26/84
Serono Diagnostics, Inc	rT3-125I	Glass Vial: 13ml	10/26/84
Serono Diagnostics, Inc	rT3-Antiserum	Glass Vial: 13ml	10/26/84
Sherwood Medical Company	Lancer Fibrinogen Determination, Reagent Kit Catalog No. 8889-007608.	Kit	4/17/75
Sigma Chemical Co	(+)Deoxyephedrine-d5 HCl #D-5914	Ampule: 2ml	8/28/90
Sigma Chemical Co	(+/-) 2,5-Dimethoxy-4-bromo-amphetamine Hydrobromide, D-7633.	Ampule: 2ml	9/25/91
Sigma Chemical Co	(+/-) 2,5-Dimethoxy-4-methyl-amphetamine HCl, D-7883	Ampule: 2ml	9/25/91
Sigma Chemical Co	(+/-) Deoxyephedrine HCl, D-7508	Ampule: 2ml	9/25/91
Sigma Chemical Co	(-) Deoxyephedrine, D-7258	Ampule: 2ml	9/25/91
Sigma Chemical Co	1-Tetrahydrocannabinol, Product No. T-4764	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	1-Tetrahydrocannabinol, Product No. T-4764,	Vial: 1ml	5/11/81
Sigma Chemical Co	11-Hydroxy-delta 9 Tetrahydrocannabinol Cat. No. H3879	Ampule: 2ml	11/06/91
Sigma Chemical Co	11-nor-delta9-Tetrahyrocannabinol, 9-carboxylic acid, No. N-5642.	Glass Ampule: 2 ml .05 mg/ml	6/29/89
Sigma Chemical Co	11-nor-delta9THC-9-Carboxylic Acid #N-6893	Ampule: 2ml	8/28/90
Sigma Chemical Co	3,4 Methylenedioxymethamphetamine 1 mg/ml, No. M-5029	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	3,4-Methylenedioxyamphetamine, No. M-3272	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	3-Methylfentanyl HCl, M-6255	Ampule: 2ml	9/25/91
Sigma Chemical Co	5,5-Diallylbarbituric Acid, Product No. D-6013	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	6-Tetrahydrocannabinol, Product No. T-4889	Vial: 1ml	5/11/81
Sigma Chemical Co	ALT Reagent A, Stock No.57-10	Vial: 30ml	6/27/79
Sigma Chemical Co	ALT Reagent A, Stock No.57-2	Vial: 10ml	6/27/79
Sigma Chemical Co	AST Reagent A, Stock No.56-10	Vial: 30ml	6/27/79
Sigma Chemical Co	AST Reagent A, Stock No.56-2	Vial: 10ml	6/27/79
Sigma Chemical Co	Acid Hematoxylin Solution, No.285-2	Bottle: 25ml 100ml	8/06/73
Sigma Chemical Co	Adenosine Phosphate Substrate, Product No. 675-1	Bottle: 4 ounce	7/25/83
Sigma Chemical Co	Allylcyclopentylbarbituric Acid (A-7787)	Sealed Ampule: 1ml	4/10/85
Sigma Chemical Co	Allylisobutylbarbituric Acid (A-1038)	Sealed Ampule: 1ml	4/10/85
Sigma Chemical Co	Alphaprodine Hydrochloride (A-1537)	Ampule: 1ml	8/27/84
Sigma Chemical Co	Alphenal (A-1163)	Ampule: 1ml	4/10/85
Sigma Chemical Co	Alprazolam .25 mg/ml, No. A-5052	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Alprazolam-d5 #A-7055	Ampule: 2ml	8/28/90
Sigma Chemical Co	Ammonia Reagent, Stock No. 170-10	Vial: 10ml	2/17/77
Sigma Chemical Co	Ammonia Reagent Kit: Stock No. 170-10	Kit: 10 Vials	2/17/77
Sigma Chemical Co	Ammonia Reagent Stock No. 170-10	Vial: 30ml	12/13/77
Sigma Chemical Co	Ammonia in Plasma Kit	Kit: 100 tests 30 tests	12/13/77
Sigma Chemical Co	Amobarbital, Product No. A-5142	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	Antibody Sensitized Sheep Erythrocytes (EA7S)	Vials: 2ml and 5X 2ml	4/02/86
Sigma Chemical Co	Aprobarbital, Product No. A-7023	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	Barbital Buffer, Product No. B-6632	Polyethylene Vial: 30ml	5/11/77
Sigma Chemical Co	Barbital Buffer 5X Concentrate Electrophoresis Reagent Cat. No. B-3506.	Bottle: 200ml	11/14/91
Sigma Chemical Co	Barbital Buffer with Albumin Stock No. 880-3	Vial: 20ml	7/11/80
Sigma Chemical Co	Barbital, Product No. B-8632	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	Benzoylecgonine 1 mg/ml, No. B-8900	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Benzoylecgonine-d3 #B-3277	Ampule: 2ml	8/28/90
Sigma Chemical Co	Benzphetamine Hydrochloride, Product No. B-8765	Sealed Ampule: 1ml	6/08/84
Sigma Chemical Co	Bromazepam #B-5402	Ampule: 2ml	8/28/90
Sigma Chemical Co	Bufotenine Monooxalate, Product No. B-8757	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	Butabarbital, Product No. B-8882	Sealed Ampule: 1ml	6/30/77
Sigma Chemical Co	Butalbital, Product No. B-5514	Sealed Ampule: 1ml	9/19/83
Sigma Chemical Co	Butethal (B-7516)	Ampule: 1ml	9/05/85
Sigma Chemical Co	Cannabidiol, Product No. C-6395	Sealed Ampule: 1ml	8/29/79
Sigma Chemical Co	Cannabidiol, Product No. C-6395	Vial: 1ml	5/11/81
Sigma Chemical Co	Cannabinol, Product No. C-6520	Vial: 1ml	5/11/81
Sigma Chemical Co	Cannabinol, Product No. C-6520	Sealed Ampule:1ml	8/29/79
Sigma Chemical Co	Chloral Hydrate, Product No. C-6516	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Chlorazepam Dipotassium Salt (C-9531)	Ampule:1ml	5/24/85
Sigma Chemical Co	Chlordiazepoxide (C-4782)	Ampule:1ml	9/05/85
Sigma Chemical Co	Chlordiazepoxide Hydrochloride Acetonitrile Drug Standard ‹C-9547.	Ampule: 2ml	6/26/90
Sigma Chemical Co	Chlordiazepoxide-d5 ‹C-5047	Ampule: 2ml	8/28/90
Sigma Chemical Co	Clobazam, No. C-6667	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Clonazepam, Product No. C-4404	Sealed Ampule:1ml	6/08/84
Sigma Chemical Co	Cocaine Hydrochloride Product No. C-1528	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Cocaine-d3 ‹C-3547	Ampule: 2ml	8/28/90
Sigma Chemical Co	Codeine-d3 HCl ‹C-3672	Ampule: 2ml	8/28/90
Sigma Chemical Co	Codeine.Product No. C-1653	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	D-Amphetamine Sulfate, Product No. A-3278	Vial: 1ml	5/11/81
Sigma Chemical Co	DL-Amphetamine HCL, Product No. A-5017	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Delorazepam ‹D-5789	Ampule: 2ml	8/28/90
Sigma Chemical Co	Desmethyldiazepam 1 mg/ml, No. D-3162	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Desmethyldiazepam-d5 ‹D-6039	Ampule: 2ml	8/28/90
Sigma Chemical Co	Dextropropoxyphene Hydrochloride (D-8901)	Ampule:1ml	9/27/84
Sigma Chemical Co	Diazepam, Product No. D-9900	Sealed Ampule:1ml	6/08/84
Sigma Chemical Co	Diazepam-d5 ‹D-5664	Ampule: 2ml	8/28/90
Sigma Chemical Co	Diethylpropion Hydrochloride, Product No. D-7274	Sealed Ampule:1ml	9/19/83

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Sigma Chemical Co	Diphenoxylate (D-0780)	Ampule:1ml	9/05/85
Sigma Chemical Co	Drug Standard Mix 1, D-3155	Ampule:2ml	4/18/86
Sigma Chemical Co	Drug Standard Mix 2, D-3030	Ampule:2ml	4/18/86
Sigma Chemical Co	Ecgonine Hydrochloride 1 mg/ml, No. E-9762	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Ecgonine-d3 HCl ıE-2014	Ampule: 2ml	8/28/90
Sigma Chemical Co	Ecgonine-d3 Methyl Ester HCl ıE-2139	Ampule: 2ml	8/28/90
Sigma Chemical Co	Estazolam ıE-1139	Ampule: 2ml	8/28/90
Sigma Chemical Co	Ethinamate (E-8508)	Ampule:1ml	4/10/85
Sigma Chemical Co	Ethylmorphine, E-3377	Ampule: 2ml	9/25/91
Sigma Chemical Co	Fenfluramine Hydrochloride, Product No. F-1884	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Fenproporex Hydrochloride, No. F-7261	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Fentanyl Citrate, No. F-5886	Glass Ampule: 2 ml	6/06/89
Sigma Chemical Co	Fentanyl-d5 Citrate ıF-2520	Ampule: 2ml	8/28/90
Sigma Chemical Co	Flunitrazepam No. F-8763	Vial:1 ml	6/30/87
Sigma Chemical Co	Flurazepam Dihydrochloride Methanol Drug Standard, No. F-9134.	Ampule: 2 ml	10/20/89
Sigma Chemical Co	Flurazepam Dihydrochloride, Product No. F-9134	Sealed Ampule:1ml	6/08/84
Sigma Chemical Co	Gelatin Veronal Buffer (GVB2+) No. G-6514	Vial:50 ml,250ml	9/15/86
Sigma Chemical Co	Glutethimide, Product No. G-3134	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Glycerophosphate Substrate, Product No. 675-2	Bottle:4 ounce	7/25/83
Sigma Chemical Co	Glycerophosphate Substrate, Product No. 704-1	Bottle:4 ounce	7/25/83
Sigma Chemical Co	Heroin Hydrochloride .1 mg/ml, No. H-5144	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Hexobarbital, Product No. H-2007	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Hydrocodone Bitartrate, No. H-2269	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Hydromorphone Hydrochloride No. H-7141	Vial:1 ml	6/30/87
Sigma Chemical Co	Ibogaine HCL, Product No. I-4630	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	LDH Electrophoresis Buffer, Stock No. 705-1	Amber Jar:30ml	1/04/77
Sigma Chemical Co	LDH-P Reagent No. 125-10	Vial:30ml	5/29/73
Sigma Chemical Co	LDH-P Reagent No. 125-100	Vial:100ml	5/29/73
Sigma Chemical Co	Levorphanol Tartrate 1 mg/ml, No. L-0896	Glass Ampule: 2 ml	6/29/89
Sigma Chemical Co	Lorazepam (L-0140)	Ampule:1ml	5/24/85
Sigma Chemical Co	Lormetazepam, No. 8145	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Lysergic Acid, Product No. L-5881	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Lysergic Acid Diethylamide ıL-8147	Ampule: 2ml	8/28/90
Sigma Chemical Co	Mayer's Hematoxylin Solution, No. MHS-1	Bottle:25ml 100ml	8/06/73
Sigma Chemical Co	Mebutamate (M-3772)	Ampule:1ml	9/05/85
Sigma Chemical Co	Medazepam (M-7646)	Ampule:1ml	5/24/85
Sigma Chemical Co	Meperidine Hydrochloride (M-1020)	Ampule:1ml	8/27/84
Sigma Chemical Co	Mephobarbital, Product No. M-3514	Vial: 1ml	5/11/81
Sigma Chemical Co	Meprobamate (M-0271)	Ampule:1ml	5/24/85
Sigma Chemical Co	Mescaline HCl, Product No. M-5153	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Methadone Hydrochloride, Product No. M-3268	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Methadone-d3 ıM-4781	Ampule: 2ml	8/28/90
Sigma Chemical Co	Methamphetamine HCl, Product No. M-5260	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Methaqualone Hydrochloride, Product No. M-3393	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Methaqualone-d4 ıM-5406	Ampule: 2ml	8/28/90
Sigma Chemical Co	Methylphenidate Hydrochloride (M-1145)	Ampule:1ml	10/31/84
Sigma Chemical Co	Methyprylon, Product No. M-1769	Sealed Ampule:1ml	6/08/84
Sigma Chemical Co	Morphine Sulfate, No. M-9524	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Morphine-3-B-D Glucuronide, Product No. M-4266	Ampule: 1ml	10/21/82
Sigma Chemical Co	Morphine-d3 HCl, M-6380	Ampule: 2ml	9/25/91
Sigma Chemical Co	N,N-Diethyltryptamine, Product No. D-0392	Vial: 1ml	5/11/81
Sigma Chemical Co	N,N-Dimethyltryptamine, Product No. D-6263	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Nalorphine Hydrochloride	Ampule:1ml	8/27/84
Sigma Chemical Co	Norcodeine Hydrochloride, No. N-3017	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Normorphine HCl ıN-7393	Ampule: 2ml	8/28/90
Sigma Chemical Co	Noroxymorphone ıN-7018	Ampule: 2ml	8/28/90
Sigma Chemical Co	Oxazepam, No. O-1755	Vial:1 ml	6/30/87
Sigma Chemical Co	Oxazepam-d5 ıO-1381	Ampule: 2ml	8/28/90
Sigma Chemical Co	Oxazolam, No. O-8005	Glass Ampule: 2ml	6/06/89
Sigma Chemical Co	Oxycodone Hydrochloride, Product No. O-2628	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Paraldehyde, Product No. D-3778	Ampule: 1ml	10/21/82
Sigma Chemical Co	Pemoline, Product No. P-3518	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Pentazocine Hydrochloride, Product No. P-7530	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Pentobarbital, Product No. P-3393	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Phencyclidine, No. P-7043	Vial:1 ml	6/30/87
Sigma Chemical Co	Phencyclidine-d5 HCl ıP-6054	Ampule: 2ml	8/28/90
Sigma Chemical Co	Phendimetrazine, Product No. P-3524	Vial: 1ml	5/11/81
Sigma Chemical Co	Phenobarbital FPIA Calibrator Set Cat. No. P9051	Kit: 6 vials	11/21/89
Sigma Chemical Co	Phenobarbital FPIA Calibrator: A-No.P8301, B-No.P8426 C-No.P8551, D-No.P8676, E-No.P8801, F-NO.P8926.	Vial: 2.5 ml	11/21/89
Sigma Chemical Co	Phenobarbital Primary Stock Solution No. Z-5419	Bottle: 10, 5, 1L, 500, 100ml	2/01/91
Sigma Chemical Co	Phenobarbital Prod. No.P-3643	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Phentermine Hydrochloride, Product No. P-7655	Sealed Ampule:1ml	9/19/83
Sigma Chemical Co	Phenylacetone, Product No. P-2024	Vial: 1ml	5/11/81
Sigma Chemical Co	Prazepam, No. P-7168	Vial:1 ml	6/30/87
Sigma Chemical Co	Psilocin ıP-4054	Ampule: 2ml	8/28/90
Sigma Chemical Co	SGOT 10 Assay Vial No. 55-10	Vial:30ml	5/29/73
Sigma Chemical Co	SGOT Reagent No. 155-10	Vial:30ml	5/29/73
Sigma Chemical Co	SGOT Reagent No. 155-100	Vial:100ml	5/29/73

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Sigma Chemical Co	SGOT Single Assay Vial No. 55-1	Vial:3ml	5/29/73
Sigma Chemical Co	SGOT Single Assay Vial No. 55-5	Vial:15ml	5/29/73
Sigma Chemical Co	SGPT 10 Assay Vial No. 55-10P	Vial:30ml	5/29/73
Sigma Chemical Co	SGPT Assay Vial No. 55-5P	Vial:15ml	5/29/73
Sigma Chemical Co	SGPT Reagent No. 155-100P	Vial:100ml	5/29/73
Sigma Chemical Co	SGPT Reagent No. 155-10P	Vial:30ml	5/29/73
Sigma Chemical Co	SGPT Single Assay Vial No. 55-1P	Vial:3ml	5/29/73
Sigma Chemical Co	SIA Cocaine Metabolites	Kit: 96 Tests	7/11/91
Sigma Chemical Co	SIA Conjugate Cocaine Metabolites	Bottle: 75ml	7/11/91
Sigma Chemical Co	SIA Positive Reference Cocaine Metabolites	Vial: 1ml	7/11/91
Sigma Chemical Co	Secobarbital, Product No. S-4006	Sealed Ampule:1ml	6/30/77
Sigma Chemical Co	Secobarbital-d5, S-4628	Ampule: 2ml	9/25/91
Sigma Chemical Co	Temazepam, No. T-4903	Vial: 1 ml	6/30/87
Sigma Chemical Co	Tenocyclidine HCl, T-3507	Ampule: 2ml	9/25/91
Sigma Chemical Co	Thebaine, Product No. T-5270	Sealed Ampule: 1ml	9/19/83
Sigma Chemical Co	Thiamylal Sodium, Product No. T-6896	Sealed Ampule: 1ml	6/08/84
Sigma Chemical Co	Thiopental (T-1022)	Ampule: 1ml	8/27/84
Sigma Chemical Co	Triazolam #T-7658	Ampule: 2ml	8/28/90
Sigma Chemical Co	Trizma-Barbital Buffer, Stock No. 710-1	Amber Jar: 30ml	1/04/77
Sigma Chemical Co	Tropacocaine, Product No. T-4516	Vial: 1ml	5/11/81
Sigma Chemical Co	Z9999, Field Test Sample PSEUDOnarcotics Marihuana Formulation.	Vial: 400ml	3/14/91
Sigma Chemical Co	d-Amphetamine-d3 Sulfate #A-7180	Ampule: 2ml	8/28/90
Sigma Chemical Co	d-Lysergic Acid Cat. No. L-9752	Ampule: 2ml	11/06/91
Sigma Chemical Co	d-Propoxyphene-d7 HCl #P-4179	Ampule: 2ml	8/28/90
Sigma Chemical Co	d-Propoxyphene-d7 HCl #P-4179	Ampule: 2ml	8/28/90
Sigma Chemical Co	delta-9-tetrahydrocannabinol-d3 #T-8783	Ampule: 2ml	8/28/90
Sigma Chemical Co	dl-Amphetamine, A-2262	Ampule: 2ml	9/25/91
Sigma Chemical Co	l-Amphetamine, A-9136	Ampule: 2ml	9/25/91
Sigma Chemical Co	p-Methoxyamphetamine HCl #M-4656	Ampule: 2ml	8/28/90
Smart Chemical Co	Regal 180XL	Plastic Drum: 55 gallon	6/12/86
SolarCare Technology Control	LSD EIA	Kit: 3 vials	6/05/90
SolarCare Technology Corporation	Benzoylecgonine Cutoff Calibrator	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Benzoylecgonine Negative Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Benzoylecgonine Positive Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Cocaine Cutoff Calibrator	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Cocaine EIA	Kit: 3 vials	6/05/90
SolarCare Technology Corporation	Cocaine Metabolite EIA	Kit: 30 vials	6/05/90
SolarCare Technology Corporation	Cocaine Negative Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Cocaine Positive Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	LSD Cutoff Calibrator	Vial: 4ml	6/05/90
SolarCare Technology Corporation	LSD Negative Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	LSD Positive Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Low Level Benzodiazepine (Triazolam) EIA	Kit: 3 vials	6/05/90
SolarCare Technology Corporation	Triazolam Cutoff Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Triazolam Negative Control	Vial: 4ml	6/05/90
SolarCare Technology Corporation	Triazolam Positive Control	Vial: 4ml	6/05/90
Supelco,Inc	Alk Mix No. 04-9210	Vial: 1ml	8/28/73
Supelco,Inc	Amobarbital, No.04-9170	Ampule: 1ml	12/22/72
Supelco,Inc	Amph. Mix Catalog No. 4-9205	Glass Ampule: 2ml	6/09/86
Supelco,Inc	Amphetamine No.04-9165	Ampule: 1ml	12/22/72
Supelco,Inc	Anticonvulsant Mixture No.1; No. 04-9202	Glass Serum Bottle: 50ml	6/16/77
Supelco,Inc	Antiepileptic Calibration Standard Kit, No.4-9259	Kit: 3 Ampules	5/21/80
Supelco,Inc	Antiepileptic Calibration Standards, Nos.4-9256, 4-9257, 4-9258.	Glass Ampule: 5ml	5/21/80
Supelco,Inc	Aprobarbital No.04-9171	Ampule: 1ml	12/22/72
Supelco,Inc	Barb. Mix 1,Catalog No. 4-9200	Glass Ampule: 2ml	6/09/86
Supelco,Inc	Barb. Mix 2,Catalog No. 4-9201	Glass Ampule: 2ml	6/09/86
Supelco,Inc	Barbital,Catalog No. 4-9279	Glass Ampule: 10ml	6/09/86
Supelco,Inc	Barbiturates Test Mix Catalog No. 4-9295	Ampule: 2 ml	2/25/87
Supelco,Inc	Cannabidiol, No.04-9221	Ampule: 1ml	11/27/74
Supelco,Inc	Cannabinol, No.04-9235	Ampule: 1ml	11/27/74
Supelco,Inc	Cocaine, No.04-9188	1000 mcg /Glass Ampule	6/05/75
Supelco,Inc	Codeine No.04-9161	Ampule: 1ml	12/22/72
Supelco,Inc	Cyclobarbital No.04-9175	Ampule: 1ml	12/22/72
Supelco,Inc	Delta-1 THC, No.04-9237	Ampule: 1ml	11/27/74
Supelco,Inc	Delta-6 THC, No.04-9238	Ampule: 1ml	11/27/74
Supelco,Inc	Dextroamphetamine, No.4-9185	Glass Ampule: 1ml	5/21/80
Supelco,Inc	Glutethimide No.04-9173	Ampule: 1ml	12/22/72
Supelco,Inc	Heroin No.04-9162	Ampule: 1ml	12/22/72
Supelco,Inc	Hexobarbital No.04-9177	Ampule: 1ml	12/22/72
Supelco,Inc	Mephobarbital No.04-9178	Ampule: 1ml	12/22/72
Supelco,Inc	Meprobamate, No.4-9184	Glass Ampule: 1ml	5/21/80
Supelco,Inc	Methadone No.04-9163	Ampule: 1ml	12/22/72
Supelco,Inc	Methamphetamine No.04-9168	Ampule: 1ml	12/22/72
Supelco,Inc	Methaqualone, No.04-9183	1000 mcg /Glass Ampule	6/05/75
Supelco,Inc	Morphine No. 04-9160	Glass Ampule: 1000mcg	3/08/78
Supelco,Inc	Pentobarbital No. 04-9179	Glass Ampule: 1000mcg	3/08/78
Supelco,Inc	Phenobarbital No. 04-9181	Glass Ampule: 1000mcg	3/08/78
Supelco,Inc	Psilocybin, No.04-9191	1000 mcg /Glass Ampule	6/05/75

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Supelco,Inc	Secobarbital No. 04-9180	Glass Ampule: 1000mcg	3/08/78
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Amphetamine Kit No. ST 904, Vial No. 904-P.	Vial: 4ml Kit: 1 vial	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Cocaine & Marijuana Kit No. ST 903.	Kit: 2 vials	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Cocaine, Kit No. ST 901, Vial No. 901-P.	Vial: 4ml Kit: 1 vial	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Marijuana Kit No. ST 902, Vial No. 902-P.	Vial: 4ml Kit: 1 vial	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Opiates Kit No. ST 905, Vial No. 905-P.	Vial: 4ml Kit: 1 vial	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse Urine Control (Blind Sample) Positive Phencyclidine Kit No. ST 906, Vial No. 906-P.	Vial: 4ml Kit: 1 vial	5/11/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Codeine No. 907-P.	Vial: 20ml; Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Methadone NNo. 908-P.	Vial: 20ml; Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Methamphetamine No. 909-P.	Vial: 20ml; Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Methaqualone No. 913-P.	Vial: 20ml, Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Oxazepam No. 910-P.	Vial: 20ml, Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Propoxyphene No. 911-P.	Vial: 20ml, Box: 1 vial	9/13/90
Sure-Tech Diagnostic Associates, Inc.	Drugs of Abuse: Urine Controls (Blind Samples) positive Secobarbital No. 912-P.	Vial: 20ml, Box: 1 vial	9/13/90
Syva Co	AccuLevel Phenobarbital Test Control Stock Solution	Flask: 50ml	10/31/85
Syva Co	AccuLevel Phenobarbital Test Kit (Catalog No.10C019) Contains: (1)AccuLevel Phenobarbital Control (2)AccuLevel Reagent I, (1)Glass Vial: 6ml; (2)Glass Vial: 9ml.	12 Vials per test kit	1/24/86
Syva Co	Advance T-3 Uptake Assay	Kit: 100 tests	5/11/82
Syva Co	Advance Thyroxin Assay	Kit: 100 tests	5/11/82
Syva Co	Antiepileptic Drug Control	Vial: 10ml, Lyophilized	8/27/74
Syva Co	EMIT Thyroxine Assay, Cat. No. 6J909	Glass Bottle: 4oz., Kit: 500 Assays	1/23/89
Syva Co	Emit 2000 Phenobarbital Assay (Convenience Pack)	Kit: 1 cassette; Cassette: 11ml	8/05/91
Syva Co	Emit 2000 Phenobarbital Assay; Enzyme Reagent 2	Kit: 1 bottle; Bottle: 15ml	8/05/91
Syva Co	Emit 2000 Phenobarbital Calibrators (5,10,20,40,80)	Kit: 5 vials	8/05/91
Syva Co	Emit 700 Amphetamine Assay Catalog No. 3C919	Bottle: 180ml	10/12/84
Syva Co	Emit 700 Barbiturate Assay Catalog No.3D919	Bottle: 180ml	10/12/84
Syva Co	Emit 700 Benzodiazepine Assay Reagent 2	Glass Bottle: 180ml, Kit: 2 bottles	2/21/89
Syva Co	Emit 700 Calibrator A Catalog No. 3A919	Bottle: 3ml	10/05/84
Syva Co	Emit 700 Calibrator B Catalog No. 3A969	Bottle: 3ml	10/05/84
Syva Co	Emit 700 Cannabinoid (100) Assay Catalog No. 3M919	Bottle: 180ml	10/12/84
Syva Co	Emit 700 Cannabinoid (100) Calibrator Catalog No. 3M969	Bottle: 3ml	10/09/84
Syva Co	Emit 700 Cannabinoid (20) Assay, Catalog No. 3M959	Plastic Bottle: 180ml	9/15/86
Syva Co	Emit 700 Cannabinoid 100ng Assay, Positive Control	Bottle: 3ml	7/31/89
Syva Co	Emit 700 Cannabinoid 20ng Assay Calibrator	Glass Bottle: 5ml, Kit: 2 bottles	2/21/89
Syva Co	Emit 700 Cannabinoid 20ng Assay Control Set, Positive Control.	Glass Bottle: 5ml, Kit: 2 bottles	2/21/89
Syva Co	Emit 700 Cannabinoid Control Set Catalog No. 3M989	2 Bottles: 3ml	10/09/84
Syva Co	Emit 700 Cocaine Metabolite Assay Catalog No. 3H919	Bottle: 180ml	10/12/84
Syva Co	Emit 700 Control Set A Catalog No. 3A939	2 Bottles: 3ml	10/09/84
Syva Co	Emit 700 Control Set B Catalog No. 3A989	2 Bottles: 3ml	10/09/84
Syva Co	Emit 700 Methaqualone Assay Catalog No. 3Q919	Bottle: 180ml	10/19/84
Syva Co	Emit 700 Opiate Assay Catalog No. 3B919	Bottle: 180ml	10/12/84
Syva Co	Emit 700 Phencyclidine Assay Catalog No. 3J919	Bottle: 180ml	10/12/84
Syva Co	Emit AED-No. 1 Calibrator	Vial: 3ml, Lyophilized	8/27/74
Syva Co	Emit AED-No. 2 Calibrator	Vial: 3ml, Lyophilized	8/27/74
Syva Co	Emit AED-No. 3 Calibrator	Vial: 3ml, Lyophilized	8/27/74
Syva Co	Emit AED-No. 4 Calibrator	Vial: 3ml, Lyophilized	8/27/74
Syva Co	Emit AED-No. 5 Calibrator	Vial: 3ml, Lyophilized	8/27/74
Syva Co	Emit Amphetamine Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Amphetamine Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Amphetamine Bulk Reagent B	Glass bottle: 1000ml	12/05/90
Syva Co	Emit Barbiturate Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Barbiturate Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Barbiturate Bulk Reagent B	Glass Bottle: 1000ml	12/05/90
Syva Co	Emit Benzodiazepine Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Benzodiazepine Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Calibrator B Level 1 (cutoff)	Vial: 5ml, 25ml	6/19/91
Syva Co	Emit Calibrator B Level 2 (high)	Vial: 5ml, 25ml	6/19/91
Syva Co	Emit Cannabinoid (100) Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Cannabinoid (100) Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Cannabinoid Bulk Reagent B	Glass bottle: 1000ml	12/05/90
Syva Co	Emit Cocaine Metabolite Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Cocaine Metabolite Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Cocaine Metabolite Bulk Reagent B	Glass Bottle: 1000ml	12/05/90
Syva Co	Emit Convenience Pack Phenobarbital Assay: Catalog No. 5D909.	Plastic Cassette: 100 tests	11/23/87

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Syva Co	Emit Convenience Pack: T-Uptake Assay (Thyroid Hormone Binding Ratio).	Kit: 100 Tests Ea. Kit-Plastic Cassette: 16ml	5/09/88
Syva Co	Emit Convenience Pack: Thyroxine Assay Enzyme Reagent B	Plastic Cassette: 8ml Kit: 100 Assays	2/22/89
Syva Co	Emit Delta 9 Cannabinoid 100 ng/ml Calibrator/Control	Vial: 3ml	8/22/89
Syva Co	Emit Delta 9 Cannabinoid 20 ng/ml Calibrator/Control	Vial: 3ml	8/22/89
Syva Co	Emit Delta 9 Cannabinoid 400 ng/ml Calibrator/Control	Vial: 3ml	8/22/89
Syva Co	Emit Delta 9 Cannabinoid 50 ng/ml Calibrator/Control	Vial: 3ml	8/22/89
Syva Co	Emit HVA Amphetamine Assay Catalog No. 3C619	Kit: 2500 Assays	6/30/88
Syva Co	Emit HVA Barbiturate Assay Catalog No. 3D619	Kit: 2500 Assays	6/30/88
Syva Co	Emit HVA Calibrator Kit Catalog No. 3A619	Kit: 500 Tests Each Kit—2 Glass Bottles 100ml	5/10/88
Syva Co	Emit HVA Cannabinoid 100 ng Assay Control Kit, Catalog No. 3M739.	Kit: 2 Bottles, 50ml. ea.	7/15/88
Syva Co	Emit HVA Cannabinoid 100 ng. Assay Calibrator Kit, Catalog No. 3M729.	Kit: 3 Bottles 50ml. ea.	7/15/88
Syva Co	Emit HVA Cannabinoid 100 ng. Assay Kit, Catalog No. 3M719	Kit: 2500 Assays	7/15/88
Syva Co	Emit HVA Cocaine Metabolite Assay Catalog No. 3H619	Bottle: 125ml	5/10/88
Syva Co	Emit HVA Control Kit Catalog No. 3A629	Kit: 500 Tests Each Kit-2 Glass Bottles—100ml.	5/10/88
Syva Co	Emit HVA Opiate Assay Catalog No. 3B619	Bottle: 125ml	5/10/88
Syva Co	Emit HVA Phencyclidine Assay Catalog No. 3J619	Bottle: 125ml	5/19/88
Syva Co	Emit II Barbiturate Assay	Kit: 100ml, 500ml Bottle: 4oz, 500ml	6/29/90
Syva Co	Emit II Calibrator A Level 1 (Cutoff)	Vial: 10ml, 50ml	6/29/90
Syva Co	Emit II Calibrator A Level 2 (high)	Vial: 10ml, 50ml	6/29/90
Syva Co	Emit II Cannabinoid 20ng, 50ng, 100ng Assay	Bottle: 4oz, 500ml; Kit: 100ml, 500ml	10/12/90
Syva Co	Emit II Cocaine Metabolite Assay	Kit: 100ml, 500ml Bottle: 4oz, 500ml	6/29/90
Syva Co	Emit II Delta 9 Cannabinoid 20ng/ml, 50ng/ml, 100ng/ml, 200ng/ml, Calibrator/Control.	Vial: 10ml, 50ml	10/12/90
Syva Co	Emit II Opiate Assay	Kit: 100ml, 500ml Bottle: 4oz, 500ml	6/29/90
Syva Co	Emit II Phencyclidine Assay	Bottle: 4oz, 500ml; Kit: 100ml, 500ml	10/26/90
Syva Co	Emit Methadone Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Methadone Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Methaqualone Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Methaqualone Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Opiate Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Opiate Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Opiate Bulk Reagent B	Glass bottle: 1000ml	12/05/90
Syva Co	Emit Phencyclidine Bulk Powder Reagent 2	Bottle: 1000ml	10/04/89
Syva Co	Emit Phencyclidine Bulk Powder Reagent 2 Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Phencyclidine Bulk Reagent B	Glass Bottle: 1000ml	12/05/90
Syva Co	Emit Phenobarbital Bulk Powder Reagent B	Bottle: 1000ml	10/04/89
Syva Co	Emit Phenobarbital Bulk Powder Reagent B Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Phenobarbital Enzyme Reagent B	Vial: 6ml , Lyophilized	8/27/74
Syva Co	Emit Qst Phenobarbital Bulk Powder Reagent	Steel Drum: 7 gallon	6/05/86
Syva Co	Emit Qst Primidone Assay Catalog No. 60819	Glass Vial: 6ml, 50 Vials/Kit	11/12/85
Syva Co	Emit Serum Barbiturate-Enzyme Reagent B	Bottle: 3ml	5/22/79
Syva Co	Emit T-Uptake Assay	Bottle: 4 oz., 1L Kit: 500 tests, 5000 tests	5/25/89
Syva Co	Emit T-Uptake Assay (Thyroid Hormone Binding Ratio) Catalog No. 6J519.	Polyethylene Bottle: 4 oz.	2/29/88
Syva Co	Emit T-Uptake Bulk Powder Reagent A	Bottle: 1000ml	10/04/89
Syva Co	Emit T-Uptake Bulk Powder Reagent A Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Thyroxine Assay	Glass Bottle: 8 oz., 1L Kit: 1300 tests, 5000 tests.	5/25/89
Syva Co	Emit Thyroxine Bulk Powder Reagent B	Bottle: 1000ml	10/04/89
Syva Co	Emit Thyroxine Bulk Powder Reagent B Satellite	Bottle: 4 oz.	4/20/90
Syva Co	Emit Tox Serum Benzodiazepine Assay Kit Containing: Emit Enzyme Reagent B.	Bottle: 3ml	2/01/79
Syva Co	Emit d.a.u. Amphetamine Assay Catalog Nos. 3C019, 3C119	Kit: 100 tests, 1000 tests	9/27/84
Syva Co	Emit d.a.u. Amphetamine Class Low Calibrator, Cat. No. 3C179	Glass Vial: 5ml	1/30/89
Syva Co	Emit d.a.u. Amphetamine Class Medium Calibrator, Cat. No. 3C189.	Glass Vial: 5ml	1/30/89
Syva Co	Emit d.a.u. Benzodiazepine Assay Catalog Nos. 3F019, 3F119	Kit: 100 tests, 1000 tests	9/27/84
Syva Co	Emit d.a.u. Cannabinoid 100 ng Assay, Catalog No. 3M119	Kit: 1000 tests	9/12/86
Syva Co	Emit d.a.u. Cannabinoid 100ng Assay Calibrator	Kit: 3 vials	7/31/89
Syva Co	Emit d.a.u. Cannabinoid 100ng Assay Low Calibrator	Vial: 3ml	7/31/89
Syva Co	Emit d.a.u. Cannabinoid 100ng Assay Medium Calibrator	Vial: 3ml	7/31/89
Syva Co	Emit d.a.u. Cannabinoid 20ng Assay Catalog No. 3M619	Kit: 100 tests	2/10/86
Syva Co	Emit d.a.u. Cannabinoid 20ng Enzyme Reagent B	Vial: 10ml Lyophilized Powder	2/10/86
Syva Co	Emit d.a.u. Cannabinoid 50 ng Assay Calibrators, Low And Medium: Cat. No. 3M509.	Vial: 5 ml	6/01/88
Syva Co	Emit d.a.u. Cannabinoid 50 ng Assay: Cat. No. 3M519	Kit: 100 tests	6/01/88
Syva Co	Emit d.a.u. Cannabinoid Assay Catalog No. 3M019	Kit: 100 tests	9/24/84
Syva Co	Emit d.a.u. Cannabinoid Urine Calibrator Set	Kit: 3 Vials 3ml Each	1/03/80
Syva Co	Emit d.a.u. Cocaine Metabolite Assay Catalog Nos. 3H019, 3H119.	Kit: 100 tests, 1000 tests	9/27/84
Syva Co	Emit d.a.u. Low Calibrator A	Bottle: 5ml	7/20/84
Syva Co	Emit d.a.u. Low Calibrator A	Vial: 5 ml	6/30/89
Syva Co	Emit d.a.u. Low Calibrator A, Catalog No. 3C579	5 ml vial	10/06/88
Syva Co	Emit d.a.u. Medium Calibrator A	Vial: 5 ml	6/30/89
Syva Co	Emit d.a.u. Medium Calibrator A, Catalog No. 3C569	5 ml vial	10/06/88
Syva Co	Emit d.a.u. Medium Calibrator B	Bottle: 5ml	8/03/84

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Syva Co	Emit d.a.u. Methadone Assay Catalog Nos. 3E019, 3E119	Kit: 100 tests, 1000 tests	10/05/84
Syva Co	Emit d.a.u. Monoclonal Amphetamine/Methamphetamine Assay Catalog No3C549 100 tests 3C559 1000 tests.	Kit: 100 tests, 1000 tests	10/06/88
Syva Co	Emit d.a.u. Opiate Assay Catalog Nos. 3B019, 3B119	Kit: 100 tests, 1000 tests	9/27/84
Syva Co	Emit d.a.u. Phencyclidine Assay Kit Containing: (1)Emit Phencyclidine Enzyme Reagent B.	Bottle: 6ml	2/01/79
Syva Co	Emit d.a.u.Barbiturate Assay Catalog Nos. 3D019, 3D119	Kit: 100 tests, 1000 tests	9/27/84
Syva Co	Emit d.a.u.Low Calibrator B	Bottle: 5ml	8/03/84
Syva Co	Emit d.a.u.Medium Calibrator A	Bottle: 5ml	7/20/84
Syva Co	Emit- Tox Serum Barbiturate Assay	Kit: 50 tests	5/22/79
Syva Co	Emit-Qst Phenobarbital Assay, Catalog Number 6D819	Kit: 50 Vials	1/18/84
Syva Co	Emit-Tox Serum Calibrators;Low and Medium	Bottle: 3ml	2/01/79
Syva Co	Emit-d.a.u. Methaqualone Assay	Kit: 100 tests	4/27/82
Syva Co	Emit-st Amphetamine Assay	Vial: 3ml, 80 vials/kit	10/03/80
Syva Co	Emit-st Barbiturate Assay	Vial: 3ml, 80 vials/kit	10/03/80
Syva Co	Emit-st Benzodiazepine Assay	Vial: 3ml, 80 vials/kit	10/03/80
Syva Co	Emit-st Cannabinoid Assay Catalog No. 3M319	Vial: 6ml, 80 Vials/Kit	9/27/84
Syva Co	Emit-st Cannabinoid Calibrator	Vial: 3ml, 2 vials/kit	7/10/81
Syva Co	Emit-st Cannabinoid Controls	Vial: 3ml, 2 vials/kit	7/10/81
Syva Co	Emit-st Opiate Assay	Kit: 3ml, 80 vials/kit	10/03/80
Syva Co	Emit-st Phencyclidine Assay	Vial: 3ml, 80 vials/kit	1/07/81
Syva Co	Emit-st Serum Barbiturate Assay	Vial: 3ml, 80 vials/kit	2/16/81
Syva Co	Emit-st Serum Benzodiazepine Assay	Vial: 3ml, 80 vials/kit	2/16/81
Syva Co	Emit-st Serum Calibrator	Vial: 3ml	2/16/81
Syva Co	Emit-st Serum Controls	Vial: 3ml, 2 vials/kit	2/16/81
Syva Co	Emit-st Serum Phencyclidine Assay	Vial: 3ml, 80 vials/kit	2/16/81
Syva Co	Emit-st Urine Calibrator A	Vial: 1ml, 3 vials/kit	10/03/80
Syva Co	Emit-st Urine Cocaine Metabolite Assay	Vial: 3 ml, 80 Vials/Kit	3/16/82
Syva Co	Emit-st Urine Controls A	Vial: 1ml, 6 vials/kit	10/03/80
Syva Co	Emit-st Urine Methadone Assay	Vial: 3ml, 80 vials/kit	3/22/82
Syva Co	Emit-st Urine Methaqualone Assay	Kit: 80 Vials	4/27/82
Syva Co	Emit-st Urine Methaqualone Calibrator	Vial: 3ml	4/27/82
Syva Co	Emit-st Urine Methaqualone Controls	Vial: 3ml	4/27/82
Syva Co	IL test AED Calibrator 1	Vial: 5 ml	4/06/90
Syva Co	IL test AED Calibrator 2	Vial: 5ml	4/06/90
Syva Co	IL test AED Calibrator 3	Vial: 5ml	4/06/90
Syva Co	IL test AED Calibrator 4	Vial: 5ml	4/06/90
Syva Co	IL test AED Calibrator 5	Vial: 5ml	4/06/90
Syva Co	IL test Cannabinoid 100ng 400ng calibrator	Vial: 5ml	4/06/90
Syva Co	IL test set A calibrator	Vial: 5ml	4/06/90
Syva Co	IL test set A control	Vial: 5ml	4/06/90
Syva Co	IL test set B calibrator	Vial: 5ml	4/06/90
Syva Co	IL test set B control	Vial: 5ml	4/06/90
Syva Laboratories	Emit Benzodiazepine Bulk Reagent B	Glass Bottle: 1000ml	12/05/90
Technicon Instruments Corporation	Immuno-1 Setpoint TDM Calibrators Kit No. T03-2864 Component No. T13-2864(02-06).	Glass Bottles: 5ml; Kit: 5 Bottles	1/03/91
Technicon Instruments Corporation	Technicon RA Systems Set Point	Vial: 5ml; Kit: 5 vials	7/20/90
Technicon Instruments Corporation	Technicon Testpoint Ligand Controls Kit No. T03-3229-01 Level I: No. T13-3230 Level II: No. T13-3231, Level III: No. T13-3232.	Glass vial: 5ml; Kit: 6 vials	1/16/91
Tempil Division. Big Three Industries, Inc.	Tempilaq Striped Mylar	Plastic Sheet: 6 by 12 in. 50 sheets per envelope.	9/22/76
The Binding Site, Inc	I.F.E. Buffer	Plastic Bottle: 125ml	12/05/91
The Binding Site, Inc	Immunofixation Kit	Kit: 125ml, Plastic Bottle	12/05/91
The Theta Corp	Allobarbital No.FP305	Vial: 2ml	4/10/73
The Theta Corp	Amobarbital No. FP313	Vial: 2ml	4/10/73
The Theta Corp	Amphetamine No. FP604	Vial: 2ml	4/10/73
The Theta Corp	Anileridine No. FP203	Vial: 2ml	4/10/73
The Theta Corp	Aprobarbital No. FP306	Vial: 2ml	4/10/73
The Theta Corp	Barbital No.FP314	Vial: 2ml	4/10/73
The Theta Corp	Benzoylecgonine FP-1001	Vial: 2 ml	1/24/87
The Theta Corp	Butabarbital No. FP315	Vial: 2ml	4/10/73
The Theta Corp	Butalbital No. FP307	Vial: 2ml	4/10/73
The Theta Corp	Chloral Betaine No. FP502	Vial: 2ml	4/10/73
The Theta Corp	Chloral Hydrate No. FP501	Vial: 2ml	4/10/73
The Theta Corp	Cocaine No. FP601	Vial: 2ml	4/10/73
The Theta Corp	Codeine No. FP102	Vial: 2ml	4/10/73
The Theta Corp	Cyclobarbital No. FP308	Vial: 2ml	4/10/73
The Theta Corp	Dihydrocodeine No. FP108	Vial: 2ml	4/10/73
The Theta Corp	Diphenoxylate No. FP205	Vial: 2ml	4/10/73
The Theta Corp	Ethchlorvynol No. FP508	Vial: 2ml	4/10/73
The Theta Corp	Ethylmorphine No. FP106	Vial: 2ml	4/10/73
The Theta Corp	FP207	Vial: 2ml	9/04/80
The Theta Corp	FP210	Vial: 2ml	5/15/84
The Theta Corp	FP214	Vial: 2ml	4/10/84
The Theta Corp	FP327	Vial: 2ml	4/10/84
The Theta Corp	FP405	Vial: 2ml	3/08/79
The Theta Corp	FP411	Vial: 2ml	5/15/84
The Theta Corp	FP412	Vial: 2ml	5/15/84
The Theta Corp	FP416	Vial: 2ml	5/15/84

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
The Theta Corp	FP512	Vial: 2ml	3/06/79
The Theta Corp	FP513	Vial: 2ml	3/06/79
The Theta Corp	FP514	Vial: 2ml	5/15/84
The Theta Corp	FP515	Vial: 2ml	3/06/79
The Theta Corp	FP556	Vial: 2ml	4/10/84
The Theta Corp	FP601A	Vial: 2ml	5/15/84
The Theta Corp	FP607	Vial: 2ml	5/15/84
The Theta Corp	FP609	Vial: 2ml	5/15/84
The Theta Corp	Fentanyl No. FP211	Vial: 2ml	4/10/73
The Theta Corp	Glutethimide No. FP404	Vial: 2ml	4/10/73
The Theta Corp	Heptabarbital No. FP309	Vial: 2ml	4/10/73
The Theta Corp	Hexabarbital No. FP303	Vial: 2ml	4/10/73
The Theta Corp	Hydrocodone No. FP107	Vial: 2ml	4/10/73
The Theta Corp	Hydromorphone No. FP103	Vial: 2ml	4/10/73
The Theta Corp	Levorphanol No. FP208	Vial: 2ml	4/10/73
The Theta Corp	Marker Mixture No. FPM-104	Vial: 2ml	4/10/73
The Theta Corp	Marker Mixture No. FPM-201	Vial: 2ml	4/10/73
The Theta Corp	Meperidine No.FP201	Vial: 2ml	4/10/73
The Theta Corp	Mephobarbital No. FP301	Vial: 2ml	4/10/73
The Theta Corp	Meprobamate No. FP402	Vial: 2ml	4/10/73
The Theta Corp	Methadone No. FP206	Vial: 2ml	4/10/73
The Theta Corp	Methamphetamine No. FP603	Vial: 2ml	4/10/73
The Theta Corp	Metharbital No. FP302	Vial: 2ml	4/10/73
The Theta Corp	Methohexital No. FP304	Vial: 2ml	4/10/73
The Theta Corp	Methylphenidate No. FP605	Vial: 2ml	4/10/73
The Theta Corp	Monthly Urine Test No. FPM-103	Vial: 2ml	4/10/73
The Theta Corp	Morphine No. FP101	Vial: 2ml	4/10/73
The Theta Corp	Oxycodone No. FP109	Vial: 2ml	4/10/73
The Theta Corp	Oxymorphone No. FP104	Vial: 2ml	4/10/73
The Theta Corp	Paraldehyde No.FP506	Vial: 2ml	4/10/73
The Theta Corp	Pentobarbital No. FP318	Vial: 2ml	4/10/73
The Theta Corp	Phenazocine No. FP213	Vial: 2ml	4/10/73
The Theta Corp	Phenmetrazine No. FP606	Vial: 2ml	4/10/73
The Theta Corp	Phenobarbital No. FP320	Vial: 2ml	4/10/73
The Theta Corp	Piminodine No. FP202	Vial: 2ml	4/10/73
The Theta Corp	Probarbital No. FP319	Vial: 2ml	4/10/73
The Theta Corp	Secobarbital No. FP310	Vial: 2ml	4/10/73
The Theta Corp	Talbutal No. FP311	Vial: 2ml	4/10/73
The Theta Corp	Test Mixture SM No. 1	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SM No. 2	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SM No. 3	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SM No. 4	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SP No. 1	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SP No. 2	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SP No. 3	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture SP No. 4	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture TM No. 1	Vial: 2ml	6/19/74
The Theta Corp	Test Mixture TM No. 2	Vial: 2ml	6/19/74
The Theta Corp	Thiamylal No. FP322	Vial: 2ml	4/10/73
The Theta Corp	Thiopental No. FP321	Vial: 2ml	4/10/73
The Theta Corp	Vinbarbital No. FP312	Vial: 2ml	4/10/73
The Theta Corp	Weekly Urine Test (FDA) No. FPM-101	Vial: 2ml	4/10/73
The Theta Corp	Weekly Urine Test (States) No. FPM-102	Vial: 2ml	4/10/73
Toxi-Lab, Inc	Proficiency Sample	Plastic Bottle Containing 40 ml	6/22/82
Toxi-Lab, Inc	Special Toxi-Discs	Plastic Vial or Bottle Containing 50 Standard Discs.	3/30/77
Toxi-Lab, Inc	Supplemental Standard Toxi-Discs No. SD-4 Catalog No. 234	Plastic Vial Containing 50 Standard Discs	6/15/88
Toxi-Lab, Inc	Supplemental Standard Toxi-Discs No. SD-5 Catalog No. 235	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Supplemental Standard Toxi-Discs No. SD-6 Catalog No. 236	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Control	Plastic Bottle Containing 50 ml	3/30/77
Toxi-Lab, Inc	Toxi-Control THC	Plastic Bottle Containing 50 ml	10/05/83
Toxi-Lab, Inc	Toxi-Disc A Series	Plastic Vial Containing 50 Standard Discs	5/06/75
Toxi-Lab, Inc	Toxi-Disc B Series	Plastic Vial Containing 50 Standard Discs	5/06/75
Toxi-Lab, Inc	Toxi-Discs Library II, No 3 Catalog No. 131C	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 1 Catalog No. 131A	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 10 Catalog No. 131K	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 11 Catalog No. 131L	Plastic visal containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 12 Catalog No. 131M	plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 2 Catalog No. 131B	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 5 Catalog No. 131E	Plastic via containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs Library II, No. 8 Catalog No. 131H	Plastic vial containing 50 standard discs	6/15/88
Toxi-Lab, Inc	Toxi-Discs THC	Plastic Vial Containing 50 Standard Discs	10/05/83
Toxi-Lab, Inc	Toxi-Grams	Glass Jar Containing 50 or 100 Chromatograms.	9/24/80
Toxi-Lab, Inc	Toxi-Lab Cannabinoid (THC) Screen	Kit: 50 tests	10/05/83
Tudor Laboratories, Inc	FPIA Phenobarbital Kit - Cat. No. 105	Kit: 100 tests	11/27/89
Tudor Laboratories, Inc	Phenobarbital Calibrator Kit Cat. No. 205	Kit: 6 vials	11/27/89
Tudor Laboratories, Inc	Phenobarbital Calibrators B,C,D,E,F	Vial: 4.0 ml	11/27/89
Universal Reagents, Inc	Drug Monitoring & Toxicology No. DM 90-5, DM-62	Bottle: 10ml	10/09/90
Utak Laboratories	Toxicology Control-High Range Anticonvulsants No. 71910	Bottle: 10ml	4/14/80

EXEMPT CHEMICAL PREPARATIONS—Continued

Supplier	Product name	Form	Date
Utak Laboratories	Toxicology Control–High Range Barbiturates No. 71916	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–High Range Hypnotic Plus Acetaminophem, No. 71918.	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–High Range Hypnotic Plus Salicylate, No. 71920.	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–Mid Range Anticonvulsants No. 71911	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–Mid Range Barbiturates No. 71917	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–Mid Range Hypnotic Plus Acetaminophem, No. 71919.	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Control–Mid Range Hypnotic Plus Salicylate, No. 71921.	Bottle: 10ml	4/14/80
Utak Laboratories	Toxicology Serum Control Dried #88112	Bottle: 10ml	7/29/82
Utak Laboratories	Toxicology Serum Control Dried #88113	Bottle: 10ml	7/29/82
Utak Laboratories	Toxicology Serum Control Dried #88120	Bottle: 10ml	7/29/82
Utak Laboratories	Toxicology Serum Control–Dried Catalog Nos. 44610, 44612, 44632, 44635, 44636, 44637, 44642, 44645, 44646, 44647, 44658..	In Bottles	5/24/76
Utak Laboratories	Toxicology Urine Control Dried #88100	Bottle: 20ml	7/29/82
Utak Laboratories	Toxicology Urine Control Dried #88121	Bottle: 10ml	7/29/82
Utak Laboratories	Toxicology Urine Control–Dried Catalog Nos. 44650, 44651, 44652, 44653.	Bottle: 1 oz	5/24/76
Ventrex Laboratories, Inc.	PTH Antiserum	Vial: 5ml	4/12/90
Ventrex Laboratories, Inc.	PTH Assay Buffer	Vial: 10ml	4/12/90
Ventrex Laboratories, Inc.	PTH Omega Radioimmunoassay Kit	Kit: 60 tests	4/12/90
Ventrex Laboratories, Inc.	PTH Second Antibody	Vial: 10ml	4/12/90
Ventrex Laboratories, Inc.	PTH Tracer Buffer	Vial: 5 ml	4/12/90
Wien Laboratories, Inc.	3H Dihydrotestosterone Cat. No. D–1916	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	3H Epi–Testosterone Cat. No. T–1028	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	3H Testosterone Cat. No. T–3027	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	ANS Buffer pH 8.6 Catalog No. T–5144	Plastic Bottle: 100ml	5/14/75
Wien Laboratories, Inc.	Buffer Reagent pH 8.6 Catalog No. T–5065	Bottle: 4oz.	12/22/72
Wien Laboratories, Inc.	Coated Charcoal Suspension No. T–5077	Bottle: 4oz.	12/22/72
Wien Laboratories, Inc.	Dihydrotestosterone Standard 1ng/ml Cat. No. D–1928	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	Epi–Testosterone Standard, 10ng/ml Cat. No. T–1016	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	Epi–Testosterone Test Set Cat. No. TS–1010	Kit: 2 Bottles	2/21/91
Wien Laboratories, Inc.	Methamphetamine: HRP EIA Conjugate	Vial: 5ml, 10ml	6/25/90
Wien Laboratories, Inc.	T3 Buffer Reagent Catalog No. T–5156	Plastic Vial: 20ml	9/13/78
Wien Laboratories, Inc.	Testosterone Standard, 10ng/ml Cat. No. T–3039	Vial: 5.5ml	2/21/91
Wien Laboratories, Inc.	Testosterone Test Set Cat. No. TS–333	Kit: 2 Bottles	2/21/91
Windsor Laboratories, Inc.	Calibrators FPR Phenobarbital	Kit: 6 Vials	10/30/86
Windsor Laboratories, Inc.	Phenobarbital Fluorescence Polarization Immunoassay Kit	Kit: 100 tests	11/20/86

[FR Doc. 92–3722 Filed 2–14–92; 8:45 am]
BILLING CODE 4410–09–M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Judge Advocate General of the Navy has determined that USS ASHLAND (LSD 48) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval dock landing ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: January 30, 1992.

FOR FURTHER INFORMATION CONTACT: Captain R.R. Rossi, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332–2400, Telephone number: (703) 325–9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706. This amendment provides notice that the Judge Advocate General of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS ASHLAND (LSD 48) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex 1, section 3(a), pertaining to the placement of the after masthead light and the horizontal distance between the forward and after masthead lights, without interfering with its special functions as a Navy vessel. The Judge Advocate General of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements..

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and vessels.

PART 706—[Amended]

Accordingly, 32 CFR part 706 is amended as follows:

1. The authority citation for 32 CFR part 706 continues to read:

Authority: 33 U.S.C. 1605.

§ 706.2 [AMENDED]

2. Table Five of Section 706.2 is amended by adding the following vessel:

TABLE FIVE

Vessel	Number	Masthead lights not over all other lights and obstructions. Annex I, sec. 2(f)	Forward masthead light not in forward quarter of ship. Annex I, sec. 3(a)	After masthead light less than ½ ship's length aft of forward masthead light. Annex I, sec. (3)(a)	Percentage horizontal separation attained
USS ASHLAND	LSD 48			X	64.1

Dated: January 30, 1992.

J.E. Gordon,

Rear Admiral, JAGC, U.S. Navy, Judge Advocate General.

[FR Doc. 92-3685 Filed 2-14-92; 8:45 am]

BILLING CODE 3810-01-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Judge Advocate General of the Navy has determined Large Harbor Tug YTB 833 to be a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special functions as a naval vessel. The intended effect of this rule is to war mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: January 30, 1992.

FOR FURTHER INFORMATION CONTACT: Captain R.R. ROSSI, JAGC, U.S. Navy, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, telephone number: (703) 325-7944.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706. This amendment provides notice that the Judge Advocate General of the Navy, under authority delegated by the Secretary of the Navy, has certified that Large Harbor Tug YTB 833 is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Rule 21(c), pertaining to the location of the sternlight; rule 24(c), pertaining to the towing lights displayed by power driven vessels when pushing ahead or towing alongside; rule 27(b)(1), pertaining to the lights displayed by vessels restricted in their ability to maneuver; Annex I, Section 2(a)(i), pertaining to the height above the hull of the masthead light; and Annex I, section 3(b), pertaining to the placement of the sidelights, without interfering with its special function as a naval vessel. YTB 833 is a tug of special construction and functions. It performs towing services for naval vessels. The mast of this tug is hinged and is lowered only when actually engaged in towing alongside or pushing ships having radically flared bows or sponsoned sides and sterns. When the mast is in the lowered position, the masthead lights, and task lights mounted on this mast, cannot be displayed. During such operations only the pilot house top-mounted auxiliary masthead light, sidelights, and sternlight will be exhibited. The Judge Advocate General of the Navy has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine Safety, Navigation (Water), and Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR part 706 is amended as follows:

1. The Authority citation for 32 CFR part 706 continues to read.

Authority: 33 U.S.C. 1605.

§ 706.2 [Amended]

2. Table Three of § 706.2 is amended by adding the following vessel:

TABLE THREE

Vessel	Number	Masthead light arc of visibility rule 21(A)	Side lights arc of visibility rule 21(B)	Stern lights arc of visibility rule 21(C)	Side lights distance inboard of ship sides in meters annex I section 3(b)	Stern lights distance forward of stern in meters rule 21(C)	Forward anchor lights height above hull in meters annex I section 2(k)	Anchor lights relationship of aft light to forward light in meters annex I sec. 2(k)
SHABONEE	YTB 833				2.77	13.34		

3. Paragraph 14, Table Four of § 706.2 is amended by adding the following vessel:

Vessel No.	Distance in meters of Aux. masthead light below minimum required height; Annex 1 section 2(a) (i).
YTB 833	3.68

Dated: January 30, 1992.

J.E. Gordon,

Rear Admiral, JAGC, U.S. Navy, Judge Advocate General.

[FR Doc. 92-3703 Filed 2-14-92; 8:45 am]

BILLING CODE 3810-01-M

POSTAL SERVICE

39 CFR Part 111

Implementation of 125-Piece Walk-Sequence Discount for Third-Class Non-Letter Mail

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule revises Domestic Mail Manual (DMM) Chapter 6 to provide for the implementation of a 125-piece walk-sequence discount for third-class non-letter mail.

EFFECTIVE DATE: March 15, 1992.

FOR FURTHER INFORMATION CONTACT: Cheryl Beller, (202) 268-5166.

SUPPLEMENTARY INFORMATION: In a decision adopted January 6, 1992, the Governors of the United States Postal Service approved a Recommended Decision of the Postal Rate Commission recommending the establishment of rate categories and discounts for non-letter third-class mail prepared in walk sequence order and presented in quantities of at least 125 pieces per delivery route. The Board of Governors of the Postal Service ordered that these changes in rates and mail classification become effective at 12:01 a.m. on March 15, 1992. The text and procedural history of these amendments to the Domestic Mail Classification Schedule and accompanying Rate Schedules are published elsewhere in this issue.

This final rule sets forth the regulations to be published in the Domestic Mail Manual (DMM) implementing the 125-piece walk-sequence discount for third-class non-letter mail. The requirements established for this discount are the same as those previously established for the corresponding discount for 125-piece walk-sequenced second-class mail, with some minor adjustments necessitated by the differences between the two classes. The regulations set forth in this final rule will be included in DMM issue 42, effective March 15, 1992.

List of Subjects in 39 CFR Part 111

Postal Service.

PART 111—[AMENDED]

1. The authority citation for 39 CFR 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. Chapter 6 of the Domestic Mail Manual (DMM) is amended by making the following revisions:

CHAPTER 6—THIRD-CLASS MAIL

610 Rates and Fees

611 RATES

* * * * *

611.2 Bulk Rates

* * * * *

Exhibit 611.2a Summary of Third-Class Rates and Discounts. [Exhibit 611.2a is revised by the addition of a new line of text after "Carrier Route," under the heading "Discounts" and the subheading "Presort." This new line consists of the following entries, from left to right, in the seven columns of the Exhibit:]

125pc.W/S——$0.096 $0.096——$0.047 $0.047

* * * * *

611.22 Rate Structure

* * * * *

611.222 Postage Discounts and Reductions. * * *

a. Presort. * * *

* * * * *

(3) Saturation walk-sequencing (see 624.8), for saturation quantities of mail per carrier route prepared in delivery sequence.

(4) 125-piece walk-sequencing (see 624.8), for quantities of at least 125 pieces of other-than-letter category mail per carrier route prepared in delivery sequence.

* * * * *

620 Classification

* * * * *

624 CONDITIONS FOR SPECIFIC BULK RATE PREPARATION LEVELS

* * * * *

624.8 Walk-Sequence Discounts

624.81 General Eligibility Requirements

624.811 Eligibility

[The first sentence of current 624.811. is replaced with the following:] The saturation walk-sequence discount (available for both letter and other-than-letter category mail) and the 125-piece walk-sequence discount (available only for other-than-letter category mail) are available to mail sorted to carrier routes (see 641.4), arranged within each route in delivery sequence, and prepared to meet the specific requirements of 624.82 through 624.88 that apply to the particular discount claimed.

* * * * *

624.83 Addressing

624.831 Saturation Walk-Sequence Discount

Pieces for which the saturation walk-sequence discount is claimed must be addressed as follows:

[Text of existing 624.83a-c.]

624.832 125-Piece Walk-Sequence Discount

Each piece for which the 125-piece walk-sequence discount is claimed must bear either a complete delivery address or an alternative form of address as provided by 122.42 or 122.43.

624.84 Density

* * * * *

624.843 Per Carrier Route—125-Piece Walk-Sequence Discount

At least 125-piece walk-sequenced addressed pieces must be prepared for each carrier route receiving mail for which the 125-piece walk-sequence discount is claimed. Mail for carrier routes have 124 or fewer possible deliveries may qualify for the 125-piece walk-sequence discount if a piece is addressed to every possible delivery on the corresponding route, or for the saturation walk-sequence discount if the requirement in 624.844 are met. The term "carrier route" is explained in 624.811.

624.844 Per Carrier Route—Saturation Walk-Sequence Discount

a. Except as provided in 624.844b, pieces for which the saturation walk-sequence discount is claimed must be addressed to either 90% or more of the active residential addresses or 75% or more of the total number of active possible delivery addresses, whichever is less, on each carrier route receiving saturation walk-sequence discount mail. The term "carrier route" is explained in 624.811.

b. [Text of existing 624.843b]

624.845 Multiple Copies or Pieces per Address

[Replace "624.843" with "either 624.843 or 624.844, as applicable."]

624.846 Pieces Per Sack

Sacks containing fewer than 125 pieces and less than 15 pounds of pieces may be prepared to a carrier route when a walk-sequence discount is claimed for contents and the applicable density requirements of 624.843 or 824.844 are met.

* * * * *

624.88 Documentation

624.881 General

Mailers who prepare mailings for which a walk-sequence discount is claimed must provide documentation in accordance with 624.882 through 624.885 to substantiate compliance with the applicable eligibility requirements for the walk-sequence discount. The required documentation required by 624.882 through 624.884 must be submitted with each mailing at the time of mailing.

[Existing 624.882–624.884 is renumbered as 624.883–624.885, and revised to read as follows:]

624.882 Density—125-Piece Walk-Sequence Discount

For each carrier route receiving pieces for which the 125-piece walk-sequence discount is claimed, the mailer must provide documentation to indicate the total number of delivery stops to which mailpieces in the mailing are addressed.

624.883 Density Requirement—Saturation Walk-Sequence Discount

a. Mailers must be able to document compliance with 624.844 for each carrier route receiving mail for which the saturation walk-sequence discount is claimed. (The term "carrier route" is explained in 624.811.) This documentation must show either the total number of active possible residential deliveries and the number and percentage to which mailpieces in the mailing are addressed, or the total number of active possible deliveries and the number and percentage to which mailpieces in the mailing are addressed, depending on whether qualification is based on the 90% or 75% criterion, respectively. The documentation must be listed by 5-digit ZIP Code and, within each, by carrier route (see Exhibit 624.883).

b. [Text of exiting 624.882b.]

[Exhibit 624.882 is redesignated as Exhibit 624.883.]

624.884 Combination Rate Mailings

a. Both Walk-Sequence Discounts. If a mailing contains pieces for which the 125-piece walk-sequence discount is claimed and other pieces for which the saturation walk-sequence discount is claimed, the documentation required by 624.882 and 624.883 can be combined. Entries for pieces for which the 125-piece walk-sequence discount is claimed must be annoted on the documentation. For the entire mailing, a summary of the total number of pieces for which each walk-sequence discount is claimed must be provided.

b. Carrier Route Presort Rate. [The first sentence of current 624.883 is replaced with the following:] If a mailing contains pieces for which a walk-sequence discount is claimed and other pieces for which the carrier route presort rate is claimed, in addition to the documentation required for the walk-sequence discount mail (by 624.882, 624.883, and 624.884a, if applicable), the documentation for the carrier route presort rate mail must show the total number of addressed pieces for each carrier route that qualifies for the carrier route presort rate and the number qualifying for the walk-sequence discount. (The term "carrier route" is explained in 624.811.)

624.885 Documentation of Accurate Sequencing or Delivery Statistics

[Text of existing 624.884.]

Stanley F. Mires,

Assistant General Counsel, Legislative Division.

[FR Doc. 92–3754 Filed 2–14–92; 8:45 am]

BILLING CODE 7710–12–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 4103–4]

40 CFR Parts 264 and 265

Wood Preserving; Standards and Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

AGENCY: Environmental Protection Agency.

ACTION: Administrative stay.

SUMMARY: The Environmental Protection Agency is today announcing an administrative stay of the requirements for drip pad coatings, sealers, or covers for existing drip pads at wood preserving plants. The effect of the stay is to extend the effective date of coating, sealer, or cover requirements for existing drip pads until October 30, 1992.

EFFECTIVE DATE: February 6, 1992.

ADDRESSES: The official record for this administrative stay is identified as Docket Number F–92–DPAS–FFFFF and is located in the EPA RCRA Docket, room M2427, 401 M Street, SW., Washington, DC 20460. The public must make an appointment in order to review docket materials by calling (202) 260–9327. The docket is available for inspection from 9 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays. The public may copy material from any regulatory docket at a cost of $0.15 per page.

FOR FURTHER INFORMATION CONTACT: For general information contact the RCRA Hotline, toll free at (800) 424–9346, or at (202) 382–3000. For technical information concerning this notice, contact David J. Carver, Office of Solid Waste (OS–333), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 260–6775.

SUPPLEMENTARY INFORMATION: The contents of today's notice are listed in the following outline:

I. Background
II. Appropriate Effective Date For Drip Pad Surface Standards
III. Agency Action
IV. Effects On State Authorization
V. Paperwork Reduction Act

I. Background

On December 6, 1990, EPA promulgated regulations listing as hazardous various wastes generated from wood preserving processes that use chlorophenolic, creosote, and/or inorganic (arsenical and chromium) preservatives (55 FR 50450 (Dec. 6, 1990), adding hazardous wastes F032, F034, and F035 to the lists of hazardous wastes in 40 CFR 261.31).

In addition, and of particular relevance for the present notice, the Agency promulgated standards for drip pads, a new type of waste management unit (55 FR 50484–89, adding a new subpart W to parts 264 and 265 of the regulations). Drip pads receive drippage from treated wood immediately after the wood is removed from the treatment vessel. The standards vary somewhat for new and existing drip pads.

Because the December 6, 1990 rule was promulgated partially pursuant to the Hazardous and Solid Waste Amendments of 1984 (HSWA) and partially pursuant to preexisting authorities, the requirements take effect at different times in different states. As a HSWA rule, the F032 listing of various residues from wood preserving processes using, or that previously used, chlorophenolic formulations took effect on June 6, 1991 in authorized and unauthorized States (55 FR 59469–70 and RCRA section 3001 (e)). Drip pads used in connection with F032 wastes were likewise subject to the subpart W standards on June 6, 1991 in all States

(*Id.* at 50470). The F034 and F035 listings and related management standards do not take effect immediately in authorized states since they were not adopted pursuant to HSWA (*Id.*).

On June 13, 1991, the Agency published a conditional administrative stay of the F032, F034, and F035 listings in the **Federal Register** (see 56 FR at 27332). Elements of the final rule which are subject to that stay are the following:

- Effective Date of June 6, 1991 in the rule;
- F032, F034, and F035 listing in the process area until a new effective date is established;
- Requirement for impermeably sealed or coated surfaces for new drip pads until further administrative action is taken;
- Applicability of F032 to previous users of pentachlorophenol provided that they are regulated as F034 or F035 until further administrative action is taken;
- Applicability of F032, F034, and F035 wastewaters that do not contact listed process wastes until further administrative action is taken.

With regard to the June 13, 1991 stay, the **Federal Register** (56 FR 27333) stated that a facility must adhere to the following conditions in order to comply with the stay:

(1) By August 6, 1991, a facility must notify proper authorities of its intent to either install or upgrade a drip pad, or cease operations by August 6, 1991. If a facility intends to cease operations, then it is required to do so by August 7, 1991.

(2) By November 6, 1991, a facility must provide evidence of *bona fide* efforts to comply with its earlier stated intent;

(3) Complete any upgrades to existing pads by February 6, 1992; and

(4) Complete installation of new pads by May 6, 1992.

Subsequently, the Agency published a notice in the **Federal Register** on December 5, 1991, that proposed to modify, among other items, the standards for existing drip pad coatings, sealers, or covers (see 56 FR at 63851).

II. Appropriate Effective Date for Drip Pad Surface Standards

The only issue addressed in the present notice concerns the appropriate effective date for drip pad coating, sealer, or cover standards for existing drip pads. Because the Agency does not anticipate promulgating final modified standards for existing drip pad coatings, sealer, or covers before the February 6, 1992 deadline for compliance with the existing drip pad standards, the Agency believes that it is not practicable to maintain the previous requirement that existing drip pads have impermeable surfaces.

The Agency recognized in the December 5, 1991, proposed rulemaking that the requirements for "impermeable" surfaces for drip pads were impracticable and proposed at that time to modify those standards (see 56 at 63851). The February 6, 1992, deadline for compliance with existing drip pad standards would, therefore, require compliance with impracticable surface coating, sealer, or cover standards prior to final Agency action on the December 5, 1991 proposed rule.

III. Agency Action

A. EPA has determined to issue an administrative stay of the "impermeability" requirement for drip pad surfaces (§ 264.573(a)(4) and § 265.443(a)(4)) until October 30, 1992. The requirements that drip pads be installed and their surfaces be maintained crack-free are not changed by this stay. Thus, substantial containment of drippage from treated wood will continue.

B. EPA is issuing this administrative stay pursuant to 5 U.S.C. 705 which provides that an agency may postpone the effective date of action taken by it when justice so requires, pending judicial review.[1] Today's action is particularly appropriate in light of the proposed amendments to these specific drip pad standards in the pending December 5, 1991 proposed rule. The Agency consequently finds that issuing this stay is in the interests of justice.[2]

IV. Effects on State Authorization

The effects of this administrative stay depend largely on whether the facility is managing a wood preserving waste identified by a HSWA-based listing (i.e., the F032 wastes), as opposed to the newly listed wastes (F034 and F035) for which the listing determinations were based on pre-HSWA authority.

As explained earlier, EPA considers that both the F032 listing and the new subpart W drip pad standards (when applied to the management of F032 wastes) are based on HSWA authority. As EPA explained in the December 6, 1990 notice (see 55 FR 50469), the HSWA-based F032 listing and related subpart W facility standards take effect simultaneously in all States, regardless of their authorization status. With respect to these HSWA-based requirements, the effect of this administrative stay is to defer in all States EPA's implementation and enforcement of the impermeability requirement for existing drip pads beyond October 30, 1992. However, the listings and other subpart W requirements will be in effect for existing pads on February 6, 1992 and new drip pad requirements will be in effect on May 6, 1992. According to the schedule for state program revisions contained in 40 CFR 271.21(e), the December 6, 1990 Wood Preserving Rule is subject to a July 1, 1992 deadline (July 1, 1993 if a statutory change is required) for States to modify their hazardous waste programs and thereafter seek approval from EPA for the program revision. Since this administrative stay would not extend any effective date beyond October 30, 1992, EPA considers it unlikely that any State will have received approval from EPA to implement the December 6, 1990 regulation under RCRA authority with earlier or more stringent effective dates than those set out in this stay or in previous actions. Nevertheless, States may modify their hazardous waste programs to adopt the Wood Preserving Rule in the interim. While EPA encourages States to follow the deferred effective date announced in this stay, states may elect to implement the Rule with effective dates earlier than that imposed under this stay, as a matter of State law.

In the case of facilities managing F034 and F035 wastes, the effect of the stay depends on whether the facility is located in an authorized or unauthorized State. The F034 and F035 listing determinations were promulgated pursuant to pre-HSWA authority, and EPA considers the subpart W drip pad standards that govern the management of F034 and F035 wood preserving wastes to also be based on pre-HSWA authority. According to the December 6, 1990 Rule notice, these waste listings and facility standards would have been effective on June 6, 1991 only in those states that are not authorized for any part of RCRA. EPA implements the RCRA program in unauthorized States, and the effect of this stay will be to defer EPA's implementation and enforcement of the impermeability requirement for existing drip pads at facilities managing F034 or F035 wastes until October 30, 1992.

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[1] The American Wood Preservers Institute (AWPI) has filed a petition for review of the December 6 rule.

[2] Although the Agency does not regard today's action as a rule, were it to be viewed as a rule the Agency believes that there is good cause for issuing it without prior notice and opportunity for comment and for making it immediately effective. This is borne out by the pending compliance date, the pending proposal to amend the impermeability requirement for existing drip pads, and the infeasibility of compliance for a substantial number of facilities.

In authorized States, the pre-HSWA basis for the F034 and F035 listings (and related subpart W drip ad standards) means that these requirements cannot be implemented as RCRA requirements until the State has adopted the necessary program modifications and obtained approval for the necessary program modifications and obtained approval for the revisions from EPA. The modification schedule in 40 CFR 271.20(e) requires that States modify their programs by July 1, 1992 (July 1, 1993 if a statutory change is required) to adopt this regulation and thereafter seek approval of the revisions from EPA. Since the stay does not extend any effective date beyond October 30, 1992, it is unlikely that States will become authorized for the F034 and F035 listings and facility standards before the deferred effective date in this stay have passed. However, facilities in both authorized states and unauthorized states should understand that states may adopt and implement wood preserving regulations as a matter of state law, prior to obtaining EPA approval. While EPA strongly encourages States to follow the deferred effective dates announced in this stay, States may elect to adopt wood preserving waste regulations with more stringent (e.g., earlier) effective dates than those announced in this administrative stay.

V. Paperwork Reduction Act

There are no information collection requirements associated with this action.

List of Subjects in 40 CFR parts 264 and 265

Hazardous waste, Packaging and Containers, and Reporting and recordkeeping requirements.

Dated: February 6, 1992.

Henry F. Habicht II,

Acting Administrator.

For the reasons set out in the preamble title 40 of the Code of Federal Regulations is amended as follows:

PART 264—STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

1. The authority citation for part 264 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6924, and 6925.

2. Section 264.573 is amended by revising paragraph (a)(4) to read as follows:

§ 264.573 Design and operating requirements.

(a) * * *

(4) Be impermeable, e.g., concrete pads must be sealed, coated, or covered with an impermeable material such that the entire surface where drippage occurs or may run across is capable of containing such drippage and mixtures of drippage and precipitation, materials, or other wastes while being routed to an associated collection system.

Note: The requirement that existing drip pads be impermeable, e.g., that drip pads be sealed, coated, or covered, with an impermeable material is administratively stayed. The stay will remain in effect until October 30, 1992.

* * * * *

PART 265—INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

3. The authority citation for part 265 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6924, 6925 and 6935.

4. Section 265.443 is amended by revising paragraph (a)(4) to read as follows:

§ 265.443 Design and operating requirements.

(a) * * *

(4) Be impermeable, e.g., concrete pads must be sealed, coated, or covered with an impermeable material such that the entire surface where drippage occurs or may run across is capable of containing such drippage and mixtures of drippage and precipitation, materials, or other wastes while being routed to an associated collection system.

Note: The requirement that existing drip pads be impermeable, e.g., that drip pads be sealed, coated, or covered with an impermeable material is administratively stayed. The stay will remain in effect until October 30, 1992.

Note: The requirement that new drip pads be impermeable, e.g., that new drip pads be sealed, coated, or covered with an impermeable material is administratively stayed. The stay will remain in effect until further administrative action is taken.

* * * * *

[FR Doc. 92-3504 Filed 2-14-92; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 91-128; RM-7694]

Radio Broadcasting Services; Holbrook, AZ

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 221C1 for Channel 221A at Holbrook, Arizona, and modifies the permit for Station KZUA(FM) to specify operation on the higher powered channel, as requested by Navajo Broadcasting Company, Incorporated. See 56 FR 21465, May 9, 1991. Coordinates for Channel 221C1 at Holbrook are 34-54-12 and 110-09-48. With this action, the proceeding is terminated.

EFFECTIVE DATE: March 27, 1992.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 91-128, adopted February 3, 1992, and released February 11, 1992. 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 under Arizona, is amended by removing Channel 221A and adding Channel 221C1 at Holbrook.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92-3747 Filed 2-14-92; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 89-402; RM-6903, RM-7012]

Radio Broadcasting Services; Virginia City, NE, and South Lake Tahoe, Sutter Creek and Quincy, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Emerald Broadcasting Company, substitutes Channel 275C for Channel 275C2 at South Lake Tahoe, California, modifies the license of Station KZFF (formerly KTHO-FM) to specify the higher class channel, substitutes Channel 240A for Channel 276A at Quincy, California, and modifies Station KNLF's construction permit to specify the alternate Class A channel (RM-7012). See 54 FR 39210, September 25, 1989. Channel 275C can be allotted to South Lake Tahoe in compliance with the Commission's minimum distance separation requirements with a site restriction of 24.9 kilometers (15.5 miles) north to accommodate Emerald's desired transmitter site, at coordinates 39-09-15 and 119-52-55. Channel 240A can be allotted to Quincy at the coordinates specified in Station KNLF's outstanding construction permit, which are 39-58-03 and 120-53-34. The request of Denise Neubauer to allot Channel 273C3 to Virginia City, Nevada, is denied because the allotment could not provide the community with the required 70 dBu city-grade signal (RM-6903). With this action, this proceeding is terminated.

EFFECTIVE DATE: March 27, 1992.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 89-402, adopted January 27, 1992, and released February 11, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, 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 under California, is amended by removing Channel 276A and adding Channel 240A at Quincy, and removing Channel 275C2 and adding Channel 275C at South Lake Tahoe.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92-3748 Filed 2-14-92; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 91-132; RM-7692 and RM-7764]

Radio Broadcasting Services; Birnamwood and Neenah-Menasha, WI

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 232C3 for Channel 232A at Neenah-Menasha, Wisconsin, and modifies the license for Station WROE to specify operation on the higher class channel in response to a petition filed by Fox Valley Broadcasting, Inc. See 56 FR 21651, May 10, 1991. The coordinates for Channel 232C3 are 44-19-00 and 88-33-00. In response to a counterproposal filed by Birnamwood Broadcasting Company, we shall allot Channel 225A to Birnamwood, Wisconsin, as that community's first local service. Channel 225A is site restricted 7.6 kilometers (4.7 miles) northwest of Birnamwood at coordinates 44-59-11 and 89-15-30. With this action, this proceeding is terminated.

EFFECTIVE DATE: March 27, 1992. The window period for filing applications for Channel 225A, Birnamwood, Wisconsin, will open on March 30, 1992, and close on April 29, 1992.

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

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 91-132, adopted February 3, 1992, and released February 11, 1992. 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, 1714 21st Street, NW., Washington, DC 20036, (202) 452-1422.

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 under Wisconsin, is amended by removing Channel 232A and adding Channel 232C3 at Neenah-Menasha, and by adding Channel 225A, Birnamwood.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92-3749 Filed 2-14-92; 8:45 am]

BILLING CODE 6712-01-M

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 515 and 538

[Acquisition Circular AC-92-1]

General Services Administration Acquisition Regulation; Pilot Test Under Multiple Award Schedule Program

AGENCY: Office of Acquisition Policy, General Services Administration (GSA).

ACTION: Temporary rule.

SUMMARY: The General Services Administration Acquisiton Regulation (GSAR) is temporarily amended to provide for a test of a revised Discount Schedule and Marketing Data (DSMD) format and restated price negotiation objectives in up to five solicitations under the Multiple Award Schedule (MAS) Program. For purposes of evaluating the revised documents, the GSAR provides for the use of questionnaires, to be completed by offerors under the test.

DATES: Effective Date: February 18, 1992; Expiration Date: February 17, 1993.

FOR FURTHER INFORMATION CONTACT: Les Davison, Office of GSA Acquisiton Policy, (202) 501-4768.

SUPPLEMENTARY INFORMATION:

A. Public Comments

A notice of proposed rulemaking was pubished in the **Federal Register** on November 7, 1991 (56 FR 56956). Public comments were received from 12 entities, including industry associations and MAS contractors. Comments received were fully considered and, where appropriate, incorporated in this temporary rule. The following significant changes were made in response to comments received on the proposed rule:

1. The statement of negotiation objectives was restated to make it clear that while the Government will negotiate for an offeror's best discounts, it recognizes that there are circumstances, such as, where the contractual relationships are not comparable, when the best discounts may not be achieved.

2. Firms which do not offer the Government their best discount will not be required to disclose all discounts which are better than those offered to the Government. Rather, such offerors must identify all customers or categories of customers that receives discounts equal to or greater than the discount offered to the Government. Offerors must disclose the best discount given to each customer or category of customer identifed.

3. For purposes of disclosing sales information, the term "published discount" has been expanded to include "established discounts".

4. To improve the validity of the test results, offerors will be asked to complete questionnaires evaluating the DSMD twice; once when they submit their initial offer and again after final disposition of the offer.

B. Executive Order 12291

The Director, Office of Management and Budget (OMB), by memorandum dated December 14, 1984, exempted certain agency procurement regulations from Executive Order 12291. The exemption applies to this final rule.

C. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the GSA certifies that the rule will not have a significant impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis has not been prepared. GSA did not receive any comments from small entities in response to the notice of proposed rulemaking.

D. Paperwork Reduction Act

The DSMD and offeror questionnaires are information collections which have been approved by OMB under section 3504(h) of the Paperwork Reduction Act and have been assigned OMB Control Number 3090–0253. The title of the information collection is "Pilot test of revised DSMD format used in MAS program." The DSMD require disclosure of certain sales information on a sampling of items which have an established catalog price, and pricing information on all items offered to the Government in response to an MAS soliciation. Information required to be submitted on the DSMD includes sales to Government and non-Government customers; the highest discounts for various commercial customers or categories of customers; and information on an offeror's marketing practices. Under the MAS program, offerors responding to a MAS solicitation are requested to provide DSMD in a specific format. The DSMD is used to determine whether to grant an exemption from cost or pricing data based on catalog price, to establish the Government's negotiation objectives, and to determine price reasonableness.

GSA will conduct a limited test usage of the revised DSMD. The test should uncover unforeseen problems arising from use of the revised DSMD, evaluate whether offers received are accurate and complete and whether offerors' data disclosure requirements are actually lessened. The test will involve no more than five MAS solicitations, which are not expected to produce more than 300 offers. In addition to incorporating the revised DSMD into the solicitations, the test will include questionnaires to be completed by offerors. The responses to the questionnaires will be used to evaluate the impact and efficacy of the revised DSMD. The estimated annual burden for the DSMD is 3,900 hours. This is based on an estimated average burden per response of 13 hours, a frequency of one response per respondent, and an estimated number of likely respondents of 300. The estimated annual burden for the questionnaire is 600 hours. This is based on an estimated average burden per response of 1 hour, a frequency of two responses per respondent, and an estimated number of likely respndents of 300.

Any comments concerning the accuracy of this burden may be directed to the Director, Office of GSA Acquisition Policy (VP), 18th & F Streets, NW., room 4026, Washington, DC and to the Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for GSA, Washington, DC 20503.

List of Subjects in 48 CFR Parts 515 and 538

Government procurement.

PARTS 515 AND 538—[AMENDED]

Accordingly, 48 CFR parts 515 and 538 are amended as follows:

1. The authority citation for 48 CFR parts 515 and 538 continues to read as follows:

Authority: 40 U.S.C. 486(c).

2. 48 CFR parts 515 and 538 are amended by the following Acquisition Circular:

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

General Services Administration Acquisition Regulation Acquisition Circular (AC–92–1)

To: All GSA contracting activities.
Subject: Pilot test of revised Discount Schedule and Marketing Data (DSMD) format used in Multiple Award Schedule (MAS) Program

1. *Purpose.* This Acquisition Circular temporarily amends the General Services Administration Acquisition Regulation (GSAR) chapter 5 (APD 2800.12A) to pilot test a revised Discount Schedule and Marketing Data (DSMD) format in a maximum of five solicitations under the Multiple Award Schedule Program. This Circular also provides for a questionnaire to be completed by offerors which participate in the test. GSA will use the questionnaire responses in evaluating the results of the pilot test.

2. *Background.* a. Under the MAS program, GSA collects discount, pricing and sales information from offerors as currently prescribed in the Multiple Award Schedule Policy Statement of October 1, 1982 (47 FR 50242, November 5, 1982). The policy statement requires an offeror, when responding to a MAS solicitation, to provide the information in a specific format known as DSMD. The DSMD is used by the contracting officer to determine whether to grant an exemption from cost or pricing data based on catalog price, to establish the Government's negotiation objectives, and to determine price reasonableness.

b. As a part of the MAS Improvement Project, GSA drafted a restatement of MAS price negotiation objectives and revised the DSMD. These documents will be tested in several MAS solicitations. The following portions of the 1982 MAS policy statement will *not* apply to the test solicitations:

(1) Section II, Policy Statement on Multiple Award Schedule.

(2) Paragraph D, Section IV, MAS Pricing Guide.

(3) Discount Schedule and Marketing Data Sheets.

Those portions of the 1982 MAS Policy Statement not cited above remain in effect for test solicitations.

c. The following policies apply to test solicitations:

(1) The Government will seek to obtain an offeror's best discounts recognizing, however, that there are circumstances, such as where the contractual relationships are not comparable, when the best discount may not be achieved.

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(2) The contracting officer is solely responsible for establishing negotiation objectives.

(3) The contracting officer will establish negotiation objectives based on a review of all relevant data, including information provided by the offeror and other information reasonably available to the Government.

(4) The contracting officer will consider the terms and conditions of the offeror's written and oral agreements with customers, other than the Federal Government, in establishing negotiation objectives.

(5) The contracting officer will not award a contract for a discount which is less than the best discount the offeror extends to any non-Federal customer purchasing under circumstances comparable to the Government, unless he/she makes a written determination that (a) the prices offered to the Government are fair and reasonable, even though comparable discounts were not negotiated, and (b) award of a contract is otherwise in the best interest of the Government.

(6) To determine whether a customer's procurement circumstances are comparable to those of the Government, the contracting officer will consider the terms and conditions of the offeror's written and/or oral agreements with customers, other than GSA, which agreements are for the delivery, over a period of time, of items whose estimated quantity/value approximates that of the potential contract under the GSA solicitation. In analyzing the agreements, the contracting officer will consider whether any ancillary services (e.g. training, maintenance, etc.) which the offeror must perform for the non-GSA customer are similar to those it must perform under the MAS contract, and whether the terms and conditions of the non-GSA customer agreement are significantly different from those of the MAS contract.

(7) Unless the requirement is waived, or unless an individual or class exemption is authorized, the contracting officer will request cost or pricing data, in accordance with FAR Subpart 15.8 and the terms of the solicitation, from offerors which do not qualify for the statutory exemption from submission of cost or pricing data. The contracting officer will evaluate all cost and/or pricing data received and negotiate a fair and reasonable price based on that evaluation and her/his price analysis.

(8) Before awarding any MAS contract, the contracting officer will determine that prices are fair and reasonable in accordance with FAR Subparts 15.8 and 15.9.

d. GSA revised the DSMD to ensure that MAS offers received contain accurate and complete information and that offerors submit the minimum amount of data necessary for contracting officers to fully evaluate MAS offers. GSA focused on clarifying and simplifying the data submission requirements, and decreasing the amount of data required from offerors. The MAS Program Coordinator will designate the solicitations to be used in the test. GSA will use the results of the pilot test to decide whether to adopt the revised DSMD for systemwide use in the MAS program.

3. *Effective date.* February 18, 1992.

4. *Expiration date.* February 17, 1993.

5. *Reference to regulation.* 48 CFR chapter 5.

6. *Explanation of changes.*

a. Section 515.804–3 is amended to add paragraph (c) to read as follows:

515.804–3 Exemption from or waiver of submission of certified cost or pricing data.

* * * * *

(c) The Discount Schedule and Marketing Data (DSMD) format at GSAR 515.804–70 shall be used in lieu of the Standard Form 1412, Claim for Exemption from Submission of Certified Cost or Pricing Data, in Multiple Award Schedule solicitations identified by the GSA MAS Program Coordinator for inclusion in the pilot test of the revised DSMD. Each solicitation will require that DSMD's be completed for each special item number in the solicitation and be submitted as a part of the offeror's proposal.

b. Section 515.804–70 is added to read as follows:

515.804–70 Format for Discount Schedule and Marketing Data (DSMD).

(a) As prescribed in GSAR 515.804–3(c), the contracting officer shall insert the following format for collecting the Discount Schedule and Marketing Data and the Guide for Submission of Discount Schedule and Marketing Data at Table 515–70 below, in MAS solicitations identified by the GSA MAS Program Coordinator for inclusion in the pilot test of the revised DSMD format:

Discount Schedule and Marketing Data Format

Instructions necessary to complete the Discount Schedule and Marketing Data format are contained in Table 515–70 Guide For Submission of Discount Schedule and Marketing Data (DSMD) of the General Services Administration Acquisition Regulation (GSAR). The Guide is included in this solicitation for your convenience.

The Government will treat all information which the offeror submits on the DSMD as proprietary.

The Government may reject your offer if you fail to disclose accurate, complete and current data in the DSMD. If the Government discovers subsequent to contract award that information in the DSMD was not accurate, complete or current, the Government may seek refunds and other relief pursuant to the defective pricing provisions of the contract.

Contents

Part A. Offer to the Government

Part A. Sections I and II, ask for specific information about the terms of your offer to the Government.

Part B. Discount and Marketing Practices

Part B. Sections I and II, ask for information about the offeror's discount and marketing practices to all customers (other than Federal agencies) acquiring the same products or services offered under this solicitation.

Part C. Sales Information

Part C, Sections I through III, ask for information about the offeror's sales volume to Government and non-Government customers, respectively.

Part D. Certification

Part D requires the offeror to certify to the accuracy, currency and completeness of information submitted in Parts A–C.

Name of Offeror _____

SIN _____

Part A—Offer to the Government

(See Guide for Submission of DSMD, Section III)

Section I

1. Is the Government offered concessions in this offer which are not granted to other customers? Yes_____ No_____ (If "Yes", provide details below.)

a. Extended warranty? Yes_____ No_____ (See GSAR clause 552.246–17). Attach a copy of your standard commercial warranty or specify where it is found in your catalog or price list included with this offer.

b. Return/Exchange goods policy? Yes_____ No_____

c. Enhanced or additional services? Yes_____ No_____

d. Any other concession? Yes_____ No_____

Provide details about concessions offered above.

_____

_____

_____

2. Respond if the offeror is a dealer or distributor. Will the offeror, if awarded a contract pursuant to this solicitation:

a. Operate a Warehouse in which items covered by this solicitation are stocked? Yes_____ No_____

b. Process purchase orders? Yes_____ No_____

c. Provide training? Yes_____ No_____

d. Provide Installation? Yes_____ No_____

3. Respond if the offeror will use participating dealers to perform any aspect of a contract awarded pursuant to this solicitation. Will the participating dealers perform any function listed below?

a. Operate a warehouse in which terms covered by the contract are stocked? Yes_____ No_____

b. Process Purchase Orders? Yes _____ No _____

c. Provide Training? Yes_____ No_____

d. Provide Installation?Yes_____ No_____

e. Other? (Please specify) Yes _____ No _____.

_____

_____

_____

4. Do you offer any items identical to those contained in this offer to GSA under any other schedule contract? Yes _____ No _____. (If "Yes" identify the item, contract, and schedule if applicable.)

_____

_____

_____ _____

5. What are the total estimated sales under a GSA contract under this schedule (if one is awarded) for all models/types or catalog numbers offered under this SIN?
$_____

Section II

(All discounts which you offer the Government must be based on delivery FOB [contracting officer fill in blank.].

1. Identify the price list from which discounts are offered. Specify the type or title and date of the price list; attach a copy of the price list.

2. What is (are) the discount(s) offered to the government under this solicitation?

3. Are any of the following other discounts offered? Yes _____ No _____. If "yes", enter the amount in the appropriate blanks. These discounts will be taken by the Government, in addition to the discounts offered in response to Question 2.

a. Prompt Payment Discount? (See GSAR Provision 552.232–8 and FAR clause 52.232–25)

b. Quantity/dollar volume discounts?

(i) Can models/products be combined within this SIN in order to earn these discounts? Yes _____ No _____. If "yes", provide details:

(ii) Can SIN's be combined in order to earn the quantity discounts? Yes _____ No _____. If "Yes", provide details.

c. Blanket purchase agreements discounts?

d. Purchase option credits?

e. Other discounts?

Part B—Discount and Marketing Practices

Part B seeks information about the offeror's discount and marketing practices to customers (other than Federal agencies) acquiring the same items offered under this solicitation. All offerors must complete Sections I and II.

Section I

1. Are the discounts which you offer the Government equal to or better than your best discount to any customer, regardless of quantity? Yes _____ No _____.

a. If "Yes," provide information on your best discount and the customer receiving that discount in the chart below. (Disregard question 2, below.)

b. If "No." continue on to question 2, below.

2. Complete the chart below for all customers or categories of customers (1) to which you sell at a discount which equals or exceeds the discounts offered to the Government or (2) with which you have an agreement to sell at a discount which equals or exceeds the discounts offered to the Government.

a. Column 1—Identify the applicable customer or category of customer. (Use a separate line for each customer or category of customer.)

b. Column 2—Indicate the best discount at which you sell, regardless of quantity, to the customer or category of customer identified in Column 1.

c. Column 3—Insert the quantity or sales volume which the identified customer must purchase/order to earn the discount.

d. Column 4—Indicate the FOB delivery term for each identified customer. (See FAR Subpart 47.3 for an explanation of FOB delivery terms.)

3. Discount chart (See Guide for Submission of DSMD, section IV)

Column 1 customer	Column 2 discount	Column 3 quantity/volume	Column 4 FOB term

4. Identify the price lists which are the basis for the discounts given to the customers identified in the chart above. Specify the type or title and date of each price list.

5. If the discounts extended to the Government in this offer are less than the discounts shown above, explain the reasons for any differences.

Note: The contracting officer may require submission of copies of some or all of the contracts/agreements with the customers identified above.

Section II—Additional Discounts and Concessions

1. Do you offer any customer identified in part B, section I, a discount which would further reduce their price, and which has not previously been disclosed? Yes _____ No _____. If "Yes," in the space below, disclose the circumstances under which these discounts are given and the range of discounts given. (See Guide for Submission of DSMD, IV, 5.)

2. Do you grant any customer identified in part B, section I, any concessions which are not herein offered to the government? Yes _____ No _____. (If "Yes," indicate the type of concessions below and provide details.)

a. Extended warranty? Yes _____ No _____.

b. Return/Exchange goods policy? Yes _____ No _____.

c. Bonus Goods? Yes _____ No _____.

d. Free or additional training, installation, or other services? Yes _____ No _____.

e. Any other concessions? Yes _____ No _____.

Part C—Sales Information

(See Guide for Submission of DSMD, Section V)

The contracting officer will use the information in this part C to determine whether the items offered qualify for an exemption from the requirement to submit cost or pricing data. Items which have an "established catalog price," as defined by FAR 15.804–3 (c) and (f), will be exempted from the requirement to submit cost or pricing data. Items which meet the FAR definition are regarded as commercial items.

Sales information below is given for the period _____ through _____, inclusive (insert dates).

Sales Information (Total SIN)

1. Total sales to the U.S. Government for all models/types or catalog numbers offered under this SIN were $_____.
2. Total sales to all entities (including the Government) with whom you did business for all models/types or catalog numbers offered under this SIN were: $_____.
3. Line is 1 _____ percent (%) of line 2.
4. List below all models/types or catalog numbers offered under this SIN which do not have an "established catalog price" as defined by FAR 15.804–3 (c) and (f), and which do have total sales to the U.S. Government of $100,000 or more:

5. List below the [contracting officer fill in the blank] models/types or catalog numbers offered under this SIN with the largest dollar volume sales to the U.S. Government. Do not include any models listed in response to question 4, above.

6. Complete the chart below for each model listed in question 5:

Column O—Model Type or Catalog Number.

Column A—Total Sales to the U.S. Government.

Column B—Total Sales to non-Government customers at catalog price (minus any published or established discounts).

Column C—Total sales to non-Government customers at other than catalog price.

Column D—Total sales (D = A + B + C).

Column E—Percentage of sales to non-Government customers at other than catalog price (minus any published discounts).

$$E = \frac{C}{(B+C)}$$

Column F—Percentage of total sales to the U.S. Government.

$$F = \frac{A}{D}$$

SALES INFORMATION (COMMERCIAL ITEMS)

Column O	Column A	Column B	Column C	Column D	Column E	Column F
Model #	U.S. Gov't sales	Non Gov't sales (catalog)	Non-Gov't sales (other than catalog)	Total sales	% other than catalog sales	% gov't sales
(1)						
(2)						
(3)						
(4)						
(5)						
(6)						
(7)						
(8)						
(9)						
(10)						

7. Current MAS contractors—Total Sales *under your current GSA contract for this schedule* for all models/types or catalog numbers offered under this SIN were $_____.

Part D—Certification

(See Guide for Submission of DSMD, Section VI)

The offeror certifies that, to the best of its knowledge and belief:

(1) All of the data (including sales data submitted with this offer) are accurate, complete, and current representations of actual transactions, either (mark one):

_____ As of the date of submission of the offer;

_____ As of the date when negotiations are concluded.

(2) Substantial quantities of all items offered have been sold to the general public.

(3) Except for models identified in Part C, Paragraph 4, the price(s) quoted in this offer is (are) based on "established catalog prices", as defined in FAR 15–804–3(c), of commercial items sold in substantial quantities to the general public.

Name and Title of Person Authorized to Sign on Behalf of the Offeror. (Type or Print).

Name:_____

Title: _____

Signature: _____

Offeror: _____

Date of Execution: _____

(End of DSMD format)

(b) Contract pricing proposals for MAS solicitations submitted on the DSMD format in paragraph (a) above must be prepared in accordance with the instructions in Table 515–70.

Table 515–70 Guide for Submission of Discount Schedule and Marketing Data

This Guide contains instructions and information needed to complete and submit the Discount Schedule and Marketing Data (DSMD) portion of Multiple Award Schedule (MAS) solicitations.

I. Explanations

Terms included in this section have the meanings set forth below when used in the DSMD. The explanations are in addition to any definitions and/or guidance contained in the Federal Acquisition Regulation (FAR) or elsewhere in the General Services Administration Acquisition Regulation (GSAR).

1. Customer. A "customer" is any entity, except the Federal Government, which acquires goods or services from the offeror. The term customer includes but is not limited to, original equipment manufacturers, value added resellers, state and local governments, distributors, educational institutions, dealers, and national accounts. In any instance where the offeror is asked to disclose information for a "customer", you may disclose information by category of customer, if the offeror's discount policies are the same for all customers in the category. Disclosure of a range of discounts for customer categories is acceptable.

2. Concession. A "concession" is a benefit, enhancement or privilege (other than a discount) which either reduces the overall cost of a customer's acquisition or encourages a customer to consummate a purchase. Concessions include, but are not limited to, free training, free installation, and bonus goods.

3. Discount.

(a) A "discount" is a reduction to catalog prices (published or unpublished) applicable to any customer. Discounts include, but are not limited to, rebates, quantity discounts, purchase option credits, trade-in allowances, and any other terms or conditions which reduce the amount of money a customer ultimately pays for goods or services ordered or received.

(b) Best Discounts—If your best price is a combination of discounts, identify each type of discount used. (For example, 1 to 99—20% regular discount; 100+—25% quantity discount; 2% aggregate discount on sales exceeding $50,000.)

4. Educational institution. An "educational institution" is an elementary, junior high, or degree granting school which maintains a regular faculty, an established curriculum and an organized body of students. Offerors shall disclose discounts given to educational institutions when required by Part C. Discounts to educational institutions will not serve as a negotiation objective unless the offeror has no other significant category of customer. The Government will, however, negotiate for such discounts for use by comparable Federal educational institutions. Examples of Federal educational institutions include: the Service Academies, Department of Defense dependent schools, and Bureau of Indian Affairs Schools.

5. Item. An "item" is a product or service which is separately priced and offered to a customer for sale, lease or rental.

6. U.S. Government sales. U.S. Government sales include all Government sales, regardless of whether the orders were placed against a GSA Schedule contract.

II. General Instructions

1. The DSMD is composed of four Parts, A through D, which solicit information about the offeror's discount and marketing practices and its offer to the Government.

2. Complete Parts A through C for each Special Item Number (SIN) included in your offer. Respond to each question. You may make a single submission of each Part, covering more than one SIN, if the information disclosed is the same for all products under each SIN. Complete Part D once for the entire offer.

3. The Government will use information which the offeror discloses to establish negotiation goals, to determine if the prices offered are fair and reasonable, and to determine whether the items offered qualify for an exemption from the Federal Acquisition Regulation requirement to submit cost or pricing data.

4. If an offeror does not disclose accurate, complete and current data, the Government may reject the offer or, if a contract has been

awarded, seek refunds and other relief pursuant to the defective pricing clause in the MAS solicitation and resulting contract.

5. The Government will treat all information which the offeror submits on the DSMD as proprietary. The information will be withheld from disclosure in accordance with section 27 of the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 423) and the Freedom of Information Act. The identity of items actually awarded and contract prices, however, are public information which will be disclosed by the Government.

6. Offerors may reproduce the DSMD as necessary. If any section of the DSMD does not provide adequate space for a complete answer, the offeror may continue its response by attaching pages. Attached pages should clearly reference the section of the DSMD to which they are applicable.

7. Contracting officers may request documentation in addition to that specified on the DSMD if such documentation is necessary to determine that discounts, terms, and conditions offered the Government result in fair and reasonable prices.

III. Instructions for Completing Part A

Section I asks for general information about the offer. Section II asks for information concerning discounts which you offer the Government.

1. If you do not offer a discount specified in Part A, enter zero.

2. You may offer discounts and concessions which vary by model or product line. If you offer varying discounts, you must either: (a) annotate the price list to show discounts applicable to each model or product line, or (b) complete a supplemental sheet in the format shown at the end of this Guide.

IV. Instructions for Completing Part B

1. If the offeror's discount practices vary by model or product line, give discount information by model or product line.

2. Disclose discounts (a) at which you sell, (b) discounts contained in agreements which are in effect on the date your offer is submitted and (c) discounts which are published or contained in agreements, with an effective date during the MAS contract period. You must also disclose any changes to discounts and discounts policies which occur after the offer is submitted, but prior to the close of negotiations.

3. Disclose discounts to current customers without regard to the terms and conditions of the agreements under which the discounts are given, and without regard to whether such agreements are written or verbal.

4. If the prices given to any customer are not (a) a discount from the price list which is the basis for your offer to GSA, or (b) a discount from a price list, you should convert the prices into discounts from the price list which is the proposed basis for your agreement with GSA.

5. Section I, question 5. The explanation should include a description of any special circumstances which the offeror believes justifies offering GSA a discount less than that offered to any customer identified in the Discount Chart.

V. Instructions for Completing Part C

1. Complete a separate Part C for each Special Item Number (SIN) for which you submit an offer. Fill in all blank spaces.

2. Complete the chart entitled "Sales Information (Commercial Items)" for each model listed in response to question 5.

3. *Applicable to questions 1 through 6.* Submit all requested sales information for a consecutive 12 month period. The offeror may choose any 12 month period for which it has reliable sales information, provided that the period may not begin prior to the beginning of your most recently completed fiscal or tax year.

4. Established or published discounts are discounts which are regularly given in the normal course of business.

VI. Instructions for Completing Part D

Offerors must certify, at the time their initial proposals are submitted that sales, discount and marketing data included with those proposals is current as of the date the proposal is submitted. At the conclusion of negotiations, offerors must again certify that all information, including any additional information provided to the Government during the negotiation process, is accurate, complete and current.

Supplemental Sheet
(Ref. Guide, III, 2, ii)

Column 1	Column 2	Column 3
Model #.....	Discount from price list.	Price list and date.

(End of Guide)

c. Section 538.203–70 is added to read as follows:

538.203–70 Submission of discount schedule and marketing data.

The contracting officer shall insert the Discount Schedule and Marketing Data (DSMD) format at GSAR 515.804–70 in Multiple Award Schedule (MAS) solicitations identified by the GSA MAS Program Coordinator for inclusion in the test of the revised DSMD format.

7. *Questionnaire.* Two questionnaires for the Revised DSMD Test Evaluation are illustrated as attachments to this Circular. Offerors responding to MAS solicitations under the test program will be asked to complete Questionnaire I and return it with their offer. The contracting officer will ask all offerors to complete Questionnaire II after final disposition of their offer.

Dated: February 12, 1992.

Richard H. Hopf III,

Associate Administrator for Acquisition Policy.

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

Attachment to AC–92–1

Questionnaire I—Revised DSMD Test Evaluation

(Please complete and submit with your offer)

This questionnaire is a nonmandatory survey: response is optional. The survey seeks offeror/contractor comments on the revised DSMD requirements included in solicitation [*Contracting officer fill in the blank*]. Comments received will be considered in determining whether to adopt the revised DSMD for the entire GSA Multiple Award Schedule (MAS) Program. Responses will be used for no other purpose. Note that firms/persons may provide anonymous comments. Your response is encouraged.

1. Solicitation Number _____
2. Schedule _____
3. Product Types Offered _____
4. Offeror Name (Optional) _____
5a. Small Business _____ 5b. Large Business _____ (check one)
6a. Number of SIN's offered _____
6b. Estimated Value of Offer _____
7. How many times has your company submitted an offer on a GSA Multiple Award Schedule solicitation to GSA prior to this solicitation? Check appropriate space.
(a) 0 _____ (b) 1 to 3 _____ (c) 4 to 6 _____ (d) 7 + _____
8. The Discount and Schedule Marketing Data Sheets (DSMD) are intended to solicit sufficient information to allow the Contracting Officer to evaluate and negotiate fair and reasonable prices for GSA. Are the data submission requirements of the revised DSMD consistent with that purpose?
Yes _____ No _____ Don't know _____
9. If you responded "No," to #8, do the revised DSMD require submission of:
(a) Too much data _____
(b) Too little data _____
(c) Irrelevant data _____
What should be changed? _____
10. Based on your experience preparing the offer for this solicitation and negotiating the terms of the offer, did you find the DSMD used in this solicitation to be:

	Yes	No
(a) Clear		
(b) Confusing		
(c) Concise		
(d) Too lengthy		
(e) Too brief		
(f) Logical		
(g) Too inflexible		
(h) Appropriate		

Please explain. (Attach additional sheets as necessary.) _____
11. The new "Guide for Submission of Discount Schedule and Marketing Data" was included with the revised DSMD. I found the Guide to be:

	Yes	No
(a) Very helpful		
(b) Helpful		
(c) Not helpful		
(d) Clear		
(e) Concise		

	Yes	No
(f) Confusing		

Please explain.

12. These questions compare the revised DSMD and the previous DSMD. If you have not submitted previous DSMD, indicate "N/A."

Which one:

	Revised	Previous	No difference
(a) Had more easily understandable instructions			
(b) Required more information to be submitted with the original offer			
(c) Required more time to read and complete			
(d) Required more time to collect data necessary to complete the DSMD			
(e) Resulted in your lowest priced initial offer to GSA			
(f) Resulted in the quickest agreement			

Regarding (c) and (d), please indicate specific areas that required significantly more or less time.

13. Please estimate the total number of hours expended to collect data necessary to complete the DSMD portion of this solicitation for a single Special Item Number (SIN). Hours per SIN _____.

14. Please estimate the total number of hours expended to read and complete the DSMD portion of this solicitation. The estimate excludes the time required to collect data needed to complete the DSMD. Hours per SIN _____.

15. Please highlight, from your experience, the strengths and weaknesses of the revised DSMD? (Please be as specific as possible.)

16. Which do you prefer?

Previous DSMD _____ Revised DSMD _____

No preference _____

Please explain.

17. Do you recommend using the revised DSMD in other GSA multiple award schedule solicitations?

Yes _____ No _____ No opinion _____

Please explain.

18. Do you think the revised DSMD represent an improvement over the DSMD used in previous MAS solicitations?

Yes _____ No _____ No opinion _____

Please explain.

19. Did you offer the Government your best discount in your initial offer?

Yes _____ No _____

20. Please provide any other comments on the revised DSMD you would like to share?

21. Do you expect to submit offers on future GSA Multiple Award Schedule solicitations, for this Schedule or any other?

Yes _____ No _____

If "no," please explain.

Questionnaire II—Revised DSMD Evaluation

(Please complete and submit to the Contracting Officer after final disposition of your offer.)

This questionnaire is a nonmandatory survey; response is optional. The survey seeks offeror/contractor comments on the revised DSMD requirements included in solicitation [*Contracting officer fill in the blank*]. Comments received will be considered in determining whether to adopt the revised DSMD for the entire GSA MAS Program. Responses will be used for no other purpose. Note that firms/persons may provide anonymous comments. Your response is encouraged.

Did you return questionnaire I to the contracting officer? Yes _____ No _____

1. Solicitation Number _____
2. Schedule _____
3. Product Types Offered _____
4. Offeror Name (Optional) _____

5a. Small Business _____ 5b. Large Business _____ (check one)

6a. Number of SIN's awarded _____

6b. Estimated Value of Contract _____

7. How many times has your company submitted an offer on a GSA Multiple Award Schedule solicitation to GSA prior to this solicitation? Check appropriate space.

(a) 0 _____ (b) 1 to 3 _____ (c) 4 to 6 _____ (d) 7 + _____

8. The Discount Schedule and Marketing Data Sheets (DSMD) are intended to solicit sufficient information to allow the Contracting Officer to evaluate and negotiate fair and reasonable prices for GSA. Are the data submission requirements of the revised DSMD consistent with that purpose?

Yes _____ No _____ Don't know _____

9. If you responded "no," to #8, do the revised DSMD require submission of:

(a) Too much data _____
(b) Too little data _____
(c) Irrelevant data _____

What should be changed?

10. Based on my experience preparing the offer for this solicitation and negotiating the terms of the offer, I found the Discount Schedule and Marketing Data Sheets (DSMD) used in this solicitation to be:

	Yes	No
(a) Clear		
(b) Confusing		
(c) Concise		
(d) Too lengthy		
(e) Too brief		
(f) Logical		
(g) Too inflexible		
(h) Appropriate		

Please explain. (Attach additional sheets as necessary.)

11. The new "Guide for Submission of Discount Schedule and Marketing Data" was included with the revised DSMD. Did you find the Guide to be:

	Yes	No
(a) Very helpful		
(b) Helpful		
(c) Not helpful		
(d) Clear		
(e) Concise		
(f) Confusing		

Please explain.

12. These questions compare the revised DSMD and the previous DSMD. If you have not previously submitted DSMD, indicate "N/A."

Which one:

	Revised	Previous	No difference
(a) Had more easily understandable instructions			
(b) Required more information to be submitted—			
(i) with your original offer			
(ii) during evaluation process			
(c) Required more time to read and complete the DSMD			
(d) Required more time to collect data necessary to complete the DSMD			
(e) Resulted in your lowest priced initial offer to GSA			
(f) Resulted in the quickest agreement			

Regarding (c) and (d), please indicate specific areas that required significantly more or less time.

13. Please estimate the total number of hours expended to collect data necessary to complete the DSMD portion of this solicitation for a single Special Item Number (SIN). Hours per SIN _____.

14. Please estimate the total number of hours expended to read and complete the DSMD portion of this solicitation. The estimate excludes the time required to collect data needed to complete the DSMD. Hours per SIN _____.

15. Please highlight, from your experience, the strengths and weaknesses of the revised DSMD? (Please be as specific as possible.)

16. Which do you prefer?

Previous DSMD _____ Revised DSMD _____ No preference _____
Please explain. _____

17. Do you recommend using the revised DSMD in other GSA multiple award schedule solicitations? Yes _____ No _____ No opinion _____
Please explain. _____

18. Do you think the revised DSMD represent an improvement over the DSMD used in previous MAS solicitations? Yes _____ No _____ No opinion _____
Please explain. _____

19a. Did you offer the Government your best discount in your initial offer? Yes _____ No _____

19b. Did your offer on this solicitation result in a contract award? Yes _____ No _____

19c. If you were awarded a contract, does the Government receive equal to or better than your best discount? Yes _____ No _____

20. Were you asked to submit additional information after the initial submission of your offer? Yes _____ No _____

21. If you responded "Yes", to #20, check all appropriate blanks. The additional information requested was:

(a) Responses to DSMD questions unanswered in the initial offer _____

(b) Explanations/justifications of DSMD information originally disclosed _____

(c) Additional or supplemental information _____

(d) Copies of agreements/pricelist _____

(e) Other (please explain) _____

22. How many times did the contracting officer ask for additional information? _____

23. Please provide any other comments on the revised DSMD you would like to share? _____

24. Do you expect to submit offers on future GSA Multiple Award Schedule solicitations, for this Schedule or any other? Yes _____ No _____

If "no," please explain. _____

[FR Doc. 92-3771 Filed 2-14-92; 8:45 am]
BILLING CODE 6820-61-M

Proposed Rules

Federal Register
Vol. 57, No. 32
Tuesday, February 18, 1992

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.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-20, RM-7645]

Radio Broadcasting Services; Shingle Springs & Quincy, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed on behalf of Lobster Communications Corporation, licensee of Station KLIQ(FM), Channel 270B1, Shingle Springs, California, seeking the substitution of Channel 270B for Channel 270B1 and modification of the license for Station KLIQ(FM) accordingly. In order to accommodate its request, petitioner also seeks the substitution of Channel 271A for Channel 271C2 at Quincy, California, and modification of the license for Station KQNC(FM). Coordinates used for Channel 270B at Shingle Springs are 38–53–31 and 120–57–53, and for Channel 271A at Quincy, 40–03–36 and 120–54–46.

DATES: Comments must be filed on or before April 3, 1992, and reply comments on or before February 11, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Richard A. Helmick, Esq., Cohn and Marks, 1333 New Hampshire Avenue, NW., suite 600, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92–20, adopted February 3, 1992, and released _____, 1992. 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 St., NW., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92–3750 Filed 2–14–92; 8:45 am]

BILLING CODE 6712–01–M

47 CFR part 73

[MM Docket No. 89–288; RM–6608, RM–7005, and RM–7006]

Radio Broadcasting Services; South Lake Tahoe, CA; Minden and Reno, NV

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal of proposal.

SUMMARY: This document dismisses a petition for rule making filed by Daniel S. Tankersley proposing the allotment of Channel 268A at South Lake Tahoe, California, for failure to file a continuing expression of interest in the proposed allotment. See 54 FR 27039, June 27, 1989. This document also accepts a withdrawal by Kidd Communications of a counterproposal requesting the allotment of Channel 268A to Minden, Nevada, and grants a motion, filed by Lobster Communications Corporation, to dismiss a counterproposal to substitute Channel 269C2 for Channel 269A at Reno, Nevada. With this action, this proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Belford V. Lawson, III, Mass Media Bureau, (202) 632–6302.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 89–288, adopted February 3, 1992, and released February 11, 1992. The full text of this Commission decision is available for inspection during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, 1714 21st Street, NW., Washington, DC 20036, (202) 452–1422.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Andrew J. Rhodes,

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

[FR Doc. 92–3751 Filed 2–14–92; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[MM Docket No. 92–19; RM–7882]

Radio Broadcasting Services; Memphis, MO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule

SUMMARY: The Commission requests comments on a petition by Boyer Broadcasting Company, Inc., seeking the substitution of Channel 263C3 for Channel 263A at Memphis, Missouri, and the modification of its license for Station KMEM(FM) accordingly. Channel 263C3 can be allotted to Memphis in compliance with the Commission's minimum distance separation requirements at the petitioner's present transmitter site without the imposition of a site restriction. The coordinates for Channel 263C3 at Memphis are North Latitude 40–29–59 and West Longitude 92–09–58. In accordance with § 1.420(g) of the Commission's Rules, we will not accept competing expressions of interest in the use of Channel 263C3 at Memphis or require the petitioner to demonstrate the

availability of an additional equivalent channel.

DATES: Comments must be filed on or before April 3, 1992, and reply comments on or before April 20, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Eugene T. Smith, Esq., 715 G Street, SE., Washington, DC 20003 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92–19, adopted January 31, 1992, and released February 11, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452–1422, 1714 21st Street, NW., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92–3752 Filed 2–14–92; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Public Hearing and Reopening of Comment Period on Proposed Endangered Status for Isoetes louisianensis

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of public hearing and reopening of comment period.

SUMMARY: The Service gives notice that a public hearing will be held on the proposed determination of endangered status for *Isoetes louisianensis*, the Louisiana quillwort, and that the comment period on the proposal is reopened. The proposal was published in the **Federal Register** on October 21, 1991 (56 FR 52500). This small plant is only known to exist in two parishes of southeastern Louisiana. The hearing and the reopening of the comment period will allow additional comments on this proposal to be submitted from all interested parties.

DATES: The comment period on the proposal is reopened February 18, 1992. The public hearing will be held from 7 p.m. to 10 p.m. on Wednesday, March 11, 1992, in Baton Rouge, Louisiana. The comment period, which originally closed on December 20, 1991, now closes on March 23, 1992.

ADDRESSES: The public hearing will be held in the Louisiana Room of the Louisiana Department of Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, Louisiana. Written comments and materials should be sent to Complex Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Paul Hartfield at the above address or telephone (601/965–4900 or FTS 490–4900).

SUPPLEMENTARY INFORMATION:

Background

The Service proposed to determine *Isoetes louisianensis*, the Louisiana quillwort, to be an endangered species on October 21, 1991 (56 FR 52500). When this proposal was published, *Isoetes louisianensis* was only known from a localized portion of the Mill Creek drainage, and a single site in Miller Creek, Washington Parish, Louisiana. These two populations are threatened by timber harvest, gravel mining, or any other activity that would affect the hydrology or stability of the streams in which the plant occurs. Since publication of the proposed rule, a new population consisting of approximately 350 plants of *Isoetes louisianensis* has been discovered in the Little Bogue Falaya drainage of St. Tammany Parish, Louisiana, by the Louisiana Department of Wildlife and Fisheries' Natural Heritage Program. The primary threat to this population is harvest of streamside timber.

Section 4(b)(5)(E) of the Endangered Species Act requires that a public hearing be held on a proposed listing if requested within 45 days of publication in the **Federal Register.** A public hearing request was received during the allotted time period from John M. McNeal, Franklinton, Louisiana. The comment period on the proposal originally closed December 20, 1991. In order to accommodate the hearing, the Service reopens the public comment period. Written comments may now be submitted until March 23, 1992, to the Service office in the **ADDRESSES** section.

Author

The primary author of this notice is Paul Hartfield (see **ADDRESSES** section).

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531–1544).

List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

Dated: February 4, 1992.

James W. Pulliam, Jr.,

Regional Director, Atlanta, Georgia.

[FR Doc. 92–3704 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–55–M

Notices

Federal Register
Vol. 57, No. 32
Tuesday, February 18, 1992

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 COMMERCE

International Trade Administration

Management-Labor Textile Advisory Committee; Partially Closed Meeting

A meeting of the Management-Labor Textile Advisory Committee will be held on Monday, March 9, 1992, Herbert C. Hoover Building, room H3407, 14th Street and Constitution Avenue, NW., Washington, DC 20230. (The Committee was established by the Secretary of Commerce on October 18, 1961 to advise officials of problems and conditions in the textile and apparel industry.)

General Session: 1:30 p.m. Review of import trends, report on conditions in the domestic market, and other business.

Executive Session: 2 p.m. Discussion of matters properly classified under Executive Order 12356 (3 CFR, 1982 Comp. p. 166) and listed in 5 U.S.C. 552b(c)(1).

The general session will be open to the public with a limited number of seats available. A Notice of Determination to close meetings or portions of meetings to the public on the basis of 5 U.S.C. 552b(c)(1) has been approved in accordance with the Federal Advisory Committee Act. A copy of the notice is available for public inspection and copying in the Central Facility Room H6628, U.S. Department of Commerce, (202) 377–3031.

For further information or copies of the minutes, contact Theresa Stuart (202) 377–3737.

Dated: February 11, 1992.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 92–3714 Filed 2–14–92; 8:45 am]

BILLING CODE 3510-DR-F

National Institute of Standards and Technology

Computer System Security and Privacy Advisory Board; Meeting

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is herby given that the Computer System Security and Privacy Advisory Board will meet Tuesday, March 17, 1992, and Wednesday, March 18, 1992, from 9 a.m. to 5 p.m. The Advisory Board was established by the Computer Security Act of 1987 (Pub. L. 100–235) to advise the Secretary of Commerce and the Director of NIST on security and privacy issues pertaining to Federal computer systems. All sessions will be open to the public.

DATES: The meeting will be held on March 17 and 18, 1992, from 9 a.m. to 5 p.m.

ADDRESSES: The meeting will take palce at the Sheraton Inner Harbor Hotel, 300 South Charles Street, Baltimore, MD 21201. Please contact the individual in the "for further information" section to obtain specific building and conference room assignment. Inquiries regarding the Board meeting should not be directed to the conference facility.

Agenda

—Welcome
—Ethics Refresher & Update
—E-Mail Privacy Briefing
—Digital Signature Update & Discussion
—Citizen Access to Government Electronic Record I
—Vulnerability Reporting Program
—Secure Workstation Briefing
—Public Participation
—Wrap-up

PUBLIC PARTICIPATION: The Board agenda will include a period of time, not to exceed thiry minutes, for oral comments and questions from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the Board Secretariat at the telephone number indicated below. In addition, written statements are invited and may be submitted to the Board at any time. Written statements should be directed to the Computer System Security and Privacy Advisory Board, Computer Systems Laboratory, Building 225, room B154, National Institute of Standards and Technology, Gaithersburg, MD 20899. It would be appreciated if fifteen copies of written material could be submitted for distribution to the Board by March 5, 1992. Approximately fifteen seats will be available for the public, including three seats reserved for the media. Seats will be available on a first-come, first-served basis.

FOR FURTHER INFORMATION CONTACT: Mr. Lynn McNulty, Associate Director for Computer Security, Computer Systems Laboratory, National Institute of Standards and Technology, Building 225, room B154, Gaithersburg, MD 20899, telephone: (301) 975–3240.

Dated: February 11, 1992.

John W. Lyons,

Director.

[FR Doc. 92–3756 Filed 2–14–92; 8:45 am]

BILLING CODE 3510-CN-M

National Oceanic and Atmospheric Administration

Gulf of Mexico Fishery Management Council; Public Hearing

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

ACTION: Notice of a public hearing; request for comments.

SUMMARY: The Gulf of Mexico Fishery Management Council will hold a public hearing to obtain public testimony on methods to extend the period for harvesting the 1993 commercial red snapper quota with emphasis on those methods that will prevent a market glut, resulting in higher prices to the fishermen.

DATES: The hearing will be held from 6:30 p.m. to 9:30 p.m., local time, Monday, March 9, 1992.

ADDRESSES: The hearing will be held at the Stouffer Riverview Plaza Hotel; 64 Water Street; Mobile, AL 36602, telephone (205) 438–4000.

FOR FURTHER INFORMATION CONTACT: Wayne E. Swingle, Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, suite 331, Tampa, FL 33609–2486; telephone (813) 228–2815.

Dated: February 11, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-3727 Filed 2-14-92; 8:45 am]

BILLING CODE 3510-22-M

Pacific Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The salmon management advisory entities of the Pacific Fishery Management Council (Council) will hold an initial ocean salmon fishing season assessment meeting on February 27, 1992, beginning at 10 a.m., at the Red Lion Inn-Columbia River, 1401 North Hayden Island Drive, Portland, OR. The meeting will include the Salmon Advisory Subpanel (SAS), the Salmon Technical Team (STT), the Salmon Subcommittee of the Scientific and Statistical Committee (SSC) and policy representatives from the state, tribal and federal fishery management entities.

On February 28, 1992, the STT and Salmon Subcommittee of the SSC will meet, beginning at 8:30 a.m., to review "the north of Cape Falcon" chinook harvest impact model, methods of estimating harvest impacts on Snake River fall chinook, and overfishing status reports on Oregon coastal natural coho and several Puget Sound natural coho and chinook stocks.

The meeting on February 27 is intended to provide the SAS members with an initial assessment of salmon stock abundance, and management entity concerns and recommendations for the 1992 ocean salmon fishing season. The SAS members need this information to assist them in drafting proposed fishing season options for presentation to the Council on March 10 in Seattle, Washington.

Oral or written statements from the public pertaining to salmon abundance projections and planning for the 1992 ocean salmon season will be accepted at appropriate times during the meeting sessions.

FOR MORE INFORMATION CONTACT: John Coon, Staff Officer (salmon), Pacific Fishery Management Council, suite 420, 2000 SW. First Avenue, Portland, OR 97201; telephone: (503) 326-6352.

Dated: February 11, 1992.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-3697 Filed 2-14-92; 8:45 am]

BILLING CODE 3510-22-M

Western Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Western Pacific Fishery Management Council's Select Committee for the Resolution of Gear Conflict and Longline Area Closure Hardships will hold a public meeting on February 19, 1992, beginning at 1:30 p.m. The meeting will be held in the Boardroom of the Department of Land and Natural Resources (DLNR), Hawaii DLNR, 1151 Punchbowl Street, Honolulu, Hawaii.

The Committee's meeting agenda is as follows: (1) Review updated catch and effort data of the National Marine Fisheries Service and the Hawaii Division of Aquatic Resources, related to fishing patterns within closure areas; (2) hear presentations by committee members on results of discussions held with their respective user groups; (3) develop possible modifications to longline area closures; and (4) discuss other business.

FOR MORE INFORMATION CONTACT: Kitty M. Simonds, Executive Director, 1164 Bishop Street, suite 1405, Honolulu, HI 96813; telephone: (808) 526-0824.

Dated: February 11, 1992.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-3698 Filed 2-14-92; 8:45 am]

BILLING CODE 3510-22-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton, Wool and Man-Made Fiber Textile Products and Silk Blend and Other Vegetable Fiber Apparel Produced or Manufactured in Sri Lanka

February 11, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: February 19, 1992.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 343-6580. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being adjusted, variously, for carryover, swing and carryforward used.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991). Also see 56 FR 29232, published on June 26, 1991.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

February 11, 1992.

Commissioner of Customs,

Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on June 21, 1991, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textile products and silk blend and other vegetable apparel, produced or manufactured in Sri Lanka and exported during the twelve-month period which began on July 1, 1991 and extends through June 30, 1992.

Effective on February 19, 1992, you are directed to amend the directive dated June 21, 1991 to adjust the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and the Democratic Socialist Republic of Sri Lanka:

Category	Adjusted twelve-month limit [1]
237	207,691 dozen.
331/631	1,994,713 dozen pairs.
333/633	28,880 dozen.
334	297,457 dozen.
335/835	229,926 dozen.
336	100,474 dozen.

Category	Adjusted twelve-month limit [1]
338/339	946,858 dozen of which not more than 746,913 dozen shall be in Categories 338-S/339-S [2].
340	752,690 dozen of which not more than 260,324 dozen shall be in Category 340-Y [3].
341	779,996 dozen of which not more than 330,507 dozen shall be in Category 341-Y [4].
342/642/842	515,591 dozen.
345/845	133,525 dozen.
347/348/847	976,249 dozen of which not more than 557,395 dozen shall be in Categories 347-T/348-T/847-T [5].
350/650	97,544 dozen.
351/651	208,355 dozen.
352/652	1,057,622 dozen.
359-C/659-C [6]	848,170 kilograms.
363	6,850,066 numbers.
369-D [7]	604,096 kilograms.
369-S [8]	561,302 kilograms.
434	3,431 dozen.
435	7,434 dozen.
442	15,642 dozen.
445/446	41,668 dozen.
448	6,862 dozen.
634	189,371 dozen.
635	277,745 dozen.
636/836	184,548 dozen.
638/639/838	670,451 dozen.
640	165,253 dozen.
641	744,861 dozen.
644	298,256 numbers.
645/646	158,643 dozen.
647/648	782,736 dozen.

[1] The limits have not been adjusted to account for any imports exported after June 30, 1991.

[2] Category 338-S: only HTS numbers 6103.22.0050, 6105.10.0010, 6105.10.0030, 6105.90.3010, 6109.10.0027, 6110.20.1025, 6110.20.2040, 6110.20.2065, 6110.90.0068, 6112.11.0030 and 6114.20.0005; Category 339-S: only HTS numbers 6104.22.0060, 6104.29.2049, 6106.10.0010, 6106.10.0030, 6106.90.2010, 6106.90.3010, 6109.10.0070, 6110.20.1030, 6110.20.2045, 6110.20.2075, 6110.90.0070, 6112.11.0040, 6114.20.0010 and 6117.90.0022.

[3] Category 340-Y: only HTS numbers 6205.20.2015, 6205.20.2020, 6205.20.2046, 6205.20.2050 and 6205.20.2060.

[4] Category 341-Y: only HTS numbers 6204.22.3060, 6206.30.3010 and 6206.30.3030.

[5] Category 347-T: only HTS numbers 6103.19.2015, 6103.19.4020, 6103.22.0030, 6103.42.1020, 6103.42.1040, 6103.49.3010, 6112.11.0050, 6113.00.0038, 6203.19.1020, 6203.19.4020, 6203.22.3020, 6203.42.4005, 6203.42.4010, 6203.42.4015, 6203.42.4025, 6203.42.4035, 6203.42.4045, 6203.49.3020, 6210.40.2035, 6211.20.1520, 6211.20.3010 and 6211.32.0040; Category 348-T: only HTS numbers 6104.12.0030, 6104.19.2030, 6104.22.0040, 6104.29.2034, 6104.62.2010, 6104.62.2025, 6104.69.3022, 6112.11.0060, 6113.00.0042, 6117.90.0042, 6204.12.0030, 6204.19.3030, 6204.22.3040, 6204.29.4034, 6204.62.3000, 6204.62.4005, 6204.62.4010, 6204.62.4020, 6204.62.4030, 6204.62.4040, 6204.62.4050, 6204.69.3010, 6204.69.9010, 6210.50.2035, 6211.20.1550, 6211.20.6010, 6211.42.0030 and 6217.90.0050; Category 847-T: only HTS numbers 6103.29.2044, 6103.49.3017, 6103.49.3024, 6104.29.2041, 6104.29.2045, 6104.69.3034, 6104.69.3038, 6112.19.2080, 6112.19.2090, 6117.90.0051, 6203.29.3046, 6203.49.3040, 6203.49.3045, 6204.29.4041, 6204.29.4047, 6204.69.3052, 6204.69.9044, 6211.20.3040, 6211.20.6040, 6211.39.0040, 6211.49.0040 and 6217.90.0070.

[6] Category 359-C: only HTS numbers 6103.42.2025, 6103.49.3034, 6104.62.1020, 6104.69.3010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010; Category 659-C: only HTS numbers 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.3038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.3014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.4015, 6211.33.0010, 6211.33.0017 and 6211.43.0010.

[7] Category 369-D: only HTS numbers 6302.60.0010, 6302.91.0005 and 6302.91.0045.

[8] Category 369-S: only HTS number 6307.10.2005.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 92-3715 Filed 2-14-92; 8:45 am]

BILLING CODE 3510-DR-F

COMMODITY FUTURES TRADING COMMISSION

Chicago Board of Trade; Proposed Amendments Relating to Quality Standards and Delivery Locations and Associated quality and Locational Price Differentials and the Performance Requirements for Warehouses Eligible for Delivery on the Corn, Soybean, Wheat, and Oats Futures Contracts

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of proposed contract market rule change.

SUMMARY: The Chicago Board of Trade (CBT) has submitted proposed amendments to its corn, soybean, wheat, and oats futures contracts.[1] The proposed amendments will modify the quality standards and quality price differentials for the corn and soybean futures contracts. The proposed amendments also will add St. Louis, Missouri, as a delivery point on the soybean and wheat futures contracts, with soybean and wheat deliveries at this location receiving a premium of eight cents per bushel. In addition, the proposed amendments will change the existing four-cent-per-bushel discount for corn deliveries at St. Louis to a premium of seven cents per bushel and reduce to three from four cents per bushel the discount for deliveries at Toledo on the corn futures contract. Finally, the proposed amendments will increase delivery load-in and load-out performance requirements for warehouses eligible for delivery on the corn, soybean, wheat, and oats futures contracts.

In accordance with section 5a(12) of the Commodity Exchange Act and acting pursuant to the authority delegated by Commission Regulation 140.96, the Director of the Division of Economic Analysis (Division) of the Commodity Futures Trading Commission (Commission) has determined, on behalf of the Commission, that the proposed amendments are of major economic significance. On behalf of the Commission, the Division is requesting comment on this proposal.

DATES: Comments must be received on or before March 19, 1992.

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 proposed changes in quality standards, delivery points, associated quality and locational price differentials, and loading performance requirements of the CBT corn, soybean, wheat, and oats futures contracts.[2]

FOR FURTHER INFORMATION CONTACT: Frederick V. Linse, Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581, telephone (202) 254-7303.

SUPPLEMENTARY INFORMATION: A description of the primary proposed amendments and the CBT's justification in support of these changes is provided below.

Quality Standards and Differentials

Corn Futures Contract

The CBT proposes the following changes affecting the quality standards and related price differentials: increase the maximum moisture standard for U.S. grade No. 1 yellow corn from 14 percent to 15 percent; decrease the maximum moisture standard for U.S. grades No. 2 and No. 3 yellow corn from 15½ percent to 15 percent; and increase to one and one-half cents from one-half cent per bushel the premium for delivery of U.S. grade No. 1 yellow corn. The proposals will leave unchanged the contract's existing terms providing for delivery of U.S. grade No. 2 yellow corn at par and U.S. grade No. 3 yellow corn at a

[1] Substantially identical proposed amendments were submitted by the MidAmerica Commodity Exchange for its corn, soybean, wheat and oats futures contracts.

[2] Persons interested in providing comments in regard to the MidAmerica Commodity Exchange's proposal to adopt these same amendments for its corn, soybean, wheat and oats futures contracts should submit such comments to the above address by the above specified date.

discount of one and one-half cents per bushel.

In support of its proposals, the CBT submits that the proposed amendments reflect cash market practices. Specifically, the CBT states that the maximum moisture content for all deliverable grades of corn should be changed to 15 percent because this is the preponderant corn moisture standard in U.S. export and domestic cash markets. In addition, the proposed increase in the premium for grade No. 1 yellow corn is expected to reflect better the actual premium for such yellow corn in the cash market.

Soybean Futures Contract

The CBT proposes the following changes affecting the quality standards and related price differentials: increase to 6 cents from 3 cents per bushel the premium for U.S. grade No. 1 yellow soybeans; increase to 6 cents from 4 cents per bushel the discount for U.S. grade No. 3 yellow soybeans that meet the standards for U.S. grade No. 2 soybeans for all factors except foreign material; and disallow delivery of any U.S. grade No. 3 yellow soybeans that meet the standards for that grade on the basis of grade determining factors other than foreign material. The proposal will leave unchanged the contract's par delivery grade of U.S. grade No. 2 yellow soybeans and the maximum moisture standards for deliverable soybeans.

In support of the quality standard changes, the CBT submits that the deletion of certain grade No. 3 soybeans from the list of deliverable qualities will not reduce significantly the available supplies of soybeans for delivery on the futures contract. In addition, the CBT states that the proposed increased premium for grade No. 1 yellow soybeans and the proposed increased discount for deliverable grade No. 3 yellow soybeans will approximate actual cash market differentials for grades No. 1 and No. 3 yellow soybeans.

Delivery Locations and Differentials

Corn Futures Contract

The proposed amendments will modify the contract's locational price differentials for the delivery of corn at St. Louis and at Toledo. The St. Louis price differential will be changed to a premium of 7 cents per bushel from the existing discount of 4 cents per bushel. The discount for delivery at Toledo will be reduced to 3 cents from 4 cents per bushel. Under the proposals, corn will continue to be deliverable in Chicago at par. The Exchange indicated that the proposed locational price differentials fall within the current range of normal commercial price relationships between the contract's delivery points.

Soybean and Wheat Futures Contracts

The CBT proposes to add St. Louis, Missouri (including East St. Louis and Alton, Illinois) as a delivery location for its soybean futures contract and for its wheat futures contract. Under the proposals, delivery on the wheat futures contract at St. Louis will be limited to soft red winter wheat only. Delivery at St. Louis will be allowed at a premium of 8 cents per bushel for soybeans and for wheat. The proposals will leave unchanged the contracts' current par delivery location of Chicago and the existing discounts for delivery at Toledo, Ohio, of 8 cents per bushel for soybeans, and 2 cents per bushel for wheat.

In support of its proposal to add St. Louis as a delivery point on the soybean and wheat futures contracts, the Exchange states that St. Louis is an important terminal market for these commodities. Specifically, the CBT notes that St. Louis is located in the center of the major soybean and soft red wheat production regions of the U.S. and offers convenient access to export markets via both rail and barge transportation. In this respect, the CBT indicates that the St. Louis, East St. Louis, and Alton rail switching districts have 12.4 million bushels of storage capacity in elevators with rail and barge handling capabilities which could be eligible delivery facilities for the soybean and wheat futures contracts.[3] The CBT also noted that limiting St. Louis deliveries to only soft red winter wheat will preserve the current pricing aspects of the CBT wheat futures for soft red winter wheat and avoid market disruptions.

The CBT also submits that St. Louis is similar to the contracts' other existing delivery points at Chicago and Toledo in that it is a large terminal market where soybeans and wheat are sold in sufficient volume and under conditions that reflect the general value of the commodity. In addition, the Exchange notes that, because St. Louis, Chicago, and Toledo are all located on interconnected water transportation systems, cash prices for soybeans and wheat at these locations are related.

With regard to the proposed premium of 8 cents per bushel for futures delivery of soybeans or wheat at St. Louis, the Exchange indicates that the proposed premium reflects commercial price relationships between St. Louis and Chicago.

Warehouse Regularity Requirements

The Exchange proposes to increase the minimum daily rate at which regular warehouses for the corn, soybean, wheat and oats futures contracts must load barges and vessels out of their facilities. The daily load-out rate for corn, soybeans, and wheat will increase to 300,000 bushels from 200,000 bushels for vessels and to 3 barges from 2 barges. For oats, the daily rate for loading out oats will increase to 180,000 bushels from 120,000 bushels for vessels and to 2 barges from 1 barge.

The proposed amendments also will modify the minimum daily load-out rates for rail cars. Under the proposals, when the warehouse receipt holder requests (in writing) weights and grades in batches of five rail cars, the daily load-out rate will increase to 35 from 25 hopper rail cars per day for corn, soybeans and wheat.[4] For oats, in cases where weights and grades have been requested in five-rail-car lots, the minimum daily load-out rate will increase to 20 from 15 hopper rail cars. Under the proposals, the minimum daily load-out rates for all of the above grains and soybeans would remain at the above-noted existing levels in cases where a warehouse receipt holder requests that the weight and grades for delivery grain or soybeans be determined on an individual rail car basis.

The Exchange also is establishing a maximum storage rate for corn, soybeans, and wheat of 15/100 of one cent per bushel per day. For oats, the maximum storage charge shall be 13/100 of one cent per bushel per day. In addition, the proposed amendments will require regular warehouse operators to acquire and pay for insurance which protects grain and soybeans covered by warehouse receipts tendered for delivery against contingencies provided in a standard "all risk" policy.

The proposed amendments also will delete existing provisions of the corn, wheat, soybean and oats futures contracts that permit interior off-water warehouses in Chicago to become regular for delivery if the operators of such warehouses make delivery grain and soybeans available at a regular warehouse with barge and vessel loading capabilities within ten days following the buyer's request. In addition, the proposed amendments will

[3] Currently, the CBT has approved two elevators in St. Louis as regular delivery facilities for the corn futures contract.

[4] The proposed amendments state that a batch weight and grade shall refer to a buyer's request in writing for 1 weight and 1 grade per 5 rail cars.

delete similar existing provisions of the corn futures contract which provide for delivery in off-water interior warehouses at that contract's St. Louis delivery point. Under the proposals, delivery on the corn, soybean and wheat futures contracts in Chicago and St. Louis will be permitted only in regular warehouses that have barge and/or vessel loading capability.

As amended, the corn, soybean and wheat futures contracts will continue to provide for delivery in off-water warehouses at the contracts' Toledo delivery point. However, the proposed amendments will reduce to five from ten calendar days the period of time within which operators of off-water regular warehouses at the Toledo delivery point must make the delivery corn, wheat or soybeans available at a warehouse facility with vessel loading facilities following receipt of the buyer's request. The proposed amendments also will require that operators of Toledo off-water regular warehouses must notify buyers within one business day after receiving warehouse receipts and loading orders of the water location at which the delivery corn, wheat or soybeans will be made available for loading.

The amended oats futures contract will continue to provide for delivery at off-water regular warehouses at that contract's Minneapolis/St. Paul delivery point, but will reduce to seven from fifteen calendar days the period of time within which the operators of such warehouses must make the delivery oats available at a barge-loading location. In addition, the proposed amendments will reduce to one business day from five calendar days the period of time within which the operators of off-water Minneapolis/St. Paul regular warehouses must notify the buyer of the barge-loading location at which the delivery oats will be made available for loading after receiving warehouse receipts and loading orders.

The Exchange states that the proposals regarding load-out requirements reflect existing commercial standards that can be met by almost all existing delivery facilities. The Exchange notes that the proposals concerning the maximum storage rate and the responsibility of regular warehouse operators to insure grain and soybeans underlying CBT-registered warehouse receipts will ensure fairness between regular warehousemen and warehouse receipt holders. The CBT also indicates that its proposed changes affecting the delivery of grain and soybeans in off-water warehouses are intended to equalize delivery values between off-water and on-water warehouse receipts, and reduce the potential for an off-water warehouse operator to prolong the delivery process. In addition, the CBT submits that the elimination of off-water deliveries in Chicago and St. Louis will not affect regular deliverable capacity at these two cities. In this respect, the CBT notes that all currently regular warehouses in these two cities are located on-water.

The CBT intends to make the proposed amendments effective commencing with the December 1993 corn contract month, the November 1993 soybean contract month, the July 1993 wheat contract month, and the September 1993 oats contract month.

The Commission is seeking comment on the proposed amendments noted above. In particular, the Commission is requesting comments on the following matters:

(1) The extent to which the proposed locational and quality price differentials fall within the range of commonly observed commercial price differences;

(2) The extent to which the CBT's proposed new standards for regular warehouses regarding increased minimum daily load out requirements, a maximum limit on storage fees, and the operator's responsibility for insuring grain delivered on futures contracts reflect commercial practices in the cash markets at the contracts' delivery points and the extent to which these amendments would affect the delivery capacity available for the CBT's grain and soybean futures contracts;

(3) The desirability or appropriateness of the CBT's proposal to eliminate the possibility of delivery in off-water warehouses in Chicago and St. Louis and the proposed changes affecting delivery in off-water regular warehouses in Toledo and Minneapolis/St. Paul; and

(4) The overall impact of the proposed amendments upon the levels of economically deliverable supplies available for the futures contracts.

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, at the above address. Copies of the amended terms and conditions can be obtained through the Office of the Secretariat by mail at the same address or by telephone at (202) 254–6314.

The materials submitted by the CBT 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 part 145 (1987)). Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the above address 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 comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, at the above address by the specified date.

Issued in Washington, DC on February 11, 1992.

Gerald Gay,

Director.

[FR Doc. 92–3657 Filed 2–14–92; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board Meeting

The USAF Scientific Advisory Board of the Space and C³I Panel of 1992 Summer Study on Global Reach/Global Power will meet on 4–5 Mar. 1992 from 8 a.m. to 5 p.m. at the Pentagon, Washington, DC.

The purpose of this meeting is to receive briefing and hold discussions on projects related to Space C³I in support of Global Reach/Global Power. This meeting will involve discussions of classified defense matters listed in section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (703) 697–4648.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 92–3824 Filed 2–14–92; 8:45 am]

BILLING CODE 3910–01–M

DEPARTMENT OF ENERGY

Washington State University; Noncompetitive Financial Assistance Award

AGENCY: Richland Field Office, Department of Energy.

ACTION: Notice of noncompetitive financial assistance award.

SUMMARY: The Department of Energy, Richland Field Office, announces that pursuant to 10 CFR 600.7(b)(2)(i)(A), it intends to issue a noncompetitive grant award to Washington State University, acting on behalf of the Northwest

College and University Association for Science (NORCUS). The award is planned for a five (5) year project cycle, including five (5) separately funded one (1) year budget periods. The initial budget period is estimated at $4M, with increases of approximately $500K per year, for a total of approximately $25M over the five (5) year period.

GRANT AWARD NUMBER: DE–FG06–92RL12451.

SCOPE OF PROJECT: The proposed financial assistance award is a grant to Washington State University (WSU) acting on behalf of NORCUS, a consortium of 52 colleges and universities in the Pacific Northwest, in support of the University/DOE Laboratory Coop Program. The grant will provide funds for the University-DOE Laboratory Cooperative Program, including the Science and Engineering Research Semester Program under which university students and faculty may be appointed to research opportunities in DOE laboratories. WSU is currently the recipient of a grant funded by the DOE Office of University and Science Education Programs. The proposed new grant will provide an additional vehicle for continuing and extending DOE's support for this educational program. The additional vehicle will provide a means for adding DOE program funds other than those provided by University and Science Education, in order to increase the number of students and teachers who can participate. Competition would have a significant adverse effect on the continuity of this activity.

FOR FURTHER INFORMATION CONTACT: Melanie P Fletcher, U.S. Department of Energy, Richland Field Office, P.O. Box 550, Richland, Washington 99352, telephone (509) 376–4828.

Dated: February 7 1992.

Robert D. Larson,

Director, Procurement Division, Richland Field Office

[FR Doc. 92–3740 Filed 2–14–92; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket Nos. ER92–291–000, *et al.*]

PSI Energy, Inc., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

February 5, 1992.

Take notice that the following filings have been made with the Commission:

1. PSI Energy, Inc.

[Docket No. ER92–291–000]

Take notice that PSI Energy, Inc. (PSI), formerly named Public Service Company of Indiana, Inc. on January 27, 1992, tendered for filing a supplement to Service Schedule D—Supplemental Power and Energy of the Power Coordination Agreement, dated August 27, 1982, as amended, between PSI and the Indiana Municipal Power Agency (IMPA), in order to provide certain Economic Development incentives under Section 5 of said Service Schedule.

Such Economic Development incentives are for an expanded processing facility at Marburger Foods in Peru, Indiana. Utility Service Board, City of Peru is a member of IMPA. The Economic Development incentives are limited to one megawatt, the expected load of the expansion project.

PSI has requested waiver of the Commission's applicable requirements of part 35 of its Regulation not complied with, including any notice requirements of § 35.3. The requested effective date for such Economic Developments incentives applicable to Marburger Foods is November 1, 1991.

Copies of the filing were served on the Utility Service Board, City of Peru, the Indiana Municipal Power Agency and the Indiana Utility Regulatory Commission.

Comment date: February 19, 1992, in accordance with Standard Paragraph E at the end of this notice.

2. Central Louisiana Electric Company

[Docket No. ER92–97–000]

Take notice that on January 23, 1992, Central Louisiana Electric Company (CLECO) tendered for filing Amendment No. 2 to its October 7, 1991 filing in this docket.

Comment date: February 19, 1992, in accordance with Standard Paragraph E at the end of this notice.

3. Central Maine Power Company

[Docket No. ER92–47–000]

Take notice that on January 30, 1991, Central Maine Power Company (CMP) tendered an amended filing in the above-referenced docket with respect to the following:

Maine Satellite Agreement Bangor Hydro-Electric Company and Central Maine Power Company, dated as of February 1, 1983.

CMP's amended filing provides additional Cost Support in response to verbal notice received from the Commission Staff.

CMP has served copies of the amended filing on the affected customer and on the Maine Public Utilities Commission.

Comment date: February 19, 1992, in accordance with Standard Paragraph E at the end of this notice

4. Florida Power Corporation

[Docket No. ER92–281–000]

Take notice that on January 21, 1992, Florida Power Corporation (Florida Power) filed a revised sheet to Exhibit B of Florida Power's Agreement with Seminole Electric Cooperative In. (SECI) for supplemental resale service, transmission service and load following service (Supplemental Resale Agreement). Appendix B contains the General Terms and Conditions applicable to the services. The provision changed by this filing is Article 7, Payment of Bills. The filing increases the amount of a deposit held by Florida Power to reflect the current level of its monthly bills to SECI.

Florida Power has informed Seminole that Florida Power intended to file a change in Article 7 to incorporate an increased amount, and Seminole has expressed no objection. Florida Power requests that the change be allowed to become effective on April 1, 1992.

Comment date: February 19, 1992, in accordance with Standard Paragraph E end of this notice.

5. Ohio Edison Company

[Docket No. ER92–297–000]

Take notice that on January 21, 1992, pursuant to the Commission's December 20, 1991 Order on Complaint in Docket No. EL91–48–000, Ohio Edison Company has filed a Temporary Service Agreement (TSA) under which Ohio Edison has constructed or is constructing facilities necessary to replace Cuyahoga Falls' 23 kV delivery point with permanent service at 138 kV in return for contributions in aid of construction.

Ohio Edison requests that the TSA be permitted to become effective as of February 1, 1989, and that the replacement of Cuyahoga Falls' 23 kV delivery point with a permanent 138 kV delivery point be made effective to coincide with the actual use of those facilities, i.e., the addition of the permanent 138 kV delivery point effective June 1, 1991, and the termination of the 23 kV delivery point effective January 1, 1992.

Copies of this filing have been served on Cuyahoga Falls, Ohio, American Municipal Power-Ohio, Inc., and the Public Utilities Commission of Ohio.

Comment date. February 19, 1992, in accordance with Standard Paragraph E at the end of this notice.

6. Montana Power Company

[Docket No. ER92-293-000]

Take notice that on January 29, 1992, Montana Power Company (Montana) tendered for filing Amendment No. 1 to Rate Schedule FERC No. 179, a "Firm Capacity and Energy Purchase Agreement between Montana and Black Hills Power and Light Company.

Comment date: February 19, 1992, 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. 92-3679 Filed 2-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP92-319-000]

Eastern Shore Natural Gas Co.; Request Under Blanket Authorization

February 5, 1992.

Take notice that on January 27, 1992, Eastern Shore Natural Gas Company (Eastern Shore), Post Office Box 615, Dover, Delaware 19903, filed a prior notice request, as supplemented January 30, 1992, with the Commission in Docket No. CP92-319-000 pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to construct and operate a new sales tap, lateral, and metering facilities to service Texaco Refining and Marketing (Texaco), an existing customer, under its blanket certificate issued in Docket No. CP83-40-000, pursuant to section 7 of the NGA, all as more fully set forth in the request which is open to public inspection.

Eastern Shore proposes to construct and operate a sales tap, an 1,800-foot lateral of ten-inch pipe, and appurtenant metering facilities in New Castle County, Delaware, in order to effect daily interruptible direct sales of up to 35,000 MMBtu of natural gas and 7,500,000 MMBtu annually to Texaco, successor of Getty Refining and Marketing Company. The Commission authorized Eastern Shore's current daily service level of 60,000 MMBtu in Docket No. CP85-89-000, *et al.* (32 FERC ¶61,098).[1] Eastern Shore states that it currently sells Texaco 15,000 MMBtu per day and would be within its currently authorized service level upon approval of this proposal. Eastern Shore states that it would sell gas to Texaco, a non-jurisdictional industrial customer, at a negotiated rate rather than under an existing rate schedule.

Eastern Shore states that its tariff does not prohibit the addition of delivery points on its system by current customers.

Any person or the Commission's staff may, within 45 days after the Commission has issued this notice, 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 NGA (18 CFR 157.205) a protest to the request. If no protest is filed within the allowed time, the proposed activity shall be deemed to be authorized effective the date 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 NGA.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3680 Filed 2-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP91-143-000]

Great Lakes Gas Transmission Limited Partnership; Informal Settlement Conference

February 10, 1992.

Take notice that an informal settlement conference will be convened in this proceeding commencing on Tuesday, March 10, 1992, at 10 a.m., and continuing through Wednesday, March 11, 1992. The conference will be held at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC, for the purpose of exploring the possible settlement of all issues raised in the above-referenced dockets.

Any party, as defined by 18 CFR 385.102(c), or any participant as defined in 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, contact J. Carmen Gastilo at (202) 208-2182 or John P. Roddy at (202) 208-1176.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3681 Filed 2-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP92-325-000]

K N Energy, Inc.; Application

February 6, 1992.

Take notice that on January 31, 1992, K N Energy, Inc. (KN), Post Office Box 281304, Lakewood, Colorado 80228-8304, filed in Docket No. CP92-325-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the sale of natural gas for resale to the City of Winona, Kansas (Winona), all as more fully set forth in the application on file with the Commission and open to public inspection.

KN proposes to sell up to 314 Mcf of natural gas per day and up to 25,969 Mcf of natural gas per year to Winona under KN's Rate Schedule CD-1 at a new point of delivery located in Logan County, Kansas. In order to deliver the gas to Winona, KN proposes to install a tap and a town border station on its existing 2-inch Monument lateral in Logan County, Kansas.

KN states that Winona, a community of 120 homes and commercial establishments located in northwestern Kansas, and Page City, Kansas (Page), a small community of 21 homes, located between Winona and KN's transmission system currently relies on propane as their primary fuel supply. KN indicates that Winona proposes to construct and operate a natural gas distribution system consisting of 4-inch and smaller pipelines and a measuring and regulating station at the edge of the distribution system for each community to serve Winona and Page with natural gas purchased from KN. Winona also proposes to construct approximately 12 miles of 4-inch pipeline from an interconnect with KN near Monument, Kansas to the town border station at Page and at Winona, it is indicated. KN states that Winona has requested that

[1] The Commission originally authorized Eastern Shore to serve Texaco by the order issued June 10, 1980, in Docket No. CP80-145 (11 FERC ¶61,275).

KN construct the proposed facilities and make the sale of natural gas for resale to Winona. Winona states that the difference in the cost between propane and natural gas is sufficient to finance construction of the proposed natural gas system to serve Winona and Page, it is indicated. KN states that it has sufficient gas reserves and deliverability to make the proposed sale to Winona without adversely affecting KN's ability to serve its existing customers. KN states that the estimated cost of its facilities is $23,400. KN proposes to finance this project out of internally generated funds, or interim bank loans, which at a later date may be funded through a security issue.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 27, 1992, file with the Federal Energy Regulatory Commission, 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 385.214 or 385.211) 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 application 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 KN to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary

[FR Doc. 92-3682 Filed 2-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TC92-6-002]

South Georgia Natural Gas Co.; Proposed Changes to FERC Gas Tariff

February 10, 1992.

Take notice that on February 6, 1992, South Georgia Natural Gas Company (South Georgia), Post Office Box 2563, Birmingham, Alabama 35202-2563, tendered for filing the following tariff sheets to its FERC Gas Tariff, First Revised Volume No. 1, to be effective January 15, 1992:

First Substitute Tenth Revised Sheet No. 44
First Revised Sheet No. 44A
First Substitute First Revised Sheet No. 44A
First Substitute Eleventh Revised Sheet No. 45
First Substitute Eighth Revised Sheet No. 46
First Revised Sheet No. 46A
First Substitute First Revised Sheet No. 46A
First Substitute Ninth Revised Sheet No. 47

South Georgia states that the foregoing tariff sheets are submitted in compliance with the Federal Energy Regulatory Commission's (Commission) order dated January 15, 1992, in Docket No. TC92-6-000 (January 15 Order) which directed South Georgia to remove the cities of Americus, Bainbridge, Cairo, Dawson, Fitzgerald, Moultrie, Quitman, and Thomasville, Georgia, and the City of Quincy, Florida (municipalities), from South Georgia's Index of Requirements (Index) because they had converted to firm transportation service from South Georgia and will obtain their gas supplies from other suppliers. In addition, South Georgia asserts that Georgia-Pacific Corporation's and Florida Power Corporation's requirements have also been removed from its Index pursuant to the authorizations granted in Docket Nos. CP91-3088-000 and CP91-3089-000 to abandon the transportation of natural gas for direct sales to these two (2) customers. Finally, South Georgia states that First Revised Sheet Nos. 44A and 46A supercede Original Sheet No. 44A and 46A which were submitted on December 16, 1991, in Docket No. TC92-6-000, and reflect a correction in pagination only.

South Georgia states that copies of the filing will be served upon all of its jurisdictional purchasers, shippers and interested state commissions as well as all parties of record in Docket No. TC92-6-000.

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 February 19, 1992. 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 in the public reference room.

Lois D. Cashell,

Secretary.

[FR Doc. 92-3683 Filed 2-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. FA90-68-000]

Williams Natural Gas Co.; Order Establishing Hearing Procedures; Pipeline Rates: Hearing, Accounting

February 11, 1992.

On December 16, 1991, the Chief Accountant issued a contested audit report [1] under the delegated authority noting Williams Natural Gas Company's (Williams) disagreement with certain recommendations of the Division of Audits as described in the report. Williams was requested to advise whether it would agree to the disposition of the contested matters under the shortened procedures provided for by part 158 of the Commission's Regulations. 18 CFR 158.1, *et seq*

On January 15, 1992, Williams responded that it did not consent to the shortened procedures. Section 158.7 of the Commission's Regulations provides that in case consent to the shortened procedures is not given, the proceeding will be assigned for hearing. Accordingly, the Secretary, under authority delegated by the Commission, will set these matters for hearing.

Any interested person seeking to participate in this docket shall file a protest or a motion to intervene pursuant to rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) no later than 15 days after the date of publication of this order in the **Federal Register.**

It is Ordered:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act, the provisions of the Natural Gas Act, particularly sections 4, 5

[1] 57 FERC ¶ 62,263

and 8 thereof, and pursuant to the Commission's Rules of Practice and Procedure (18 CFR chapter I), a public hearing shall be held concerning the appropriateness of Williams' accounting practices as discussed in the audit report.

(B) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge, shall convene a prehearing conference in this proceeding, to be held within 45 days of the date of this order, in a hearing room of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426. The Presiding Judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(C) This order shall be promptly published in the Federal Register.

Lois D. Cashell,

Secretary.

[FR Doc. 92–3684 Filed 2–14–92; 8:45 am]

BILLING CODE 6717–01–M

Office of Arms Control and Nonproliferation Technology Support

Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation between the Government of the United States of America and the European Atomic Energy Community (EURATOM) concerning Peaceful Uses of Atomic Energy, as amended, and the Agreement for Cooperation between the Government of the United States of America and the Government of Canada concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer: RTD/CA(EU)–19, for the transfer of 185.2 kilograms of uranium metal, enriched to 19.95 percent in the isotope uranium-235, from the Federal Republic of Germany to Canada, for fabrication of fuel elements, for the NRU research reactor.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice

Issued in Washington, DC, on February 12, 1992.

Salvador N. Ceja,

Acting Director, Office of Nuclear Nonproliferation Policy.

[FR Doc. 92–3741 Filed 2–14–92; 8:45 am]

BILLING CODE 6450–01–M

Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden Concerning Peaceful Uses of Nuclear Energy, and the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreements involves approval of the following retransfer: RTD/EU(SW)–82, for the transfer from Sweden to France of 8.056 kilograms or uranium, enriched to 19.84 percent in the isotope uranium-235 contained in fuel assemblies for repair and subsequent return to Sweden.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Issued in Washington, DC, on February 12, 1992.

Salvador N. Ceja,

Acting Director Office of Nuclear Nonproliferation Policy

[FR Doc. 92–3742 Filed 2–14–92; 8:45 am]

BILLING CODE 6450–01–M

Office of Conservation and Renewable Energy

[Case No. F–043]

Energy Conservation Program for Consumer Products; Application for Interim Waiver and Petition for Waiver of Furnace Test Procedures From Rheem Manufacturing Co.

AGENCY: Office of Conservation and Renewable Energy, Department of Energy.

SUMMARY: Today's notice publishes a letter granting an Interim Waiver to Rheem Manufacturing Company (Rheem) from the existing Department of Energy (DOE) test procedures for furnaces regarding blower time delay for the company's GED and GKC condensing furnaces.

Today's notice also publishes a "Petition for Waiver" from Rheem. Rheem's Petition for Waiver requests DOE to grant relief from the DOE test procedures relating to the blower time delay specification. Rheem seeks to test using a blower delay time of 30 seconds for its GED and GKC condensing furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. DOE is soliciting comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than March 19, 1992.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Conservation and Renewable Energy, Case No. F–043, Mail Stop CE–90, room 6B–025, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–3012.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasseri, U.S. Department of Energy, Office of Conservation and Renewable Energy, Mail Station CE–43, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9127.

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC–41, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9507.

SUPPLEMENTARY INFORMATION: The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act (EPCA), Public Law 94–163, 89 Stat. 917, as amended by the National Energy Conservation Policy Act (NECPA), Public Law 95–619, 92 Stat. 3266, the National Appliance Energy Conservation Act of 1987 (NAECA), Public Law 100–12, and the National Appliance Energy Conservation Amendments of 1988 (NAECA 1988), Public Law 100–357, which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These

test procedures appear at 10 CFR part 430, subpart B.

DOE amended the prescribed test procedures by adding 10 CFR 430.27 on September 26, 1980, creating the waiver process. 45 FR 64108. Thereafter DOE further amended the appliance test procedure waiver process to allow the Assistant Secretary for Conservation and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

The Interim Waiver provisions added by the 1986 amendment allow the Assistant Secretary to grant an Interim Waiver when it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. An Interim Waiver remains in effect for a period of 180 days or until DOE issues its determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On December 4, 1991, Rheem filed an Application for an Interim Waiver regarding blower time delay. Rheem's Application seeks an Interim Waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and starting of the circulating air blower. Instead, Rheem requests the allowance to test using a 30-second blower time delay when testing its GED and GKC condensing furnaces. Rheem states that the 30-second delay is indicative of how these furnaces actually operate. Such a delay results in an energy savings of approximately 2.0 percent. Since current DOE test procedures do not address this variable blower time delay, Rheem asks that the Interim Waiver be granted.

Previous waivers for this type of timed blower delay control have been granted by DOE to Coleman Company, 50 FR 2710, January 18, 1985; Magic Chef Company, 50 FR 41553, October 11, 1985; Rheem Manufacturing Company, 53 FR 48574, December 1, 1988, 55 FR 3253, January 31, 1990, 55 FR 37521, September 12, 1990, and 56 FR 63946, December 6, 1991; Trane Company, 54 FR 19226, May 4, 1989, and 55 FR 41589, October 12, 1990, and 56 FR 64609, December 11, 1991; Lennox Industries, 54 FR 50525, December 7, 1989; DMO Industries, 55 FR 4004, February 6, 1990; Heil-Quaker Corporation, 55 FR 13184, April 9, 1990; Carrier Corporation, 55 FR 13182, April 9, 1990; Inter-City Products Corporation, 55 FR 31099, July 31, 1990, and 56 FR 27959, June 18, 1991; Amana Refrigeration Inc., 56 FR 853, January 9, 1991, and 56 FR 29957, July 1, 1991; Armstrong Air Conditioning, Inc., 56 FR 10553, March 13, 1991, 56 FR 34200, July 26, 1991, and 56 FR 63941, December 6, 1991; Snyder General Corporation, 56 FR 14511, April 10, 1991; Goodman Manufacturing Corporation, 56 FR 20421, May 3, 1991; Thermo Products, Inc., 56 FR 32205, July 15, 1991; and the Ducane Company, 56 FR 45958, September 9, 1991, and 56 FR 64510, December 10, 1991. Thus, it appears likely that the Petition for Waiver will be granted for blower time delay.

In those instances where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting Rheem an Interim Waiver for its GED and GKC condensing furnaces. Pursuant to paragraph (e) of § 430.27 of the Code of Federal Regulations, the following letter granting the Application for Interim Waiver to Rheem was issued.

Pursuant to paragraph (b) of 10 CFR 430.27, DOE is hereby publishing the "Petition for Waiver" in its entirety. The petition contains no confidential information. DOE solicits comments, data, and information respecting the petition.

Issued in Washington, DC, February 7, 1992.

J. Michael Davis,

Assistant Secretary, Conservation and Renewable Energy.

February 7, 1992.

Mr. Daniel J. Canclini,

Vice President-Product Development and Research Engineering, Rheem Manufacturing Company, P.O. Box 17010, Fort Smith, AR 72917-7010.

Dear Mr. Canclini: This is in response to your December 4, 1991, Application for Interim Waiver and Petition for Waiver from the Department of Energy (DOE) test procedures for furnaces regarding blower time delay for Rheem Manufacturing Company (Rheem) GED and GKC condensing furnaces.

Previous waivers for this type of timed blower delay control have been granted by DOE to Coleman Company, 50 FR 2710, January 18, 1985; Magic Chef Company, 50 FR 41553, October 11, 1985; Rheem Manufacturing Company, 53 FR 48574, December 1, 1988, 55 FR 3253, January 31, 1990, and 55 FR 37521, September 12, 1990, and 56 FR 63946, December 6, 1991; Trane Company, 54 FR 19226, May 4, 1989, 55 FR 41589, October 12, 1990, and 56 FR 64609, December 11, 1991; Lennox Industries, 54 FR 50525, December 7, 1989; DMO Industries, 55 FR 4004, February 6, 1990; Heil-Quaker Corporation, 55 FR 13184, April 9, 1990; Carrier Corporation, 55 FR 13182, April 9, 1990; Inter-City Products Corporation, 55 FR 31099, July 31, 1990, and 56 FR 27959, June 18, 1991; Amana Refrigeration Inc., 56 FR 853, January 9, 1991, and 56 FR 29957, July 1, 1991; Armstrong Air Conditioning, Inc., 56 FR 10553, March 13, 1991, 56 FR 34200, July 26, 1991, and 56 FR 63941, December 6, 1991; Snyder General Corporation, 56 FR 14511, April 10, 1991; Goodman Manufacturing Corporation, 56 FR 20421, May 3, 1991; Thermo Products, Inc., 56 FR 32205, July 15, 1991; and The Ducane Company, Inc., 56 FR 45958, September 9, 1991, and 56 FR 64510, December 10, 1991.

Rheem's Application for Interim Waiver does not provide sufficient information to evaluate what, if any, economic impact or competitive disadvantage Rheem will likely experience absent a favorable determination on its application. However, in those instances where the likely success of the Petition for Waiver has been demonstrated, based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, Rheem's Application for an Interim Waiver from the DOE test procedures for its GED and GKC condensing furnaces regarding blower time delay is granted.

Rheem shall be permitted to test its line of GED and GKC condensing furnaces on the basis of the test procedures specified in 10 CFR part 430, subpart B, appendix N, with the modification set forth below.

(i) Section 3.0 in appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in section 9 in ANSI/ASHRAE 103-82 with the exception of sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 in appendix N as follows:

3.10 Gas- and Oil-Fueled Central Furnaces. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-), unless: (1) The furnace employs a single motor to drive the power burner and the indoor air circulation blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay, (t-), using a stopwatch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

This Interim Waiver is based upon the presumed validity of statements and all allegations submitted by the company. This Interim Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the application is incorrect.

The Interim Waiver shall remain in effect for a period of 180 days or until DOE acts on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180-day period, if necessary.

Sincerely,

J. Michael Davis, P.E.,

Assistant Secretary, Conservation and Renewable Energy.

December 4, 1991.

Assistant Secretary,
Conservation and Renewable Energy,
United States Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

Gentlemen: This is a petition for waiver and petition for interim waiver submitted pursuant to Title 10 CFR 430.27. Waiver is requested from the furnace test procedure found at Appendix N to subpart B of part 430. The test procedure requires a 1.5 minute delay between burner on and blower on. Rheem is requesting authorization to use a 30 second delay instead of 1.5 minutes. Rheem will be manufacturing a series of condensing furnaces which include the (-)GED upflow models and (-)GKC downflow models with an electronic blower control that controls blower operation on a timing sequence as opposed to temperature. Maximum energy efficiency is achieved by the fixed timing controls installed in these models that activate the circulating air blower 30 seconds after the burner is on. Under the Appendix N procedures, the stack temperature is allowed to climb at a faster rate than it would with a 30 second blower on time, allowing energy to be lost out the vent system. This waste of energy would not occur in actual operation. If this petition is granted, the true blower on time delay would be used in the calculations. Proposed ANSI/ASHRAE 103–1988, paragraph 9.6.1 specifically addresses the use of timed blower operation.

The current test procedures prevent Rheem from taking up to 2% in AFUE for the above models. Rheem is of the opinion that 2% increase is a worthwhile energy savings.

Current prescribed test procedures prohibit Rheem from taking credit for the saved energy, thus providing inaccurate comparative data.

Rheem has been granted a waiver permitting the 30 second blower on time to be used in the efficiency calculations for our similar (-)GEC and (-)GKB series condensing furnaces. Several other manufacturers of condensing furnaces have also been granted a waiver to permit calculations based on timed blower operation.

Confidential comparative test data is available to you upon your request, confirming the above energy savings.

Manufacturers that domestically market similar products are being sent a copy of this petition for waiver and petition for interim waiver.

Sincerely,

Daniel J. Canclini,

Vice President—Product Development and Research Engineering.

[FR Doc. 92–3739 Filed 2–14–92; 8:45 am]

BILLING CODE 6450-01-M

Office of Fossil Energy

[FE Docket No. 91–89NG]

Aectra Refining and Marketing, Inc.; Order Granting Blanket Authorization To Export Natural Gas to Mexico

AGENCY: Office of Fossil Energy, Department of Energy.

ACTION: Notice of an order granting blanket authorization to export natural gas to Mexico.

SUMMARY: The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting Aectra Refining and Marketing, Inc., blanket authorization to export to Mexico up to 146 Bcf of natural gas over a two-year period beginning on the date of first delivery.

A copy of this order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F–056, Forrestal Building, U.S. Department of Energy, 1000 Independent Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, January 24, 1992.

Clifford P. Tomaszewski,

Acting Deputy Assistant Secretary for Fuels Programs Office of Fossil Energy.

[FR Doc. 91–3737 Filed 2–14–91; 8:45 am]

BILLING CODE 6450-01-M

Office of Hearings and Appeals

Issuance of Decisions and Orders During the Week of January 13 Through January 17, 1992

During the week of January 13 through January 17, 1992, the decisions and orders summarized below were issued with respect to appeals and applications for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeals

James L. Schwab, 1/17/92, LFA–0175

James L. Schwab (Schwab) filed an Appeal from a determination issued to him by the Department of Energy Field Office, Albuquerque (DOE/AL) on a request for information under the Freedom of Information Act (FOIA). Schwab, a former employee of a DOE contractor, had requested all documents relating to the investigation of Schwab's dismissal conducted by DOE/AL's Personnel and Industrial Relations Division (PIRD). Schwab claimed that his request was only partially fulfilled by DOE/AL's determination, and that none of the released documents related to PIRD's investigation into his case. In considering the Appeal, the DOE determined that searches for responsive documents were conducted at PIRD as well as DOE/AL's Safety Programs Division, Environmental Protection Division, Health Protection Division, Office of the Chief Counsel, and Kirtland Area Office. The DOE found that regardless of the Appellant's expectation that other responsive material exists and should have been found, any responsibe material relating to Schwab's FOIA request should have been uncovered by the parameters of that search. Consequently, the DOE found that DOE/AL's search was reasonably calculated to uncover all materials sought by the Appellant, and was clearly adequate under the FOIA. Accordingly, the Appeal filed by Schwab was denied.

Roy P. Lessy, Jr. and Bradley W. Jones, 1/17/92, LFA–0172

Roy P. Lessy, Jr. and Bradley W. Jones of the law firm of Akin, Gump, Hauer & Feld, filed an Appeal from a determination issued to them by the Department of Energy Field Office, Richland (Richland) on a request for information under the Freedom of Information Act (FOIA). The Appellants' request for information concerned the DOE's lease of radicactive cesium capsules to several commercial firms. Richland determined that a draft version of a DOE report entitled "Cesium Chloride Analyses: Report #1" was exempt from mandatory disclosure pursuant exemption 5. In considering the Appeal, the DOE found that draft documents, by their very nature, are predecisional and deliberative and determined that the document was not a statement of final agency policy, but rather the predecisional deliberations of its author. Thus, the draft report was properly withheld under exemption 5. The DOE also found that the disclosure of factual information from a draft document raises the possibility that the deliberative process will be exposed and consequently, that the draft report contained no segregable factual information which can be released without compromising the deliberative process. Finally, the DOE determined that any public interest in the contents of the final DOE report did not extend to the preliminary draft withheld. Accordingly, the Appeal was denied.

Refund Applications

Bono Brothers, Et al., 1/15/92, RF272–78400, et al.

The DOE issued a Decision and Order granting a refund from the crude oil overcharge funds to 44 farmers. The DOE determined that the USDA formula of 23.8 gallons/acre excluded home heating oil and other energy purchased by farmers for personal use. The total of the refunds granted in this Decision is $4,423.

Exxon Corporation/Hurlbutt's Exxon Et al., 1/14/92, RF307–9408 et al.

The DOE issued a consolidated Decision and Order concerning seven Applications for Refund filed by indirect purchasers of Exxon motor gasoline. The claimants sought a portion of the settlement fund obtained by the DOE as a result of a consent order entered into by Exxon Corporation. Since the allocable share of each of the Seven applicants was less than $5,000, their refund claims were granted without a detailed demonstration of injury. Applying the criteria established for the Exxon refund proceeding, the DOE granted refunds in this proceeding which total $3,473 ($2,406 principal and $1,067 interest).

Westinghouse Hanford Co., 1/15/92, RF272–69039

The DOE issued a Decision and Order denying an Application for Refund in the supart V crude oil overcharge refund proceeding submitted by Westinghouse Hanford Co. (WHC), a private contractor for the DOE. Through a cost-plus contract with the DOE during the refund period, WHC was reimbursed for all petroleum purchases that it made in operating the DOE's Hanford Site. The DOE determined that WHC was not the proper recipient of the refund.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/ Bernie Cullen's Arco.	RF304–4567	01/14/92
Atlantic Richfield Company/ Coulterville Service Center et al.	RF304–3408	01/15/92
Atlantic Richfield Company/ General Equities, Inc.	RR304–22	01/15/92
Atlantic Richfield Company/GNB Products.	RF304–11684	01/14/92
Empire Gas Corporation/ Barney Foster *et al.*	RF335–39	01/17/92
Empire Gas Corporation/ Odessa L.P.G. Transport, Inc.	RF335–33	01/15/92
Gulf Oil Corporation/ Saady Service Station.	RF300–12559	01/17/92
Kennedy's Gulf	RF300–12640	
Garrander Bros	RF300–12641	
Leo R. Geyman	RC272–153	01/14/92
Shell Oil Company/ Airway Heights Shell *et al.*	RF315–83	01/17/92
Shell Oil Company/ System Fuels, Incorporated.	RF315–9678	01/15/92
Texaco Inc./ Baker's Texaco Station *et al.*	RF321–50	01/17/92
Texaco Inc./Bob's Texaco *et al.*	RF321–7164	01/17/92
Texaco Inc./C&J Oil Co., Inc. *et al.*	RF321–13186	01/14/92
Texaco Inc./ Holgate Service.	RF321–1044	01/17/92
Smokes Auto Repair Shop.	RF321–18146	
Texaco Inc./ Raymond's Texaco.	RR321–80	01/17/92
Tuscaloosa Board of Education *et al.*	RF272–75858	01/14/92
United Refining Company/ Petroleum Electronics, Inc.	RF333–25	01/14/92
Jobbers Buying Group.	RF333–26	
Crago & Cook Enterprises.	RF333–27	
Everdyke Oil Co	RF333–28	

Dismissals

The following submissions were dismissed:

Name	Case No.
American Coastal & Foreign Shipping Company, Inc.	RF272–28048
Belden Wire & Cable Corp	RF304–4467
Berkely Gulf Service	RR300–93
Conner's Gulf Station	RR300–90
D & G Oil Co	RF304–9085
Deloach Texaco	RF321–9647
Delta County Road Commission.	RF272–52082
Edmiston Texaco	RF321–15991
Farm Stores, Inc	RD272–22920
Flower Street Limited	RF304–3591
Fran's Texaco Service	RF321–16440
Gilbert Seiler	RF272–52128
Hamm Oil Company	RF272–52258
Hawaiian Eileen Corporation	RF272–28044
Hawaiian Eugenia Corporation	RF272–28047
J. Walter Young Texaco Products, Inc.	RF321–17511
Livingston Oil Co. Inc	RF321–17949
Manchester City Schools	RF272–78879
Michael P. Dailey	LFA–174
Milliken, Tomlinson Co., Inc	RF321–17492
Monument Oil Co	RF304–4566
Moreau Fuel Co	RF321–13537
Porter Farms	RF321–17500
Rich's Texaco	RF321–12034
Shreve Island Texaco	RF321–10268
St. Casimir Church	RF272–75875

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, room 1E–234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except Federal holidays. They are also available in "Energy Management: Federal Energy Guidelines," a commercially published loose leaf reporter system.

Dated: February 11, 1992.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 92-3738 Filed 2-14-92; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL MARITIME COMMISSION

Security for the Protection of the Public Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages; Issuance of Certificate (Casualty)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages pursuant to the provisions of section 2, Public Law 89-777 (46 U.S.C. 817(d)) and the Federal Maritime Commission's implementing regulations at 46 CFR part 540, as amended:

Kloster Cruise Limited (d/b/a Royal Viking Line), 95 Merrick Way, Coral Gables, FL 33134.

Vessel: ROYAL VIKING QUEEN

Dated: February 11, 1992.

Joseph C. Polking,

Secretary.

[FR Doc. 92-3658 Filed 2-14-92; 8:45 am]

BILLING CODE 6730-01-M

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR part 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC 20573.

Eduardo Nelson Rojas, 2644 W. Pico Blvd., Los Angeles, CA 90006, Sole Proprietor.

World Asia Freight System Inc., 1065 Sneath Lane, San Bruno, CA 94066, Officer: Hae Duck Park, President.

Fujiwarq American Incorporated, 801 2nd Ave., Norton Bldg. #617, Seattle, WA 98104, Officers: Motomu Euchidani, President, Yasuhito Araki, Vice President, Yasushi Iwasaka, Treasurer.

Rocky Mountain Overseas, Inc., 2323 South Troy St., #201, Aurora, Colorado 80014, Officers: Ainslie M. Bell, Pres./Dir./Treas./Stockh., James R. Stewart, V. President/Director/Stockh., Sheryl Jung, Secretary.

Sorenna Inc., 1401 W. Artesia Blvd., Compton, CA 90220, Officers: Marion Braunshausen, President/Director, Alois Lamprecht, C.F.O./Director.

Cavalier International Air Freight, Inc., 93 Albert Avenue, Newark, N.J. 07105, Officers: Gregory T. Rineer, President, Jay J. Bartolotta, Vice President.

Isewan U.S.A. Inc. 3838 Carson St., Suite 307, Torrance, CA 90503, Officers: Kazuo Takashima, Chairman/Director, Katsuyaki Mizuno, President, Kiyoshi Isono, Vice President/Chief Exec. Officer.

Thomas Luther Griffin, 2154 Bradford Street, Unit 202, Clearwater, FL 34620, Sole Proprietor.

Nexus International Express, Inc., 2016 E. University Drive, Compton, CA 90220, Officers: Capt. Benjamin N.K. Ho, Director, Adam Yeh, Director, Alex Y. Lee, Director, Leo Shan Wan Fong, President, Goang-Yih Chang, Vice President, Yen L. Lee, Secretary.

Patricia Ann Meyer, 16 Oakdale Place, Charleston, SC 29407, Sole Proprietor.

Houston Becnel, Inc., 15700 Export Plaza, Suite X, Houston, TX 77032, Officer: Albert E. Garcia, Jr. Pres./Sec./Treas.

W. F. Whelan Company, 6850 Middlebelt, Romulus, MI 48174, Officer: William F. Whelan, President.

By the Federal Maritime Commission.

Dated: February 11, 1992.

Joseph C. Polking,

Secretary.

[FR Doc. 92-3659 Filed 2-14-92; 8:45 am]

Billing Code 6730-01-M

[Docket No. 90-23]

Inquiry on Ocean Freight Tariffs in Foreign and Domestic Offshore Commerce; Automated Tariff Filing and Information System, "ATFI"

The General Services Administration ("GSA") has notified the Federal Maritime Commission ("Commission") that it will be moving from its present location at 1100 L Street, NW., Washington, DC. The Commission is working with GSA to effectuate the move in the most reasonable fashion. This Notice is being issued so that the tariff filing and retrieval industry is notified as quickly as possible about the impact on the Commission generally, and the ATFI system specifically, and can plan accordingly.

The consequences of the move upon the implementation of the Automated Tariff Filing and Information System ("ATFI") have been carefully considered by the Commission. If the move were to take place during the ATFI implementation period now scheduled for April through December 1992, serious problems could result. Among other move-related, disruptive scenarios, the review of new tariff filings could be delayed and new tariff data being filed could be inadequately screened by the Commission's Bureau of Tariffs, Certification and Licensing before it becomes official.

Accordingly, the Commission determines that the phased-in implementation, as originally described in the Fourth Report in this proceeding, be postponed to begin no more than 90, but no less than 30, days after the move is completed. To the extent possible to foresee at this time, it would appear that the first implementation window under the schedule which is being postponed as a result of the move, could now begin no earlier than August 1992, rather than in April 1992. Other subsequent implementation "windows," as described in the Fourth Report, will also be similarly postponed. A more detailed schedule of the deferred implementation will be issued when the Commission is more certain about the timing of the move.

The Commission regrets this delay so close to the end of the ATFI implementation road. However, since GSA has unequivocally advised the Commission that it must relocate its offices, the delay is indispensable to the integrity of the ATFI project. To the extent that the tariff filing industry can advantageously use the extra time to convert its tariffs to electronic form and/or perfect its batch filing capability, it is strongly urged to do so rather than wait until the last minute. Voluntary testing of tariffs on the system will not be interrupted, and the additional time should provide an optimum opportunity for the system to be further tested.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 92-3660 Filed 2-14-92; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

American Chartered Bancorp II, 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 March 13, 1992.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. American Chartered Bancorp II, Inc., Lake Zurich, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of American Chartered Bank of Lake Zurich, Lake Zurich, Illinois.

B. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. Wall Street Holding Company, Hamilton, North Dakota; to become a bank holding company by acquiring 100 percent of the voting shares of Bank of Hamilton, Hamilton, North Dakota.

C. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. Green Top, Inc., Central City, Nebraska; to acquire 5.3 percent of the voting shares of Central Grain, Inc., Central City, Nebraska, and thereby indirectly acquire The Farmers National Bank of Central City, Central City, Nebraska. In connection with this application, Green Top, Inc. and Central Grain, Inc. have applied to acquire at least 80 percent of State Bank, Palmer, Nebraska.

Board of Governors of the Federal Reserve System, February 11, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-3710 Filed 2-14-92; 8:45 am]

BILLING CODE 6210-01-F

Michael J. Clementz and Patricia C. Clementz; 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 March 10, 1992.

A. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. Michael J. Clementz and Patricia C. Clementz, Indianola, Washington; to acquire an additional 3.59 percent of the voting shares of Liberty Bay Financial Corporation, Poulsbo, Washington, and thereby indirectly acquire North Sound Bank, Poulsbo, Washington.

Board of Governors of the Federal Reserve System, February 11, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-3711 Filed 2-14-92; 8:45 am]

BILLING CODE 6210-01-F

Comerica Incorporated, et al.; Formations of, Acquisitions by, and Mergers of Bank Holding Companies; and Acquisitions of Nonbanking Companies

The companies listed in this notice have applied under § 225.14 of the Board's Regulation Y (12 CFR 225.14) for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) to become a bank holding company or to acquire voting securities of a bank or bank holding company. The listed companies have also applied under § 225.23(a)(2) of Regulation Y (12 CFR 225.23(a)(2)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies, or to engage in such an activity. Unless otherwise noted, these activities will be conducted throughout the United States.

The applications are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 10, 1992.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Comerica Incorporated, Detroit, Michigan; to acquire Manufacturers National Corporation, Detroit, Michigan, and thereby indirectly acquire Manufacturers Bank, National Association, Detroit, Michigan, and Manufacturers National Bank of Ann Arbor, Ann Arbor, Michigan; and Affiliated Banc Group, Inc., Morton Grove, Illinois, and thereby indirectly acquire Affiliated Bank, Franklin Park, Illinois, and Stanford State Bank, Stanford, Illinois.

In connection with this application, Applicant also proposes to acquire Manucor Insurance Corporation, Detroit, Michigan, and thereby engage in credit related underwriting insurance activities pursuant to § 225.25(b)(8)(i); Manucor Agency, Inc., Detroit, Michigan, and thereby engage in credit related underwriting insurance activities pursuant to § 225.25(b)(8)(i); Manufacturers Bank and Trust of Florida, National Association, Palm Beach Gardens, Florida, and thereby engage in trust company activities pursuant to § 225.25(b)(3); Manufacturers, Federal Savings Bank, Palm Beach Gardens, Florida (in formation), and thereby engage in operating a savings and loan association pursuant to § 225.25(b)(9); Manufacturers Bank-Wilmington, Newark, Delaware, and thereby engage

in operating a credit card bank pursuant to 225.25(b)(1); Manufacturers Affiliated Trust Company, Chicago, Illinois, and thereby engage in trust company activities pursuant to § 225.25(b)(3); Wilson, Kemp & Associations, Inc., Detroit, Michigan, and thereby engage in providing investment and financial advice pursuant to § 225.25(b)(4); Affiliated Asset-Based Lending Services, Inc., Morton Grove, Illinois, and thereby engage in lending activities pursuant to § 225.25(b)(1); NSCC Leasing Corp., Morton Grove, Illinois, and thereby engage in leasing activities pursuant to § 225.25(b)(5); ML, Inc., Dearborn, Michigan, and thereby engage in data processing activities pursuant to § 225.25(b)(7) ofthe Board's Regulation Y.

In connection with the application, Manufacturers National Corporation, Detroit, Michigan, has applied for prior approval to acquire 16.6 percent of Comerica Incorporated's common stock pursuant to the terms of an option agreement.

B. Federal Reserve Bank of Minneapolis (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. First Bank System, Inc., Minneapolis, Minnesota; to merge with Siouxland Bank Holding Company, Scottsdale, Arizona, Dakota Bankshares, Inc., Scottsdale, Arizona, and thereby indirectly acquire Dakota Bank and Trust Company of Fargo, Fargo, North Dakota; and Hettinger Holding Company, Scottsdale, Arizona, and thereby indirectly acquire First National Bank, Hettinger, North Dakota.

In connection with this application, Applicant also proposes to acquire Dakota First Trust Co., Fargo, North Dakota, and thereby engage in trust company activities pursuant to § 225.25(b)(3) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, February 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92–3666 Filed 2–14–92; 8:45 am]

BILLING CODE 6210–01–F

Credit Populaire D'Algerie, 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 March 10, 1992.

A. Federal Reserve Bank of New York (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. Credit Populaire D'Algerie, Algiers, Algeria; to become a bank holding company by acquiring 44.06 percent of the voting shares of UBAF Arab American Bank, New York, New York.

B. Federal Reserve Bank of Philadelphia (Thomas K. Desch, Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105:

1. Meridian Bancorp, Inc., Reading, Pennsylvania; to acquire 8.33 percent of the voting shares of United Bank of Philadelphia, Philadelphia, Pennsylvania, a *de novo* bank.

C. Federal Reserve Bank of Cleveland (John J. Wixted, Jr., Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. Ohio Bancorp, Youngstown, Ohio; to acquire at least 5 percent but not more than 10 percent of the voting shares of Cortland Bancorp, Cortland, Ohio, and thereby indirectly acquire Cortland Savings & Banking Company, Cortland, Ohio.

D. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. City Holding Company, Charleston, West Virginia; to merge with Home Bancorp, Inc., Sutton, West Virginia, and thereby indirectly acquire The Home National Bank of Sutton, Sutton, West Virginia.

2. Glen Burnie Bancorp, Glen Burnie, Maryland; to become a bank holding company by acquiring 100 percent of the voting shares of The Bank of Glen Burnie, Glen Burnie, Maryland.

E. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Commercial Financial Corp., Storm Lake, Iowa; to become a bank holding company by acquiring 100 percent of the voting shares of The Commercial Trust & Savings Bank, Storm Lake, Iowa.

F. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. Grupo FEMSA, S.A., de C.V., Colonia Lomas de San Francisco, Monterrey, Nuevo Leon, Mexico; to become a bank holding company by acquiring at least 51 percent of the voting shares of Bancomer, S.A., Mexico City, Distrito Federal, Mexico, and thereby indirectly acquire Grossmont Bank, La Mesa, California.

Board of Governors of the Federal Reserve System, February 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92–3667 Filed 2–14–92; 8:45 am]

BILLING CODE 6210–01–F

Ann Laure Johnson Harper; 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 March 6, 1992.

A. Federal Reserve Bank of Atlanta (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. Ann Laure Johnson Harper, Monroeville, Alabama; to acquire an additional 1.33 percent of the voting shares of First Camden Bancshares, Inc., Camden, Alabama, for a total of 13.22 percent, and thereby indirectly acquire The Camden National Bank, Camden, Alabama.

Board of Governors of the Federal Reserve System, February 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-3668 Filed 2-14-92; 8:45 am]

BILLING CODE 6210-01-F

Irwin Financial 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 March 10, 1992.

A. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Irwin Financial Corporation, Columbus, Indiana; to acquire PriMed Financial Services, Inc., Chesapeake, Virginia, and thereby engage in servicing extensions of credit and acting as agent for servicing and collecting receivables and acquiring consumer credit receivables pursuant to § 225.25(b)(1); and collecting and servicing delinquent accounts receivables pursuant to § 225.25(b)(23) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, February 10, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-3669 Filed 2-14-92; 8:45 am]

BILLING CODE 6210-01-F

National City Corporation, Cleveland, Ohio, Correction

This notice corrects a previous **Federal Register** Notice (FR Doc. 91-29676), published at page 64792 of the issue for Thursday, December 12, 1991.

The notice for National City Corporation is revised to read as follows:

National City Corporation and its wholly-owned subsidiary, National City Venture Capital Corporation, both of Cleveland, Ohio ("Applicants"), have applied pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8))("BHC Act") and section 225.23(a) of the Board's Regulation Y (12 CFR 225.23(a)), for prior approval to engage in a joint venture by acquiring a limited partnership interest in Reserve Capital Group Limited Partnership, Cleveland, Ohio ("Partnership"), and thereby engage, on a domestic basis, in the following securities-related activities:

(1) the private placement, as agent, of all types of securities;

(2) providing financial and transaction advice to financial and nonfinancial institutions, including

(i) advice regarding the structuring of, and arranging for, loan syndications, interest rate "swaps," "caps," and similar transactions; (ii) advice in connection with financing and other corporate transactions; (iii) valuation services; (iv) advice in connection with merger, acquisition and divestiture considerations; (v) fairness opinions in connection with merger, acquisition and similar transactions; and (vi) conducting feasibility studies for companies;

(3) providing portfolio investment advice pursuant to section 225.25(b)(4)(iii) of the Board's Regulation Y;

(4) arranging commercial real estate equity financing pursuant to section 225.25(b)(14) of Regulation Y;

(5) real estate and personal property appraising pursuant to section 225.25(b)(13) of Regulation Y; and

(6) providing management consulting to depository institutions pursuant to section 225.25(b)(11) of Regulation Y.

Section 4(c)(8) of the BHC Act provides that a bank holding company may, with Board approval, engage in any activity "which the Board, after due notice and opportunity for hearing, has determined (by order or regulation) to be so closely related to banking or managing or controlling banks as to be a proper incident thereto."

A particular activity may be found to meet the "closely related to banking" test if it is demonstrated that banks have generally provided the proposed activity; that banks generally provide services that are operationally or functionally so similar to the proposed activity so as to equip them particularly well to provide the proposed activity; or that banks generally provide services that are so integrally related to the proposed activity as to require their provision in a specialized form. *National Courier Ass'n v. Board of Governors*, 516 F.2d 1229, 1337 (DC Cir. 1975)("*National Courier*"). In addition, the Board may consider any other basis that may demonstrate that the activity has a reasonable or close relationship to banking or managing or controlling banks. Board Statement Regarding Regulation Y, 49 FR 806 (1984).

In determining whether an activity meets the second, or proper incident to banking, test of section 4(c)(8), the Board must consider whether the performance of the activity by an affiliate of a holding company "can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." 12 U.S.C. § 1843(c)(8).

The Applicants will conduct the proposed portfolio advisory activities subject to the conditions of section 225.25(b)(4)(iii) of Regulation Y (12 CFR 225.25(b)(4)(iii)); the proposed commercial real estate equity financing activities pursuant to the conditions of § 225.25(b)(14) of Regulation Y (12 CFR 225.25(b)(14)); the proposed real estate and personal property appraisal activities pursuant to the conditions of section 225.25(b)(13) of Regulation Y (12 CFR 225.25(b)(13); and the proposed management consulting activities pursuant to section 225.25(b)(11) of Regulation Y (12 CFR 225.25(b)(11)).

The Board has previously determined by order that the proposed financial advisory services are closely related to

banking for purposes of section 4(c)(8) of the BHC Act, and the Applicants have committed to conduct these activities in accordance with the conditions set forth in these Orders. *See SunTrust Banks, Inc.*, 74 Federal Reserve Bulletin 256 (1988); *Signet Banking Corporation*, 73 Federal Reserve Bulletin 59 (1987). In addition, the Board has previously determined by order that acting as agent in the private placement of all types of securities is closely related and a proper incident to banking. *Bankers Trust New York Corporation*, 75 Federal Reserve Bulletin 829 (1989)("*Bankers Trust*"); *J.P. Morgan & Company Incorporated*, 76 Federal Reserve Bulletin 26 (1990)("*J.P. Morgan*"). The Applicants have proposed to act as agent in the private placement of all types of securities subject to the prudential limitations set forth in the *Bankers Trust* and *J.P. Morgan* Orders.

The Applicants state that the proposed activities will benefit the public, and that they will promote competition and provide gains in efficiency and added convenience to customers. Moreover, the Applicants believe that the proposed activities will not result in any unsound banking practices. Accordingly, the Applicants believe that the public benefits of this proposal outweigh adverse effects and the activities are therefore a proper incident to banking for purposes of Section 4 of the BHC Act.

Any comments or requests for hearing should be submitted in writing and received by William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, Washington, DC 20551, not later than March 2, 1992. Any request for a hearing on this application must, as required by section 262.3(e) of the Board's Rules of Procedure (12 CFR 262.3(e)), be accompanied by a statement of reasons why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

This application may be inspected at the offices of the Board of Governors or the Federal Reserve Bank of Cleveland.

Board of Governors of the Federal Reserve System, February 11, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-3712 Filed 2-14-92; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL TRADE COMMISSION

[Dkt. C-3365]

Nestle Food Company; Prohibited Trade Practices and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, the California-based marketer of Carnation Coffee-mate Liquid from misrepresenting the amount of total fat, saturated fat, or cholesterol in Coffee-mate Liquid or any other milk product or non-dairy substitute, relative to the serving size depicted in its advertisements or promotional materials.

DATES: Complaint and Order issued January 21, 1992.[1]

FOR FURTHER INFORMATION CONTACT: Anne Maher, FTC/S-4002, Washington, DC 20580 (202) 326-2987.

SUPPLEMENTARY INFORMATION: On Thursday, November 7, 1991, there was published in the **Federal Register**, 56 FR 57006, a proposed consent agreement with analysis in the Matter of Nestle Food Company, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of the order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,

Secretary.

[FR Doc. 92-3730 Filed 2-14-92; 8:45 am]

BILLING CODE 6750-01-M

[Dkt. C-3366]

St. Ives Laboratories, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, a California company from representing that its skin cream or any other non-prescription skin cream is, contains, or has the wrinkle-removing effect as the prescription drug tretinoin or from representing that its cosmetic products are, contain, or have the same effect as another manufacturer's prescription drug. Respondent also is prohibited from representing that its skin product is new or that it helps reduce the visible signs of aging. In addition, respondent is required to pay $100,000 to be deposited into the United States Treasury.

DATES: Complaint and Order issued January 24, 1992.[1]

FOR FURTHER INFORMATION CONTACT: Pamela Wood, Boston Regional Office, Federal Trade Commission, 10 Causeway St., room 1184, Boston, MA 02222-1073, (617) 565-7240.

SUPPLEMENTARY INFORMATION: On Thursday, November 7, 1991, there was published in the **Federal Register**, 56 FR 57011, a proposed consent agreement with analysis In the Matter of St. Ives Laboratories, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions, or objections regarding the proposed form of the order.

No comments have been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,

Secretary.

[FR Doc. 92-3731 Filed 2-14-92; 8:45 am]

BILLING CODE 6750-01-M

GENERAL ACCOUNTING OFFICE

Transmittal of Compliance Report to the President and the Congress

Pursuant to the Omnibus Budget Reconciliation Act of 1990, section

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

254(b), the United States General Accounting Office hereby reports that it has submitted its Compliance Report covering reports and Presidential orders issued during the session of Congress ending on January 3, 1992 to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

James L. Kirkman,

Director, Budget Issues, Accounting and Financial Management Division.

[FR Doc. 92-3744 Filed 2-14-92; 8:45 am]

BILLING CODE 1610-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Clinical Training Grants for Faculty Development in Alcohol and Other Drug Abuse

AGENCY: National Institute on Alcohol Abuse and Alcoholism, National Institute on Drug Abuse, Office For Substance Abuse Prevention, HHS.

ACTION: Notice of request for applications.

Introduction

The National Institute on Alcohol Abuse and Alcoholism (NIAA), the National Institute on Drug Abuse (NIDA), and the Office for Substance Abuse Prevention (OSAP) recognize the importance of training health professionals to effectively recognize, intervene, treat and/or refer alcohol and other drug abuse problems. It is especially important that those health professionals who exercise a leadership role in providing services in the primary health care and mental health care services systems develop expertise in early identification and intervention of alcohol and other drug abuse problems. For this reason, the Institutes and OSAP support clinical training and curriculum development programs which address alcohol and drug abuse training needs.

NIAA, NIDA, and OSAP seek to improve the scope and quality of alcohol and drug abuse clinical teaching in health professions schools through support of a program of faculty development in alcohol and other drug abuse. This program is targeted to faculty in schools of medicine, osteopathy, nursing, and social work as well as university-affiliated departments of psychology. These professions are identified because they bear a major responsibility for provision of primary care and mental health services to partients with alcohol and drug abuse problems. Through this program of faculty training, we seek to develop a cadre of academically based faculty, who will guide the training of a broad range of health professionals who are entering the health services field.

As a first step in addressing health professions faculty training needs, NIAA, NIDA, and OSAP have supported the development of alcohol and other drug abuse curricula for undergraduate and graduate training in schools of medicine, nursing and social work. Information on these curricula and other resource materials are available through the National Clearinghouse on Alcohol and are available through the National Clearinghouse on Alcohol and Drug Information (NCADI). These publications are listed on the NCADI Publications Order Form, which is attached.

In Fiscal Year (FY) 1992, NIAAA, in consultation with NIDA and OSAP, will make clinical training grant awards for "Faculty Development in Alcohol and Other Drug Abuse." This is an updating of a Request for Applications (RFA) issued in February 1990 entitled "Clinical Training Grants for Faculty Development in Alcohol and Other Drug Abuse." Currently 30 Schools of Medicine, Nursing and Social Work are supported to conduct Faculty Development Program grants. A listing of the current grantees is attached, for your information.

It is anticipated that up to $700,000 will be available in FY 1992 to support an estimated 4-6 new grants. In FY 1993, it is anticipated that an additional $1.0 million will be available to support 7-9 new grants. Each of these grants will provide support to 3-5 academically based faculty fellows within a single institution to develop their expertise in alcohol and other drug abuse, and to implement alcohol and drug abuse teaching as part of the ongoing clinical curriculum of their specialty. These grants will include two phases of activity: Faculty training and curriculum implementation efforts (years 1-3), and assessment of impact of training and curriculum activities (years 4 and 5).

The Public Health Service (PHS) is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS-led national activity for setting priority areas. This RFA is related to the priority area of alcohol and other drug abuse reduction. Potential aplicants may obtain free of charge a copy of Health People 2000 (Full Report: Stock No. 017-001-00474-0, or Summary Report: Stock No. 017-001-00473-1) through the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9325 (telephone: (202) 783-3238).

Purpose

The purpose of this program is to develop a cadre of academically based health professions faculty who will provide leadership within their clinical specialties/departments in alcohol and other drug abuse clinical training. It is expected that faculty fellows will develop expertise in the early prevention, screening and assessment, case management and/or referral of patients with alcohol and drug abuse problems; and will incorporate alcohol and drug abuse instruction as part of their ongoing clinical training responsibilities within their departments. In addition, faculty fellows at the awardee institution will work together, under the supervision of a sponsor, to assess curriculum needs and implement curricula in alcohol and drug abuse in their departments. Through this program, faculty fellows will develop expertise in the following areas:

- State-of-the-art prevention, screening and assessment, case management, and referral methods in alcohol and drug abuse;
- Current alcohol and drug abuse research methodologies and findings, and the application of these findings to clinical teaching and clinical practice;
- Application of state-of-the-art instructional materials and methodologies to clinical teaching;
- Implementing alcohol and drug abuse instruction as part of the onging clinical training of the faculty fellows' departments.

NIAAA and NIDA have separate program announcements addressing support for advanced training for careers in research. This information may be obtained by contacting individuals listed under Further Information on Research Training Opportunities.

Eligibility

NIAAA and NIDA are limiting potential applicants under this Request for Applications to schools of medicine, osteopathy, nursing, social work, and university affiliated departments of psychology. This is because alcohol and drug abuse curriculum guidelines and materials, which were developed through the NIAAA/NIDA Curriculum Models Program, can be readily adapted for use by these health professions training programs. A major objective of the current program is to promote the implementation of these model curricula by medical, nursing, social work, and psychology/faculty. These health

professions exercise a critical role in the prevention, early recognition, treatment and/or referral of patients with alcohol and other drug abuse problems.

Applications may be submitted by the following health professions schools and institutional units:

- An accredited school of medicine.
- An accredited school of osteopathy.
- An accredited college or university school of nursing offering graduate education.
- School or department of social work offering accredited master's/doctoral programs.
- A university-based department or school of psychology with appropriate accreditation for doctoral-level training in clinical and/or counseling psychology.

Each eligible health profession listed above must submit a separate grant application. Different health professions schools or units within an academic institution must submit separate grant applications. Joint applications across different health professions schools may not be submitted under this program.

Faculty fellow candidates must meet the following criteria:

- Be credentialed for clinical practice in his/her respective profession, and hold appropriate graduate degrees required to pursue tenure track positions in their teaching institutions;
- Be a U.S. citizen or permanent resident;
- Hold a current full-time academic appointment at the clinical instructor level or higher. Clinical instructors must hold appointments which require a minimum level of 50 percent effort for academic responsibilities and demonstrate their commitment to pursuing an academic career in their profession;
- Be in a position to serve as a clinical role model for other faculty and students;
- Provide a commitment of 20–30 percent level of effort each year throughout the 3-year training program.

Individuals who have previously completed training (i.e., through the provision of salary support) under NIAAA/NIDA faculty development programs (e.g., the Career Teacher, Faculty Development or Curriculum Models Programs) are not eligible for support as faculty fellows. Such individuals are eligible for support as program directors.

Institutions are particularly encouraged to invite and foster participation of minority faculty candidates and to incorporate the teaching of ethnic and cultural diversity issues as an integral part of their program.

Mechanism of Support

Support may be requested through an application for a graduate training program (T01). Grant support is for 5 years as described in the section on Allowable Costs, Terms, and Conditions of Support.

Special Application Characteristics

- Applications must be complete and contain all information needed for review. No addenda will be accepted later than the application receipt date unless specifically requested by the scientific review administrator of the review committee.
- The narrative section should be written in a manner that is self-explanatory to outside reviewers who are unfamiliar with prior related activities of the applicant. It should be succinct and well organized, must not exceed 20 single-spaced pages, and must contain all information necessary for reviewers to understand the project. Applications exceeding the 20-page limit (on the narrative section) will not be accepted for review. Appendices may be attached for technical or specialized materials, but may not be used merely to extend the narrative.

Description of Training Program: Application Narrative

The proposed training program should be described using the five headings which follow, and this format should be used instead of that provided for the research plan in the general instructions for the Form PHS 398 Section 2, A–D.

1. Faculty Fellow Candidates

The applicant institution should identify a minimum of three and a maximum of five faculty candidates, who meet the following eligibility criteria:

- Faculty fellow candidates hold current full time appointments in the applicant institution;
- Within schools of medicine, nursing and social work, candidates should represent at least three different departments or institutional divisions/tracks;
- Within departments of psychology, candidates should represent at least three different clinical concentrations;
- The first three faculty fellow candidates must be credentialed for clinical practice in the profession of the applicant institution and represent three different departments/institutional divisions; if fourth and fifth faculty fellow candidates are identified, they may be credentialed for clinical practice in any of the health professions eligible under this RFA, e.g., a clinical psychology or social work faculty member with a full time appointment in a Department of Family Medicine is eligible to fill the fourth or fifth fellow position in a school of medicine;
- Specification from the department chair/institutional division director of an assurance that faculty fellows will be allocated their designated level of effort to this program.

The applicant institution should provide a brief summary of the qualifications and expertise of their faculty fellow candidates. This summary should include, for each faculty fellow candidate: (a) A description of his/her current clinical teaching responsibilities; (b) clinical and/or research objectives; and (c) prior alcohol and other drug abuse training and/or experience.

In addition, the applicant institution should identify the methods utilized to recruit and select faculty fellow candidates. The applicant should provide assurance that each faculty fellow will participate in one professional development meeting of program directors and fellows designed to enhance alcohol and drug abuse teaching. Individual fellow proposed training plans and biographical sketches are to be provided in the section entitled "Description of Consultants/Collaborators".

2. Program Director/Faculty Fellow Sponsor

The overall supervision and sponsorship of the faculty fellows will be the responsibility of the program director. The program director must ensure that faculty fellows have access to needed resources and expertise within their departments, and establish appropriate linkages with research and treatment facilities as well as with other academic institutions. The applicant institution should provide a description of the role of the program director in overseeing the faculty development program, including the program director's role regarding the following: (1) Directing the group instruction component of the program; (2) overseeing individual faculty fellow training, curriculum implementation and evaluation efforts; (3) ensuring access to and appropriate utilization of mentors and research resources; and (4) implementing program evaluation.

The program director should indicate a minimum of 10 percent level of effort per year to the faculty training phase of the project (years 1–3). The applicant must document that the program director has demonstrated leadership in alcohol and drug abuse clinical training, and expertise in the conduct and/or utilization of alcohol and drug abuse

research. The application should include a statement of intent from the program director to participate in designated grant-related meetings. This includes one professional development meeting with fellows designed to enhance alcohol and drug abuse teaching during years 01–03, and one collaborative meeting of Faculty Development Program Directors and Evaluators during each year of the grant.

3. Program Plan

The applicant institution should describe the proposed faculty development program and include the following information:

(1) A description of the goals of the proposed program and an assessment of institutional training needs;

(2) A plan for conducting a structured program of faculty fellow training during each of the first 3 years, to include regularly scheduled seminars, workshops and/or other related instructional activities. This training program should utilize learner centered instructional methodologies and should include on and off site training activities. The program plan should address the following:

- Development of faculty fellow expertise in the four areas outlined in page 3 of this FRA;
- Experiences to promote collaboration among fellows;
- Methods to identify and utilize mentors to assist fellows in achieving career development objectives;
- Utilization of institutional and community-based alcohol/drug treatment programs;
- Utilization of institutional and other research resources.

(3) a plan for implementing changes in current clinical teaching programs in targeted departments, to include:

- A brief summary of the existing alcohol and drug abuse curriculum in the fellows' departments or institutional divisions/tracks.
- A summary assessment of how existing curricula and systems of field placement and clinical service delivery will be modified to incorporate alcohol and other drug abuse clinical teaching.
- Strategies for addressing training needs of other faculty, including clinical faculty, house staff and/or field supervisors.
- An appropriate balance of alcohol and other drug abuse instructional content.

A summary of the system to be utilized to monitor (1) individual faculty fellow on and off site training activities, (2) institutional and mentor support to fellows, and (3) curriculum implementation and evaluation activities;

(5) As an optional component of the program plan, a description of a proposed program of ancillary eductional activities during years 02 through 05, which are designed to increase alcohol and other drug abuse knowledge and skills, disseminate innovative instructional and ealuation methodologies and/or develop systems of networking and resource sharing. These activities may target a diverse range of professional audiences outside of the faculty fellow pool, e.g., other health professions faculty in the institution, faculty and/or practitioners in the community, state, regional or national professional levels. Ancillary educational activities should be consistent with the objectives of the overall Faculty Development Program, and should involve faculty fellows in planning, implementation and evaluation. Support for ancillary educational activities may be reflected in years 02 through 05 of the project period, and may not exceed $10,000 per year.

4. Evaluation and Related Research Activities

Each application will include an evaluation component. The proposal should include an evaluation plan, comprised of the following: (a) An individual project process evaluation; and (b) an outcome evaluation of the impact of the training program on faculty trainees, on the training programs of the targeted departments, and on the overall institution.

Applicants should include a description of the activities that will be undertaken in the process evaluation to document: (a) Faculty fellows' activities, (b) educational settings in which these activities take place, (c) the institutional environment, and (d) the interventions that are undertaken during each phase of the project.

The application should also describe the outcome evaluation that will be performed, including: (a) The goals of the project that will be measured, (b) the data collection activities that will be used to measure the goals, and (c) the analysis techniques that will be utilized to assess whether goals were attained. It is expected that the outcome evaluation will address changes in the following areas:

- Alcohol and drug abuse knowledge, clinical skills, practice behaviors and perceptions of competence of fellows and their trainees;
- The institution, e.g., curriculum offerings, clinical teaching programs, service delivery systems, education and service policies;
- Career development outcomes of fellows.

It is expected that fellows will conduct selected evaluation outcome studies which assess the impact of educational interventions on their trainees. The evaluation plan should describe the role of fellow in designing and implementing evaluation outcome studies.

Whenever feasible, particular emphasis in the outcome evaluation should be placed on the impact of the curriculum implementation phase on clinical practice behavior, i.e., changes in practices related to patient screening and assessment, health counseling, diagnosis, intervention, case management, and referral in clinical settings, including ambulatory care settings. The applicant should include a brief description of the proposed experimental or quasi experimental designs that will be utilized in such an evaluation.

The applicant will identify an evaluator at a minimum of 10 percent level of effort to oversee evaluation activities throughout years 1–3 of the grant period and at a level commensurate with project needs during years 04 and 05. The role of the evaluator should be described for each year of the project. The applicant should provide assurance that the evaluator will participate in one collaborative meeting of program directors and evaluators each year of the grant.

During years 04 and 05 of the proposed faculty development program, the applicant may request up to $50,000 each year to support evaluation and related research activities. During this phase of the project, it is expected that the Program Director will encourage the conduct of studies to assess the impact of teaching interventions on clinical practice behavior.

Evaluation funds in years 04 and 05 can be utilized to continue to support faculty fellow evaluation and related research skill development, travel to professional meetings to present evaluation findings, use of evaluation consultants, research assistant and other support services. The applicant should provide a separate budget page for proposed evaluation and related research activities, during years 04 and 05.

5. Applicant Institution

The application should provide a concise description of the applicant institution, including its current educational, service, and research

programs, emphasizing those in alcohol and drug abuse. The availability of established faculty as potential academic role models for the faculty fellows at the applicant and other institutions should be described. Additional resources such as established clinical, academic, and/or research centers or unique clinical service programs directed to special populations in need of alcohol and drug abuse services should be included.

The head or chair of each targeted department should provide evidence of commitment to the faculty fellow candidate and to the candidate's plan for implementation of an alcohol and drug abuse curriculum. This should include assurances that sufficient time will be made available to the faculty candidate to undertake the training plan proposed. The dean of the sponsoring institution should also provide evidence of support for the faculty development program. Documentation should be provided regarding the continued commitment of the institution to the faculty fellows beyond the period of the grant award. Letters of support are to be submitted as appendices to the training program description.

Description of Consultants/ Collaborators (Faculty Fellows)

Each faculty fellow candidate should submit a biographical sketch and a proposed plan for professional development, as part of a description of participation on the training program (section 2G of the PHS 398 grant application form). This training plan description should not exceed three pages in length and include the following elements:

(1) Discussion of candidate's interest in participating in the faculty development program and how this interest relates to his/her long term career goals.

(2) A description of the candidate's career goals and specific outcomes to be achieved, as a result of this training program.

(3) Assessment of individual training needs with respect to (1) alcohol and drug abuse knowledge and clinical skills, (2) instructional technologies and pedagogical skills, and (3) knowledge of current alcohol and drug abuse research methodologies and findings.

(4) Proposed professional development activities, for years 01 through 03, to include on- and off-site training experiences. Faculty training may include short-term training courses and experiences at other academic institutions. Use of local alcohol/drug treatment facilities should be an integral part of the training plan.

(5) Proposed objectives for implementing alcohol and drug abuse instruction within the fellow's department or institutional division/ track, during years 02 through 05 of the grant, including targeted courses, consultation services, field placements and/or clinical teaching sites. Faculty fellow candidates who supervise students or clinical faculty in field placement or clinical teaching sites must target one or more of these sites in their curriculum implementation plan. Assurance should be provided that curriculum implementation activities will incorporate an appropriate balance of alcohol and other drug abuse content.

(6) Statement of proposed short (years 02 and 03) and long-term (years 04 and 05) evaluation and related research interests.

(7) Statement of intent to participate in one off-site professional development meeting per year, designed to enchance alcohol and other drug abuse teaching within his/her profession.

Allowable Costs, Terms, and Conditions of Support

Grants funded under this RFA are awarded directly to the institution. The maximum period of support is 5 years. Plans for each year of the award, including detailed budgets, should be fully presented in the application and should reflect the change in program scope during years 4 and 5 of the project, i.e., funds are directed to the support of evaluation and ancillary educational program activies. Support beyond the first year is contingent upon the availability of funds and the receipt of an annual continuation application.

During the first 3 years of the grant, a maximum of $15,000 per year of grant funds (exclusive of fringe benefits) may be used to support the salary of each faculty fellow and the program director. In addition to salary support, funds may be requested for tuition and travel expenses incurred for the training of fellows and for instructional materials. Expenses to support professional development activities of fellows (i.e., tuition, fees, travel and per diem) must be detailed for each year of the program. The travel budget should indicate specifically the costs of travel designated for the grantee and professional meetings which are specified in these guidelines. Examples of other allowable direct cost expenses include limited amounts for administrative, research and technical support services, consultants, equipment, supplies, and travel. The applicant should clearly identify those budget items which are allocated for ancillary educational program.

The budget justification should include separate budget pages for the following: (a) Proposed ancillary education activites during years 02 through 05 (request not to exceed $10,000) and (b) evaluation and related research activities during years 04 and 05 (request not to exceed $50,000). Evaluation funds in years 04 and 05 can be utilized to support project staff, faculty fellow evaluation and related research skill development, travel to professional meetings, use of evaluation consultants, research assistant and other support services. It is expect that each active faculty fellow will continue to be supported for one professional meeting per year during the evaluation phase of the project.

All budget items must be fully justified at the level requested. All grants will be reimbursed at 8 percent of total allowable direct costs or actual indirect costs, whichever is less.

Grants described in this RFA are awarded directly to eligible schools. Funds may be used only for those expenses which are directly related and necessary to carry out the project, and may be expended in conformance with DHHS cost principles, the Public Health Service Grants Policy Statement, and conditions set forth in this document. Funds made available under this grant may not be used to supplant currently existing grant funds or other support for such training. The Public Health Service Grants Policy Statement (Rev. October 1990) should be available from your office of sponsored research.

As a condition of the award, the applicant will submit an annual continuation application which provides a summary of progress to date, an appraisal of each faculty fellow's progress and plans for the next year. The applicant will provide information on specific areas of program activity, as requested by the Institute in supplemental instructions to the continuation application.

Consultation and Further Information

For questions of eligibility and for assistance in developing applications, prospective applicants shoudl consult:

Frances Cotter, M.A., M.P.H., Chief, Health Professions Education Program, Division of Clinical and Prevention Research, NIAAA, 5600 Fishers Lane, room 14C–20, Rockville, Maryland 20857, (301) 443–1207.

Dorynne Czechowicz, M.D., Associate Director for Medical and Professional Affairs, Division of Clinical Research, Medical Affairs Branch, NIDA, 5600 Fishers Lane, room 10A–12, Rockville, Maryland 20857, (301) 443–4877.

Direct inquiries related to fiscal matters to: Elsie Fleming, Grants Management Branch, NIAAA, 5600 Fishers Lane, room 16–86, Rockville, Maryland 20857, (301) 443–4703.

Application Procedures

Applications (PHS 398, Rev. 10/88) must be complete and contain all information needed for initial and National Advisory Council Review. The number and title of this RFA AA–92–02 "Clinical Training Grants for Faculty Development in Alcohol and Other Drug Abuse" should be typed in item number 2 on the face page of the application form. No addenda will be accepted after the application receipt date of May 18, 1992, unless specifically requested by the executive secretary of the review committee. No site visits will be made.

When using the PHS 398 application form to respond to an RFA, applicants should staple the RFA label (printed in the application kit) to the botton of the face page. Failure to use this label could result in delayed processing of the application, such that it may not reach the reveiw committee in time for review.

Application kits containing the necessary forms and instructions may be obtained from business offices or offices of sponsored research at most universities, colleges, medical schools, and other major research facilities. If such a source is not available, the following office may be contacted for the necessary application material: Division of Clinical and Prevention Research, NIAAA, 5600 Fishers Lane, room 14C–20, Rockville, Maryland 20857, (301) 443–1207.

The original and four permanent, legible copies of the completed application should be submitted by May 18, 1992, to: Division of Research Grants, National Institutes of Health, Westwood Building, room 240, 5333 Westbard Avenue, Bethesda, Maryland 20892.*

Due to the short time available for review, applicants are requested to send two additional copies of the application directly to: Office of Scientific Affairs, NIAAA, Faculty Development Grants, Attn: Dr. Mark Green, 5600 Fishers Lane, room 16C–20, Rockville, Maryland 20857.

Letter of Intent

Prospective applicants are asked to submit, by April 15, 1992, a letter of intent that includes a descriptive title of the proposed training proposal, the name and address of the program director, the participating institution, and the number and title of this RFA.

Although a letter of intent is not required, is not binding, and does not enter into the review of subsequent applications, it is requested in order to provide an indication of the number and scope of applications to be reviewed.

The letter of intent should be sent to NIAAA Program Director: Frances Cotter, M.A., M.P.H., Chief, Health Professions Education Program, Division of Clinical and Prevention Research, National Institute on Alcohol Abuse and Alcoholism, 5600 Fishers Lane, room 14C–20, Rockville, Maryland 20857, (301) 443–1207.

Review Procedures

The Division of Research Grants, NIH, serves as a central point for receipt of applications for most discretionary PHS grant programs. Applications received under this RFA will be assigned to a special review committee (SRC). The SRC, consisting primarily of non-Federal technical experts, will review the applications for technical merit. Notification of the review recommendations will be sent to the applicant after the initial review. Applications will receive a second-level review by the National Advisory Council on Alcohol Abuse and Alcoholism whose review may be based on policy considerations as well as technical merit. Only applications recommended for consideration by the Council will be considered for funding.

Review Criteria

Each grant application will be evaluated on its own merits. The following basic criteria will be used:

• Institutional Environment and Support. The applicant institution must show evidence of:

—Commitment of the dean and department/division chairs to the career development of the potential faculty fellows,
—Commitment to implement curriculum in alcohol and other drug abuse,
—Existence of suitable and adequate research, and clinical and academic facilities/resources to address faculty fellow training needs,
—Assurances that faculty fellows will have sufficient release time for grant-related activities.

• Qualifications of Program Director:

—Suitability and quality of academic, clinical and/or research background and experience, and appropriateness as role model,
—Ability to advise and assist fellows in effecting curriculum changes.

• Qualifications and Potential of Faculty Fellow Candidates.

—Appropriate faculty status,
—Ability to provide faculty leadership upon termination of grant,
—Demonstrate commitment to integrating training in alcohol and other drug abuse into his/her department's ongoing teaching program,
—Compatibility among individual career goals, grant intent, and institutional goals,
—Suitability and quality of academic, clinical, and/or research background and experience as related to the grant proposal,
—Background and potential as clinical role model.

• Quality of Program Plan:

—Clearly delineated objectives of the program and need for faculty training,
—Appropriately addresses all major program components, including group instructional activities, individual faculty training plans, evaluation and curriculum implementation activities, and the relationship of these components to program goals,
—Identifies appropriate mentors and research resources as an integral part of the proposed training program,
—Demonstrates an appropriate balance of alcohol and drug abuse content as part of the fellows' training program,
—Plan for conducting ancillary educational programs, is clearly outlined and has reasonable potential for accomplishment,
—Reasonable potential for accomplishment of program goals.

• Quality of Individual Faculty Training Plans:

—Appropriately addresses candidate's individual training needs,
—Reflects an appropriate balance of didactic and clinical training experiences, and incorporates alcohol and drug abuse treatment facilities as an integral component of training,
—Plan for implementing alcohol and drug abuse instruction is clearly outlined and has reasonable potential for accomplishment.

• Adequacy of proposed evaluation plan and capability of proposed evaluator.

• Appropriateness of proposed budget and other resources identified to carry out project activities.

Application Receipt and Review Schedule

Special receipt date	Initial review	Advisory council review	Earliest start date
May 18, 1992.	July 1992.....	Sept. 1992.....	Sept. 1992.

* If an overnight carrier or Express Mail is used the ZIP Code is 20816.

Subject to the availability of funds, it is anticipated that another RFA with a new receipt date will be issued in FY 1993. Applications received after the deadline specified above will be considered ineligible for FY 1992 funding and will be returned to the applicant without review.

Award Criteria

The responsibility for award decisions on applications recommended for consideration by the National Advisory Council on Alcohol Abuse and Alcoholism lies solely with authorized program staff. NIAAA and NIDA program staff will use the following criteria in making funding decisions on applications recommended for consideration:

- Technical merit of the proposed project, as determined during the review process.
- Appropriate balance across various health professions.
- Availability of funds.

Further Information on Research Training Opportunities

Information on ADAMHA program announcements directed exclusively to alcohol and other drug abuse research training can be obtained from the following sources:

National Institute on Alcohol Abuse and Alcoholism

Richard Fuller, M.D., Director, Divison of Clinical and Prevention Research, NIAAA, 5600 Fishers Lane, room 14C–10, Rockville, Maryland 20857, (301) 443–1206.

William E.M. Lands, Ph.D., Director, Divison of Basic Research, NIAAA, 5600 Fishers Lane, room 16C–06, Rockville, Maryland 20857, (301) 433–2530.

Mary Dufour, M.D., M.P.H., Chief, Epidemiology Branch, Division of Biometry and Epidemiology, NIAAA, 5600 Fishers Lane, room 14C–26, Rockville, Maryland 20857, (301) 443–4897.

National Institute on Drug Abuse

Harold Jones, Ph.D., Director, Research Training, Office of Science Policy, Education and Legislation, NIDA, 5600 Fishers Lane, room 10A–55, Rockville, Maryland 20857, (301) 443–6701.

Johnson W. Spencer, Ph.D., Research Training Coordinator, Division of Clinical Research, NIDA, 5600 Fishers Lane, room 10A–20, Rockville, Maryland 20857, (301) 443–1263.

Louise R. White, Ph.D., Associate Director, Special Populations Research Program, NIDA, Room 10–05 Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–0441.

Authority and Regulations

This program is described in the Catalog of Federal Domestic Assistance, No. 93.274. Awards are made under the authority of section 508(b)(11) of the Public Health Service Act, as amended (42 U.S.C. 290aa–6).

Federal regulations at title 45 CFR parts 74 and 92, generic requirements concerning the administration of grants, are applicable to these awards. This program is not subject to the intergovernmental review requirements of Executive Order 12372 or Health Systems Agency review.

NCADI

Publications Order Form

January 1992

Name _____
Title _____
Organization _____
Address _____
City _____ State _____
ZIP _____
Telephone Number _____

National Clearing House for Alcohol and Drug Information
P.O. Box 2345
Rockville, MD 20852
(301) 468–2600

Health Professions Education Resource Materials

_____ PHS310 Selected Curriculum Materials in Alcohol and Other Drug Abuse for Health Professionals
_____ RPO778 Evaluating Faculty Development and Clinical Training Programs in Substance Abuse: A Guide Book (1990)
_____ EN9400 Alcohol and Other Drug Resources for Health Professionals
_____ PH309 Directory of Projects: Faculty Development Program in Alcohol and Other Drug Abuse (1991)
_____ RPO737 Minimum Knowledge and Skills Objectives for Alcohol and Other Drug Abuse Teaching
_____ EN8400 NCADI Publications Catalog

NIAA/NIDA Faculty Development Program in Alcohol and Other Drug Abuse; Listing of Grantees

School of Medicine

Boston University School of Medicine
Laurence H. Miller, M.D., Director, Division of Psychiatry, Boston City Hospital, 818 Harrison Avenue, Boston, MA 02118, (617) 534–4230.

Bowman Gray School of Medicine
Loretta Y. Silvia, Ph.D., Assistant Professor, Dept. of Psychiatry and Human Behavior, 300 S. Hawthorne Road, Winston-Salem, NC 27103, (919) 748–4558.

Brown University
David C. Lewis, M.D., Director, Center for Alcohol and Addiction Studies, Box G, Providence, RI 02912, (401) 863–1109.

Case Western University
Antonnette Graham, Ph.D., Assistant Professor, Dept. of Family Medicine, 2078 Abington Road, Cleveland, OH 44106, (216) 844–3791.

Johns Hopkins University
Hoover Adger, Jr., M.D., Assistant Professor, School of Medicine and Affiliated Institutions, 600 North Wolfe Street, Baltimore, MD 21205, (301) 955–2910.

University of Massachusetts Medical Center
Michael R. Liepman, M.D., Director, CD Services—Psychiatry OPD–2, 119 Belmont Street, Worcester, MA 01605, (508) 793–6170.

University of Nevada
John N. Chappel, M.D., Professor of Psychiatry, School of Medicine, Reno, NV 89557–0046, (702) 747–1353.

University of North Carolina School of Medicine
David S. Janowsky, M.D., Director for Alcohol Studies, University of North Carolina at Chapel Hill, CB#7160, Medical School Wing B, Chapel Hill, NC 27599–7160, (919) 966–4473.

University of Southern California School of Medicine
Dale C. Garell, M.D., Professor, Dept. of Family Medicine, 1420 San Paulo Street, PMB–B 205, Los Angeles, CA 90033, (213) 224–7031.

University of Texas Health Science Center at San Antonio
J. Paul Seale, M.D., Assistant Professor, Dept. of Family Practice, 7703 Floyd Curl Drive, San Antonio, TX 78284, (512) 270–3911.

Vanderbilt University
Peter R. Martin, M.D., Associate Professor, Dept. of Psychiatry and Pharmacology, A–2205 MCN, 21st Avenue S., Nashville, TN 37232, (615) 322–3527.

University of Virginia
Randolph J. Canterbury II, M.D., Program Director, Health Science Center, BRH, Drawer D, Charlottesville, VA 22901, (804) 924–5457.

Wayne State University
Eugene P. Schoener, Ph.D., Associate Professor, Dept. of Pharmacology and Community Medicine, 540 E. Canfield Avenue, Rm. 1368, Detroit, MI 48201, (313) 557–1288.

University of Wisconsin Medical School
Michael F. Fleming, M.D., M.P.H., Assistant Professor, Dept. of Family Medicine and Practice, 777 S. Mills Street, Madison, WI 53715, (608) 263–9953.

School of Nursing

University of Cincinnati
Janice M. Dyehouse, Ph.D., R.N., Associate Professor, College of Nursing and Health, Cincinnati, OH 45221–0038, (513) 558–5269.

University of Connecticut
Olga M. Church, Ph.D., R.N., Professor, School of Nursing, U–59, 175 Auditorium Road, Storrs, CT 06269–3059, (203) 486–0516.

University of Illinois at Chicago, College of Nursing
Laina M. Gerace, Ph.D., R.N., Assistant Professor of Nursing, Dept. of Psychiatric Nursing, 845 South Damen Avenue, Chicago, IL 60612, (312) 996–8009.

University of Kansas Medical Center, School of Nursing
Eleanor J. Sullivan, Ph.D., R.N., Dean and Professor, School of Nursing, 39th and Rainbow Blvd., Kansas City, KS 66103, (913) 588–1601.
Lehman College, CUNY
Kem B. Louie, Ph.D., R.N., Assistant Professor, Division of Nursing, 250 Belford Park Blvd, West, Bronx, NY 10468, (212) 960–8213.
New York University, Division of Nursing
Madeline A. Naegle, Ph.D., R.N., Associate Professor, School of Education Health, Nursing and the Arts Profession, 50 West 4th Street, New York, NY 10003, (212) 998–5321.
Ohio State University
Elizabeth Burns, R.S.M., R.N., Ph.D., Professor, Nursing Psychiatry and Neuroscience, College of Nursing, 1585 Neil Avenue, Columbus, OH 43210, (614) 292–4746.
University of South Florida
Ona Z. Riggin, Ed.D., R.N., Professor and Chairperson, PMHN, College of Nursing, Box 22, 12901 Bruce B Downs Blvd., Tampa, FL 33612–4799, (813) 974–2191.
University of Texas-Houston, Health Science Center
Marianne T. Marcus, Ed.D., R.N., Chair, Dept. of Nursing System and Technology, School of Nursing, 1100 Holcombe Blvd, Houston, TX 77030, (713) 792–7893.
University of Washington School of Nursing
Shirley A. Murphy, Ph.D., R.N., FAAN, Professor, Psychosocial Nursing, SC–76, University of Washington, Seattle, WS 98195, (206) 543–6079.

School of Social Work

Boston University
Maryann Amodeo, Ph.D., Director, Alcohol and Drug Institute for Policy, Training and Research, School of Social Work, One University Road, Boston, MA 02215, (617) 353–3763 or 353–5666.
Case Western Reserve University
Lenore A. Kola, Ph.D., Associate Professor, Mandel School of Applied Social Sciences, 2035 Abington Road, Cleveland, OH 44106, (216) 368–2326/2290.
University of Denver
William A. Cloud, Ph.D., Assistant Professor, University Park, Denver, CO 80208, (303) 871–2921.
University of Maryland at Baltimore
Dale Masi, D.S.W., Professor, School of Social Work, 525 West Redwood Street, Baltimore, MD 21201, (301) 326–3616,

or

2301 E Street, Suite A209, Washington, DC 20037, (202) 223–2399.
Rutgers, The State University
Eileen M. Corrigan, D.S.W., Professor, School of Social Work, New Brunswick, NJ 08903, (201) 932–7194.
Virginia Commonwealth University
Sanford Schwartz, Ph.D., Assistant Professor, School of Social Work, 1001 West Franklin Street, Box 2027, Richmond, VA 23284–2027, (804) 367–0753.

NIAAA/NIDA Program Staff

Frances Cotter, M.P.H., Chief, Health Professions Education Program, Parklawn Building, 5600 Fishers Lane, Room 14C–20, Rockville, Maryland 20857, (301) 443–1207, FAX: (301) 443–6076.
Dorynne Czechowicz, M.D., Assistant Director of Medical and Professional Affairs, Parklawn Building, 5600 Fishers Lane, Room 10A–53, Rockville, Maryland 20857, (301) 443–4877, FAX: (301) 443–7397.
Donna English, R.N., M.P.H., Public Health Advisor, Parklawn Building, 5600 Fishers Lane, Room 14C–20, Rockville, Maryland 20857, (301) 443–1207, FAX: (301) 443–6076.
Ellen Gerrity, Ph.D., Evaluation Director, Parklawn Building, 5600 Fishers Lane, Room 14C–20, Rockville, Maryland 20857, (301) 443–1207, FAX: (301) 443–6076.

Joseph R. Leone,

Associate Administrator for Management, Alcohol, Drug Abuse, and Mental Health Administration.

[FR Doc. 92–3651 Filed 2–14–92; 8:45 am]

BILLING CODE 4160–20–M

Food and Drug Administration

[Docket No. 92M–0047]

Chiron Ophthalmics, Inc.; Premarket Approval of Chiroflex™ II Model 32–C20SX/XX Silicone Posterior Chamber Intraocular Lenses

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Chiron Ophthalmics, Inc., Irvine, CA, for premarket approval, under section 515 of the Federal Food, Drug, and Cosmetic Act (the act), of Chiroflex™ II Models 32–C20SX/XX, 32–C21SX/XX, 32–C22SX/XX, 32–C23SX/XX, and 32–C24SX/XX silicone posterior chamber intraocular lenses. The devices are to be manufactured under an agreeement with Softlensco, Inc., Los Angeles, CA, which has authorized Chiron Ophthalmics to incorporate information contained in its approved premarket approval application for the Chiroflex™ II models listed above. FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter on January 17, 1992, of the approval of the application.

DATES: Petitions for administrative review by March 19, 1992.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA–305), Food and Drug Administration, room 1–23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Donna L. Rogers, Center for Devices and Radiological Health (HFZ–460), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301–427–1050.

SUPPLEMENTARY INFORMATION: On September 18, 1991, Chiron Ophthalmics, Inc., 9342 Jeronimo Rd., Irvine, CA 92718–1903, submitted to CDRH an application for premarket approval of the Chiroflex™ II Models 32–C20SX/XX, 32–C21SX/XX, 32–C22SX/XX, 32–C23SX/XX, and 32C24SX/XX silicone posterior chamber intraocular lenses. These posterior chamber intraocular lenses are indicated for primary implantation for the visual correction of aphakia in persons 60 years of age or older in whom a cataractous lens has been removed by extracapsular cataract extraction. These devices are intended to be placed in the ciliary sulcus or capsular bag. The application includes authorization from Softlensco, Inc., Los Angeles, CA 90071, to incorporate information contained in its approved premarket approval application for Chiroflex™ II Models 32–C20SX/XX, 32–C21SX/XX, 32–C22SX/XX, 32–C23SX/XX, and 32–C24SX/XX silicone posterior chamber intraocular lenses.

In accordance with the provisions of section 515(f)(2) of the act as amended by the Safe Medical Devices Act of 1990, this PMA was not referred to the Ophthalmic Devices Panel of the Medical Devices Advisory Committee, an FDA advisory committee, for review and recommendation because the information in the PMA substantially duplicates information previously reviewed by this panel. On January 17, 1992, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

Opportunity for Administrative Review

Section 515(d)(3) of the act (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by

an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the Federal Register. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 19, 1992, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: February 7, 1992.

Elizabeth D. Jacobson,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 92-3708 Filed 2-14-92; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 92M-0046]

Chiron Ophthalmics, Inc.; Premarket Approval of Chiroflex™ Model 32-C10XX Silicone Posterior Chamber Intraocular Lens

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Chiron Ophthalmics, Inc., Irvine, CA, for premarket approval, under section 515 of the Federal Food, Drug, and Cosmetic Act (the act), of Chiroflex™ Model 32-C10XX silicone posterior chamber intraocular lens. The device is to be manufactured under an agreement with Softlensco, Inc., Los Angeles, CA, which has authorized Chiron Ophthalmics, Inc., to incorporate information contained in Softlensco's premarket approval application for the Chiroflex™ Model 32-C10XX silicone posterior chamber intraocular lens. FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of January 17, 1992, of the approval of the application.

DATES: Petitions for administrative review by March 19, 1992.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA-305), Food and Drug Administration, room 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Donna L. Rogers, Center for Devices and Radiological Health (HFZ-460), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301-427-1330.

SUPPLEMENTARY INFORMATION: On September 23, 1991, Chiron Ophthalmics, Inc., Irvine, CA 92718, submitted to CDRH an application for premarket approval of Chiroflex™ Model 32-C10XX silicone posterior chamber intraocular lens. The device is an intraocular lens and is indicated for primary implantation for the visual correction of aphakia in persons 60 years of age or older in whom the cataractous lens has been removed by phacoemulsification extracapsular cataract extraction. The device is intended to be placed only in the capsular bag following successful circular tear anterior capsulotomy with a verified absence of radial tears. The application includes authorization from Softlensco, Inc., Los Angeles, CA 90071, to incorporate information contained in Softlensco's approved premarket approval application for Chiroflex™ Model 32-C10XX silicone posterior chamber intraocular lens.

In accordance with the provisions of section 515(f)(2) of the act as amended by the Safe Medical Devices Act of 1990, this PMA was not referred to the Ophthalmic Devices Panel, an FDA advisory panel, for review and recommendation because the information in the PMA substantially duplicates information previously reviewed by this panel. On January 17, 1992, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

Opportunity for Administrative Review

Section 515(d)(3) of the act (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act (21 U.S.C. 360e(g)), for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under § 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the Federal Register. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 19, 1992, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: February 7, 1992.

Elizabeth D. Jacobson,

Deputy Director, Center for Devices and Radiological Health.

[FR Doc. 92-3709 Filed 2-14-92; 8:45 am]

BILLING CODE 4160-01-M.

National Institutes of Health

Office of Research on Women's Health; Amended Notice of Meeting

Notice is hereby given to amend the notice of the Office of Research on Women's Health on the public hearing which was published in the Federal Register on February 4, 1992 (57 FR 4213).

Letters of intent to present oral testimony from interested individuals and representatives of organizations were to have been received by Ms. Margaret Pickeral, of Prospect Associates, 1801 Rockville Pike, suite 500, Rockville, Maryland 20852, by no later than 5 p.m. (EST) on February 17, 1992. Presenters were to submit three (3) written copies of their testimony to the address above, no later than 5 p.m. (EST) on February 24, 1992. Organizations wishing to provide only written statements were to send three (3) copies of their statements to the address above, no later than 5 p.m. (EST) on February 24, 1992. The deadline for submission of letters of intent to present testimony and copies of all written testimony is extended to 5 p.m. on February 26, 1992.

For additional information, please contact Ms. Margaret Pickerel of Prospect Associates, 1801 Rockville Pike, suite 500, Rockville, Maryland 20852, 301–468–6555, 301–770–5164 (FAX).

Dated: February 12, 1992.

Bernadine Healy,

Director, NIH.

[FR Doc. 92–3855 Filed 2–14–92; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Community Planning and Development

[Docket No. N–92–3390]

Submission of Proposed Information Collection to OMB

AGENCY: Office of Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Jennifer Main, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, Southwest, Washington, DC 20410, telephone (202) 708–0050. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Cristy.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. chapter 35). It is also requested that OMB complete its review within seven days.

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the description of the need for the information and its proposed use; (4) the agency form number, if applicable; (5) what members of the public will be affected by the proposal; (6) how frequently information submissions will be required; (7) an estimate of the total numbers of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (8) whether the proposal is new or an extension, reinstatement, or revision of an information collection requirement; and (9) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Authority: Section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; section 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d).

Dated: February 3, 1992.

Anna Kondratas,

Assistant Secretary, Community Planning and Development.

Notice of Submission of Proposed Information Collection to OMB

Proposal: Section 8 Moderate Rehabilitation Single Room Occupancy Program Application.

Office: Community Planning and Development.

Description of the Need for the Information and its Proposed Use: The information requested will assist the Department in selecting applicants which meet program requirements and demonstrate the greatest need for the Moderate Rehabilitation Single-Room Occupancy (SRO) Program funds. The purpose of this program is to provide rental assistance for homeless individuals in rehabilitated SRO housing. The assistance will be in the form of rental assistance under the Section 8 Housing Assistance Payments Program.

Form Number: HUD–52515B.

Respondents: State or Local Governments.

Frequency of Submission: On occasion.

Reporting Burden:

	No. of respondents	x	Frequency of response	x	Hours per response	=	Burden hours
Application	150		1		25.5		3,825

Total Estimated Burden Hours: 3,825.
Status: Revision.
Contact: David Pollack, HUD, (202) 708–1234, Jennifer Main, OMB, (202) 395–6880.

Dated: February 3, 1992.

Supporting Statement

Section 8 Moderate Rehabilitation—Single Room Occupancy Program

A. Justification

1. The section 8 Moderate Rehabilitation Program for Single Room Occupancy (SRO) Dwelling for Homeless Individuals is to provide rental assistance for homeless individuals in rehabilitated SRO housing. This program is authorized by section 441 of the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100–77, approved July 22, 1987). Under this program, HUD will fund applications from public housing agencies (PHAs) which best demonstrate a need for the assistance and the ability to undertake and carry out the program. HUD will conduct a national competition to select PHAs to participate.

To be considered for assistance the applicant shall submit to the Department a written proposal containing the following:

(1) A Description of the size and characteristics of the homeless individuals within the applicant's jurisdiction that would occupy single room occupancy dwellings;

(2) Supportive services available for homeless who will occupy units;

(3) A description of the interest that has been expressed by builders, developers, and other (including profit and nonprofit organizations) in participating in the program;

(4) A preliminary feasibility analysis for each structure identified which demonstrates that a preliminary estimate of the gross rents for the structure indicates that the project is feasible within the fair market rent limitation; and

(5) A description of the applicant's experience in working with homeless people.

2. HUD headquarters staff will use the information that is submitted to select PHAs to administer the Moderate Rehabilitation Program for SRO units for homeless individuals. PHAs will be evaluated on the basis of:

a. Previous experience in administering the Moderate Rehabilitation Program;

b. Past performance in placing units under Agreement; and

c. Overall administrative capability.

These evaluations are necessary to allow HUD to determine the relative merits of each proposal, rank them against each other, and ultimately select applications for funding. HUD would be unable to assure that it met the statutory requirements for selecting recipients for assistance under this program if it did not collect the requested information.

The changes from the previous application are noted on the attached draft. The majority of changes are format changes to simplify the application and to clarify what is being requested.

The reference to consistency with local plan has been changed from CHAP to CHAS, which is the document required for all localities receiving assistance from HUD.

The maximum rehabilitation limitation has been increased to reflect current cost data.

3. The use of improved information technology to reduce burden was not considered because of the minimum time necessary for program implementation.

4. We have been unable to identify any requests for information which duplicate the burden for this documentation.

5. No similar information is available from any source.

6. We have examined the information requested to make sure that it is the minimum amount necessary to select the applicants in accordance with the statutory directives.

7. Depending upon future Congressional appropriations, this may be a one time application to participate in the single room occupancy program.

8. There are no known circumstances that require that the collection of information be inconsistent with the guidelines of 5 CFR 1320.6.

9. Senior HUD program officials addressed many individuals and organizations throughout the country briefing them on the Stewart B. McKinney Homeless Assistance Act. Valuable information was collected at these meetings and used as this program was developed.

10. This information collection would not contain personal information that would require an assurance of confidentiality.

11. The proposed guidelines do not contain requests for information of a sensitive nature.

12. The cost to the Federal Government will consist primarily of personnel costs involved in Headquarters review of the applications in order to select recipients of the Moderate Rehabilitation—Single Room Occupany Program. Headquarters review should take about 8 hours for each application, with a total review time for the estimated 150 applications of 1200 hours. Cost estimated to be: GS–12 at $15.60/hour×1200 hours=$18,720.

13. The dollar cost to the PHA in developing the application is approximately $49,725. This is based on 150 applications. Developing estimate for a single application is $331.50. This is based on the PHA needing 25.5 hours to prepare the application by a staff person at a GS–11 level ($13 hourly salary).

14. This information will not be published for statistical use.

b. Not applicable.

Public Reporting Burden for this collection of information is estimated to average 25.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Information Policies and Systems, AII, U.S. Department of Housing and Urban Development, Washington, DC 20410–3600; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

BILLING CODE 4210–29–M

Application For Section 8 Moderate Rehabilitation Single Room Occupancy Program

U.S. Department of Housing and Urban Development
Office of Community Planning & Development

OMB Approval No. 2506-xxxx(Exp.)

Public Reporting Burden for this collection of information is estimated to average 24 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2506-xxxx), Washington, D.C. 20503.

HUD will prosecute false claims & statements. Conviction may result in criminal and/or civil penalties (18 U.S.C. Sections 1001, 1010, 1012; 31 U.S.C. Sections 3729, 3802).

Full Name and Address of Public Housing Agency (PHA)	Name and telephone number of contact person:	Number of Single Room Occupancy (SRO) Projects for which applying:

Certifications, Signatures, Legislation

Section 213

Please attach a copy of the Section 213 Letter to this application. Section 213 of the Housing and Community Development Act of 1974 requires HUD to provide the chief executive officer of the unit of general local government an opportunity to comment on the application. (See 24 CFR Part 791 for specific requirements.)

CHAS

The Single Room Occupancy (SRO) Dwellings for Homeless Individuals activities proposed here are consistent with the current, HUD-approved Comprehensive Housing Affordability Strategy (CHAS). Further, these activities will complement and enhance this plan.

Name, Title, Signature & Date of Public Official Responsible for CHAS: X

PHA Qualification

This Agency qualifies as a Public Housing Agency and is legally qualified and authorized to carry out this proposed project.24 CFR 882.803(a)

Drug-Free Workplace

This agency adheres to the Drug-Free Workplace Act of 1988. Illegal manufacture, distribution, possession of drugs is prohibited. Employees are informed about the dangers to the health, safety, and welfare of all persons in the workplace. The agency provides confidential and appropriate assistance to any employee who requests it. Penalties, including termination of employment, may be imposed upon employees for drug abuse violations.

Lobbying

The language of the certification regarding lobbying is included in all appropriate documents (including this one, if necessary) according to 31 USC, Section 1352. Standard Form LLL "Disclosure Form to Report Lobbying" is available, and all who must complete it will be notified (Civil penalties of $10,000 to $100,000 for failure).

Site Standards

The proposed site meets HUD's site and neighborhood standards; the proposed properties meet the regulatory definition of Single Room Occupancy ; and the rehabilitation costs are within the per-unit minimum limitation of $3,000 and maximum limitation of $15,500.

Date, Name, Title, & Signature, of PHA officer authorized to sign this application: X

Legislation

If the applicant already has an ACC for a Section 8 Existing Housing or Moderate Rehabilitation Program, the appropriate boxes indicating that relevant documents have been previously submitted should be checked. If the PHA already has an ACC for an Existing Housing project but is not administering a Moderate Rehabilitation project, a statement from the public housing counsel must be submitted stating that the PHA is qualified to participate based on the documentation previously submitted for the Existing Housing Program. Check appropriate box below.

	Submitted With This Application	Previously Submitted
Relevant enabling legislation	☐	☐
Present or planned regulations governing PHA operations	☐	☐
Supporting opinion from the PHA Counsel	☐	☐

Application Continues

This application must be complete before HUD can begin evaluating it. Follow the instructions on each of the next sections.

DRAFT

form HUD-52515 B (1/24/92)
ref Handbook 7420.3

1. Administrative Capability and Experience of the PHA

Attach no more than two typed, double spaced pages describing:

- the PHA's administrative capability experience in administering assisted housing programs.
- the PHA's experience in working with homeless people.

2. Rehabilitation Experience of the PHA

Attach no more than two typed, double spaced pages describing:

The PHA's experience with a previous Section 8 Moderate Rehabilitation Program or other program, such as CIAP, Rental Rehabilitation Program. If your PHA has not administered a Section 8 Mod Rehab Program, explain one of the following: (1) experience with programs which can be useful in administering a viable SRO Program; (2) plans for contracting with a qualified agency or entity for assistance in operating the Program; (3) plans for developing the capability to operate it; or (4) plans for hiring an appropriately skilled person (s) to carry out the day-to-day requirements of the Program.

3. Completion Schedule

Enter the number of calendar days in the spaces below. Use the date of Annual Contribution Contract (ACC) execution as the starting point.

Inspection of units and final feasibility analysis, detailed work write-ups and cost estimates:	Determination of initial base & contract rents:	Firm commitments of financing and loan closing:
Execution of Agreement to enter into a Housing Assistance Payments Contract (AHAP):	Start of Rehabilitation Activities:	Completion of Rehabilitation Activities:
Execution of HAP Contract (not to exceed 365 days after ACC execution):		

4. Need: Homeless Population Description

Attach no more than two typed, double spaced pages for each project.

Describe the number and characteristics of homeless individuals in the community to be served by the project(s).

If this project is intended to serve a specific population of homeless persons, such as substance abusers or chronically mentally ill individuals, include the specific information for that group in this statement.

Be sure to list the source of your information for this(these) description(s).

5. Supportive Service Elements If applying for more than one site , use a separate sheet for each.

A. List the organizations that have made a written commitment to provide the supportive services to the homeless individuals that will reside in the projectidentified below.

Attach a copy of the written commitment.

Examples of the entries in the Type of Service column below are: Counseling, Chemical Dependency Treatment, Mental Health Treatment, Meals, Job Training, Placement, etc.

Type of Service	Source—Full Name & Address	Money Source	Amount of Money Available	Number of Years Available	Check Here if On—site Services

B. Where services are not to be provided on site, describe how they will be made available to the residents:

Attach no more than two typed, double spaced pages describing each of the following:

C. Describe how the residents will be evaluated to determine the appropriate supportive services:

D. State the method that will be used to deliver the service (Examples are case management, group therapy, or referral):

E. Describe how the residents' use of this service will be monitored and evaluated:

6. Site Information If more than one project is included, use a separate sheet for each

Owner — Full name & address	Structure — Full name & address:	
Telephone number:	Priority number:	Site's Congressional District:

A. Site Control

Place an "x" in the box beside the response that describes the owner's form of site control. **Attach a copy of the supporting document to this page.**

- ☐ Deed
- ☐ Executed Contract of Sale
- ☐ Prelease Agreement
- ☐ Executed Lease Agreement Long-term leases must be at least as long as the 10 year term of the HAP Contract.
- ☐ Executed Option to Purchase An option is sufficient as far as the submission of a proposal is concerned, but title to the property or other control of the property (such as a long-term lease) for the term of the HAP Contract is required before an AHAP can be executed.

  An option will be considered current if it remains enforceable through December 30th of the funding year.

B. Number of Units in Structure

SRO Units _____

Vacant SRO Units _____

Total SRO Units to be Assisted _____

0 Bedroom Units _____

1 Bedroom Units _____

2 Bedroom Units _____

3 Bedroom Units _____

4 Or More Bedroom Units _____

C. Attach a letter signed by the owner of the structure indicating the owner's interest in participating in the program.

7. Financing If more than one project is included, use a separate sheet for each.

A. Address of Site:

B. Source of Funds		C. Use of Funds	
Total Amount of Loans		Acquisition Costs	
Total Amount of Grants		Costs of Rehabilitation	
Total Amount of Owner's Capital			
Total Amount of Partner's Capital			
Total All Sources		**Total All Uses**	

D. Sources of Financing: Identify all sources of financing, including loans, grants and owner / partner capital.

Source—Full Name & Address	Amount	Interest Rate	Term

E. Attach copies of written statements or commitments of financing from lenders and all other funding sources.

DRAFT

8. Proposed Rehabilitation If more than one site is included, use a separate sheet for each.

For each site:

- Identify the proposed rehabilitation to be carried out in each unit and in the common areas of the structure.
- Provide a cost estimate for the work. In this estimate, identify rehabilitation, if any, which will not be included in the rent calculation for the SRO Program.

9. Feasibility Analysis

Please complete the attached Appendix 31 to Handbook 7420.3. If more than one (1) project is proposed, submit complete Appendix 31 for each site.

10. Subsidy Layering

As required by Public Law 101-235, Section 102(b) of the HUD Reform Act, describe type and amount of other government assistance, including low income housing tax credits, and list the name of all parties with a pecuniary interest in this proposal. (Type here or on separate sheet.)

[FR Doc. 92-3726 Filed 2-14-92; 8:45 am]
BILLING CODE 4210-29-C

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-948-6310-11-241A]

Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget for approval under provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35). Copies of the proposed collection of information and related forms and explanatory material may be obtained by contacting the Bureau's Clearance Office at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Bureau Clearance Officer and to the Office of Management and Budget, Paperwork Reduction Project (Not yet assigned), Washington, DC 20503, telephone number 202–395–7340.

Title: Report of Road Use.

OMB Approval Number: (Not yet assigned).

Abstract: The regulations in 43 CFR part 2812 provide permits to private land owners for rights-of-way over Oregon and California lands. Monitoring of this road use is required by the Inspector General of the United States.

Bureau Form Number: OR–2812–6.

Frequency: Quarterly.

Description of respondents: Road Use Permittees operating under 43 CFR 2812 Reciprocal Logging Road Right-of-way Agreements.

Estimate Completion Time: 2 hours.

Annual Responses: 1000.

Annual Burden Hours: 2,000.

Bureau Clearance Officer (Alternate): Gerri Jenkins 202–653–6105.

Dated: December 23, 1991.

Mat Millenbach,

Acting Assistant Director, Land and Renewable Resources.

[FR Doc. 92–3686 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–84–M

[WY-060-02-4120-14]

Powder River Coal Co.; Draft Environmental Assessment

AGENCY: Bureau of Land Management, Interior, Wyoming.

ACTION: Notice of availability of the draft environmental assessment (EA) for the North Antelope/Rochelle coal lease application (WYW119554) and notice of public hearing.

SUMMARY: This Notice announces the availability of the Draft Environmental Assessment for the Powder River Coal Company application for a coal lease for an estimated 370 million tons of federal coal reserves under 3,064 acres located adjacent to their existing North Antelope and Rochelle mines, Campbell County, Wyoming. The EA was prepared to assist the BLM in making a decision on the proposed lease. A public hearing to receive comments on the EA, the fair market value (FMV), and the maximum economic recovery (MER) has been scheduled for March 18, 1992, at the Holiday Inn in Douglas, Wyoming, starting at 7 p.m. Prior to the meeting, an open house is scheduled from 3 to 5 p.m. that same day at the same location.

DATES: Comments on the EA must be received at the address below no later than c.o.b. April 3, 1992.

ADDRESSES: Comments should be sent to: Attn: Suzanne Mehlhoff, Casper District Office, 1701 East "E" Street, Casper, Wyoming 82601.

FOR FURTHER INFORMATION CONTACT: For more information or to obtain a copy of the EA, contact Suzanne Mehlhoff at the office identified above or by phone at (307) 261–7600.

SUPPLEMENTARY INFORMATION: Powder River Coal Company (PRCC) filed two applications on March 2, 1990, with the BLM, for coal leases adjacent to their existing North Antelope and Rochelle mines. In December 1991, the BLM, under the authority of 43 CFR 3425.1–9, combined the two applications into a single lease application for the following subject lands:

Sixth Principal Meridian

T. 41 N., R. 70 W.
- Sec. 1: lots 8, 9, and 16;
- Sec. 2: lots 5 through 16;
- Sec. 3: lots 5 through 16;
- Sec. 4: lots 5 through 15, SWNE;
- Sec. 5: lots 5 through 18;
- Sec. 6: lots 8, 9, 14 through 17, 22, and 23;
- Sec. 7: lots 5, 12, 13, and 20;
- Sec. 8: lots 4, 10, 11, and SWNW;
- Sec. 17: lots 3 through 6, and 11 through 14.

These lands contain 3,064 acres, more or less. The application(s) were filed as lease-by-application (LBA) for the purpose of extending the producing life of the existing mines. The EA will be available for review and comment on or before February 21, 1992.

The Office of Surface Mining (OSM) and the U.S. Forest Service (FS) have been identified as cooperating agencies in the preparation of the EA. All comments received will be considered in preparation of the final EA.

Dated: February 11, 1992.

Ray Brubaker,

State Director.

[FR Doc. 92–3701 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–22–M

[ID-050-4320-14]

Shoshone District Grazing Advisory Board; Meeting

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice.

SUMMARY: This notice sets forth the schedule and proposed agenda for a meeting of the Shoshone District Grazing Advisory Board.

DATES: Wednesday, March 11, 1992, at 9 a.m.

ADDRESSES: Shoshone District BLM Office, 400 West F Street, Shoshone, Idaho.

FOR FURTHER INFORMATION CONTACT: Shoshone District Manager Mary Gaylord, P O Box 2–B, Shoshone ID 83352, telephone (208) 886–2206 or FTS 554–6100.

SUPPLEMENTARY INFORMATION: The proposed agenda for the meeting includes: (1) Drought, (2) Animal Damage Control (ADC) program, (3) Idaho field enhancement, (4) Stream Segments of Concern, (5) funding availability letter, and (6) disbursement of Advisory Board funds.

Operation and administration of the Board will be in accordance with the Federal Advisory Committee Act of 1972 (Pub. L. 92–463; 5 U.S.C. app. 1) and Department of Interior regulations including 43 CFR part 1984.

The meeting will be open to the public. Anyone may present an oral statement between 11 a.m. and 12 noon or may file a written statement regarding matters on the agenda. Oral statements will be limited to ten minutes. Anyone wishing to make an oral statement should notify the Shoshone District Manager by Monday, March 9, 1992. Records of the meeting will be available in the Shoshone District Office for public inspection or copying within 30 days after the meeting.

Dated: February 7, 1992.

Janis L. VanWyhe,

Associate District Manager.

[FR Doc. 92–3706 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–GG–M

[NV-930-02-4212-13; N-55433]

Realty Action; Conveyance of Mineral Interest Application; Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of receipt of conveyance of mineral interest application.

SUMMARY: Notice is hereby given that pursuant to section 209 of the Act of October 21, 1976, 90 Stat. 2757, The Heguy Brothers, a general partnership, has applied for conveyance of the Federal mineral estate described as follows:

Mount Diablo Meridian, Nevada

T. 42 N., R. 57 E.,
Sec. 5, Lots, 1, 3, 4, S½NE¼, SE¼NW¼, NE¼SW¼, N½SE¼;
Sec. 6, Lot 1;
Sec. 9, S½SW¼,
Sec. 16, N½N½, SE¼NE¼, SW¼NW¼, S½.
T. 43 N., R. 57 E.,
Sec. 31, Lots 2–4, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 32, SW¼, W½SE¼.

Containing approximately 1749.83 acres, more or less.

Additional information concerning this application may be obtained from the Area Manager, Elko Resource Area, Elko District Office, 3900 E. Idaho St., Elko, NV 89801.

Upon publication of this notice in the **Federal Register**, the mineral interests described above will be segregated to the extent that they will not be open to appropriation under the public land laws, including the mining laws. The segregative effect of the application shall terminate upon issuance of a patent or other document of conveyance of such mineral interests, upon final rejection of the application, or two years from the date of filing of the application, January 31, 1994, whichever occurs first.

Dated: February 3, 1992.

Rodney Harris,

Elko District Manager.

[FR Doc. 92-3662 Filed 2-14-92; 8:45 am]

BILLING CODE 4310-HC-M

[WY-031-4212-14; WYW 125203]

Reality Action; Proposed Direct Sale of Public Land Parcel in Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action; proposed direct sale of public land parcel in Fremont County, Wyoming.

SUMMARY: The Bureau of Land Management has received a proposed to sell the following described public lands, surface and mineral estates, excepting oil and gas, to American Nuclear Corporation (ANC) pursuant to sections 203 and 209 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713, 1719:

Sixth Principal Meridian

T. 33 N., R. 90 W.,
Sec. 32, E½, E½NW¼, NE¼SW¼;
Sec. 33, NW¼NW¼.

The above lands aggregate 480 acres.

The American Nuclear Corporation wishes to acquire lands to be used for the construction and operation of a fully licensed disposal facility for materials similar in radiological and physical characteristics to uranium mill tailings. More specifically, these would be radioactive materials classified as 11e.(2)1 by-product material by the Atomic Energy Act of 1954, as amended, and naturally occurring radioactive materials (NORM). These materials would be permanently disposed of in separate disposal cells located adjacent to each other. The facility would be licensed by the Nuclear Regulatory Commission (NRC), Environmental Protection Agency (EPA), and the Wyoming Department of Environmental Quality (DEQ), depending upon the material being handled. The facility would be designed, constructed and operated in accordance with applicable federal, state, and local laws and regulations.

The facility would help meet the NRC's stated policy objective to limit the proliferation of small disposal sites associated with uranium and thorium mining operations. It would also provide a disposal option for NORM materials generated by mineral resources development such as phosphate mining, oil and gas production, and rare earth extraction. The source of the material would be present and future uranium, thorium, phosphogypsum and other rare earth mining, milling and production facilities; present and future oil and gas exploration, development and production facilities; and reclamation and remediation materials from operations conducted in the past where stabilization in place is not a viable option. These sources are located within the State of Wyoming and various locations within the continental United States.

The proposed direct sale to ANC would be made at fair market value. Additionally, ANC would be required to submit a nonrefundable application fee of $50.00 in accordance with 43 CFR subpart 2720 for conveyance of all unreserved mineral interests in the lands.

An environmental document covering the proposal would be prepared by appropriate agencies and made available for review at a later date and prior to a final decision. The proposed sale for the disposal facilities would be held following the environmental review and permitting required by the Wyoming Department of Environmental Quality, the Nuclear Regulatory Commission and the U.S. Environmental Agency.

Conveyance of the land would be subject to the following:

1. Reservation of a right-of-way for ditches or canals pursuant to the Act of August 30, 1890, 43 U.S.C. 945.

2. Reservation of oil and gas to the United States with the right to prospect, explore, and develop the same in accordance with the provisions of the federal mineral laws in force at the time of disposal.

3. BLM oil and gas lease serial number WYW-121606.

4. Any other valid existing rights including rights-of-way that are identified during the evaluation process.

5. All unpatented mill site and lode mining claims encumbering the lands and held by ANC would be relinquished by ANC prior to conveyance of the surface estate and locatable mineral estate, if there are no known mineral values. If the land is determined to contain valuable locatable mineral resources, conveyance of the surface estate would be issued subject to the reservation of all mineral resources to the U.S. Any unpatented mill site or lode mining claims located within the above described lands not held entirely by ANC will preclude sale of that applicable tract and the segregation effected by this notice shall be allowed to terminate.

The public lands involved are permitted for grazing by Philp Sheep Company, c/o John Philp, in Allotment No. 1508. There would not be a cancellation of grazing preference because there is available forage in the allotment to accommodate the present grazing preference. John Philp is being served a 2-year notice prior to cancellation of his grazing permit on the proposed public sale parcel and that notification is being sent with a copy of this Notice of Realty Action.

The public lands described above shall be segregated from all forms of appropriation under the public land laws, including the mining laws upon publication of this notice in the **Federal Register**. The segregative effect will end 270 days from the date of the publication, upon issuance of a patent, or upon publication in the **Federal**

Register of a termination of the segregation, whichever occurs first.

FOR FURTHER INFORMATION CONTACT: Jack Kelly, Area Manager, Lander Resource Area, 125 Sunflower, P.O. Box 589, Lander, Wyoming 82520, (307) 332–7822.

SUPPLEMENTARY INFORMATION: For a period of forty-five (45) days from the date of publication of this notice, interested parties may submit comments to the Area Manager, Bureau of Land Management, Lander Resource Area, P.O. Box 589, Lander, Wyoming 82520. Any comments will be evaluated by the BLM Wyoming State Director, who may sustain, vacate, or modify this proposed realty action.

The subsequent environmental analysis process would provide an opportunity for additional public involvement.

Dated: February 3, 1992.

Jack Kelly,

Area Manager.

[FR Doc. 92–3663 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–22–M

[AZ–930–4214–10; AZA–26437]

Proposed Withdrawal and Opportunity for a Public Meeting; AZ

February 6, 1992.

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The U.S. Department of Agriculture, Forest Service, has filed application AZA–26437, to withdraw 160.00 acres of National Forest System land from location and entry under the United States mining laws for the purpose of protecting the Sears-Kay Ruin Interpretive Site. At this time the Forest Service is in the process of developing plans for the stabilization and construction of improvements on the Site. The estimated value of the planned improvements is approximately $250,000.

This application is in compliance with the regulations found in 43 CFR 2310.1–2 and the Tonto National Forest Plan. Publication of this notice closes the land for up to 2 years from location and entry under the United States mining laws only, the land will remain open to all other uses applicable to National Forest System lands.

DATES: Comments and requests for a meeting should be received on or before May 18, 1992.

ADDRESSES: Comments and meeting requests should be sent to the Arizona State Director, Bureau of Land Management (BLM), 3707 North 7th Street, Phoenix, Arizona 85014, or P.O. Box 16563, Phoenix, Arizona 85011–6563.

FOR FURTHER INFORMATION CONTACT: John Mezes, BLM, Arizona State Office, (602) 640–5509.

SUPPLEMENTARY INFORMATION: On January 23, 1992, the U.S. Department of Agriculture, Forest Service, filed application AZA–26437 to withdraw the following described National Forest land from location and entry under the United States mining laws, subject to valid existing rights.

Gila and Salt River Meridian

Tonto National Forest

T.6 N., R. 5 E.,
Sec. 2, E½SW¼, E½NW¼SW¼, E½SW¼SW¼;
Sec. 11, NE¼NW¼.

The area described contains approximately 160.00 acres in Maricopa County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request to the undersigned officer within 90 days from the date of publication of this notice. Upon a determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with regulations as set forth in 43 CFR part 2300.

For a period of 2 years from the date of publication of this notice in the **Federal Register**, the land will be segregated as specified above unless the application is denied or cancelled or the withdrawal is approved prior to that date. The temporary uses which will be permitted during this segregative period are all those applicable to U.S. Forest Service administered lands except those under the mining laws.

The temporary segregation on the land in conjunction with this application shall not affect the administrative jurisdiction over it.

John Mezes,

Acting Deputy State Director, Lands and Renewable Resources.

FR Doc. 92–3707 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–32–M

[ID–943–4214–11; IDI–15518, et al.]

Proposed Continuation of Withdrawals; Idaho

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Reclamation proposes that the withdrawals for 13,836.05 acres of public land for the Minidoka Reclamation Project continue for an additional 15 years. The lands are now being used for Reclamation project purposes. The land would remain closed to surface entry and mining, but have been and would remain open to mineral leasing.

DATES: Comments should be received by May 18, 1992.

FOR FURTHER INFORMATION CONTACT: William E. Ireland, Idaho State Office, BLM, 3380 Americana Terrace, Boise, Idaho 83706, 208–384–3162.

The Bureau of Reclamation proposes that the existing land withdrawals made by the secretarial orders shown below be continued for a period of 15 years pursuant to section 204 of the Federal Land Policy and Management Act of 1976, 90 Stat. 2751; 43 U.S.C. 1714. The lands are described as follows:

Boise Meridian

(S.O. dated August 12, 1912)

T. 10 S., R. 25 E.,
Sec. 30, S½S½SW¼NE¼NW¼.

(S.O. dated February 18, 1910)

T. 9 S., R. 25 E.,
Sec. 12, E½SW¼ and SE¼.

(S.O. September 29, 1919)

T. 9 S., R. 20 E.,
Sec. 25, SW¼NE¼, N½SW¼ and SW¼SW¼;
Sec. 26, SE¼SE¼;
Sec. 35, N½NE¼ and SW¼NE¼.

T. 9 S., R. 21 E.,
Sec. 32, lots 1 and 2, SE¼NE¼, NE¼NE¼NW¼, NE¼NW¼NE¼NW¼, SE¼SW¼NE¼NW¼, SE¼NE¼NW¼, S½NE¼SW¼NW¼, SE¼SW¼NW¼, S½SW¼SW¼NW¼, NE¼NE¼SE¼ and E½NW¼NE¼SE¼,
Sec. 33, SW¼NW¼, W½SW¼ and SE¼;
Sec. 34, S½N½ and S½.

Sec. 35, tracts E, F and G, N½NE¼, N½SW¼NE¼ and NW¼.
T. 10 S., R. 21 E.,
Sec. 1, tracts D and E;
Sec. 23, a metes & bounds description within S½;
Sec. 24, lot 3;
Sec. 25, lot 5;
Sec. 26, lot 1.
(S.O. September 17, 1909)
T. 9 S., R. 29E.,
Sec. 15, lots 11, 12 and 14.
(S.O. March 18, 1908)
T. 8 S., R. 21 E.,
Sec. 34, tract E.
T. 9 S., R. 21 E.,
Sec. 1, lot 1 and tract E.;
Sec. 2, tract F;
Sec. 3, tract H;
Sec. 7, E½E½;
Sec. 8;
Sec. 9, tracts C, H, K, L and M;
Sec. 10, tracts A and B, E½ and S½SW¼;
Secs. 11 and 12;
Sec. 15, SW¼;
Sec. 17, SW¼SW¼, NW¼NE¼ and N½NW¼;
Sec. 18, lot 4, SE¼SE¼, and NE¼NE¼;
Sec. 19, lot 1, N½NE¼, SE¼NE¼, NE¼NW¼ and SE¼;
Sec. 20, W½NE¼, NW¼ and W½ and SW¼;
Sec. 21, N½ and N½S½;
Sec. 22, W½NE¼, NW¼ and N½SW¼;
Sec. 26, S½S½;
Sec. 29, W½NE¼, N½NW¼, SE¼NW¼, NE¼NE¼SW¼, S½NE¼SW¼, N½SE¼SW¼, E½SW¼SE¼SW¼ and SE¼SE¼SW¼.
T. 10 S., R. 21 E.,
Sec. 1, tracts F and J;
Sec. 13, tracts F, G and H;
Sec. 14, tract H;
Sec. 22, Portion of S½S½ adjoining Snake River;
Sec. 23, lot 1, SE¼SE¼, tract C and a metes & bounds description within the S½;
Sec. 24, lots 2 and 3, N½ and NW¼SW¼;
Sec. 29, lots 10, 11 and 12, W½SE¼NW¼ and SW¼NW¼;
Sec. 30, lots 5 and 6 and NE¼NE¼.
T. 8 S., R. 22 E.,
Sec. 24, SE¼;
Sec. 25;
T. 9 S., R. 22 E.,
Sec. 1, tract E;
Sec. 8, tract E;
Sec. 12, tract K and M and SW¼SW¼;
Sec. 14, tracts B,C,D,E and J;
Sec. 15, lots 1 to 10, inclusive, NW¼NE¼, N½NW¼, SW¼NW¼ and S½SE¼;
Sec. 21, lots 1,4,5,6,8 and 10, E½NE¼, N½S½ and NE¼SE¼SE¼;
Sec. 22, lots 1 to 9, inclusive, W½W½, SE¼SW¼, S½NE¼SE¼ and S½SE¼;
Sec. 23, W½NE¼, NW¼ and N½SW¼;
Sec. 28, tract C;
Sec. 29, tracts C,L,M and N;
Sec. 31, lot 4 and tracts E and J;
Sec. 33, tract D.
T. 10 S., R. 22 E.,
Sec. 3, tract L;
Sec. 4, tract F;
Sec. 6, lots 1 and 6, tracts B and J;
Sec. 17, tract G.
T. 8 S., R. 23 E.,
Sec. 5, tract C;
Sec. 9, tract G;
Sec. 12, tract G;
Sec. 20, tract A;
Sec. 24, tract A;
Sec. 25, tract H;
Sec. 30, tract C;
Sec. 31, tract A;
T. 9 S., R. 23 E.,
Sec. 3, S½SE¼;
Sec. 4, tract B, S½NW¼, and N½SW¼;
Sec. 5, lot 1, tract D, SE¼NE¼, N½SW¼SW¼, SE¼SW¼, S½SE¼ and NE¼SE¼.
T. 7 S., R. 24 E.,
Sec. 15, SE¼;
Sec. 22, tracts E and G;
Sec. 27, tract J;
Sec. 33, tract H;
Sec. 34, tract K.
T. 8 S., R. 24 E.,
Sec. 5, tract K;
Sec. 12, tract G;
Sec. 14, tract J;
Sec. 20, tract H;
Sec. 21, tract M,N and P;
Sec. 25, tract H;
Sec. 27, tracts B,D and H, NE¼SW¼, S½SW¼ and W½NW¼SE¼;
Sec. 32, tracts A,E,F, SE¼NE¼ and W½NE¼SE¼;
Sec. 33, NE¼ N½NW¼, N½SW¼NW¼, N½S½SW¼NW¼ and SE¼NW¼;
Sec. 34, NW¼SW¼, S½SE¼;
Sec. 35, W½SW¼.
T. 7 S., R. 25 E.,
Sec. 19, NE¼NE¼NW¼;
Sec. 31, tract H;
Sec. 32, tract H;
Sec. 34, tract F;
T. 8 S., R. 25 E.,
Sec. 6, tract D;
Sec. 9, tract D and SW¼;
Sec. 10, tract K;
Sec. 17, tract G;
Sec. 24, tract A;
Sec. 26, N½N½;
Sec. 27, N½NE¼;
Sec. 28, metes & Bounds (right-of-way traversing center of section);
Sec. 29, tracts B,E and L (right-of-way traversing center of section);
Sec. 30, lots 1, 2, 3 and 4, SW¼NE¼, NW¼SE¼NE¼, S½SE¼NE¼, E½NW¼, E½SW¼, N½SE¼ and SW¼SE¼.
T. 9 S., R. 25 E.,
Sec. 12, N½ and W½SW¼;
Sec. 31, S½NE¼.

The areas described aggregate 13,836.05 acres.

The withdrawals are essential for protection of irrigation and water storage facilities in the Minidoka Reclamation project. The withdrawals closed the lands to surface entry and mining, but not to mineral leasing. No changes in the segregative effect or use of the land is proposed by this action.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments in connection with the proposed withdrawal continuations may present their views in writing to the Idaho State Director at the above address.

The authorized officer of the Bureau of Land Management will undertake such invsetigations as necessary to determine the existing and potential demand for the lands and their resources. A report will also be prepared for consideration by the Secretary of the Interior, the President, and Congress, who will determine whether or not the withdrawals will be published in the **Federal Register.** The existing withdrawals will continue until such final determination is made.

Dated: February 6, 1992.

William E. Ireland,

Chief, Realty Operations Section.

[FR Doc. 92–3664 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–GG–M

National Park Service

De Soto Trail Commission; Nomination Solicitation

AGENCY: National Park Service, Department of the Interior.

ACTION: De Soto Expedition Trail Commission, Nomination Solicitation.

SUMMARY: The De Soto Expedition Trail Commission was established by Public Law 101–607, November 16, 1990.

The purpose of the Commission is to encourage and direct research, and to coordinate the distribution of interpretive materials to the public, regarding the De Soto Expedition, the native societies they encountered, and the effects of that contact.

DATES: All nominations should be received on or before March 19, 1992.

ADDRESSES: Nominations should be sent to the Secretary, U.S. Department of the Interior, 18th and C Streets, NW., Washington, DC 20240.

Nominations should include a brief biographical outline with home and business addresses and telephone numbers on each individual recommended.

FOR FURTHER INFORMATION CONTACT: Victoria Barrios (202) 208–4644, Office of the Secretary, U.S. Department of the Interior, Washington, DC 20240. A copy of the charter for this Commission is available upon request.

SUPPLEMENTARY INFORMATION: The Commission membership as set forth in Public Law 101–607, November 16, 1990, is to be composed of 19 members appointed by the Secretary of the Interior as follows:

1. Ten members knowledgeable in the history of Spanish-Native American contact, including the history of the De Soto expedition appointed from recommendations submitted by the Governors of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee and Texas, of which one will represent each State; and

2. Four members with expertise in the history of the De Soto Expedition;

3. Two members with knowledge of the Native American societies encountered by the De Soto Expedition.

4. Two members, one of which shall hold the position of Superintendent, De Soto National Memorial, the other of which shall have knowledge of the history of Spanish colonization of the southeastern United States; and

5. One member appointed from recommendations submitted by the Smithsonian Institution.

Through this notice, the Secretary, U.S. Department of the Interior is soliciting nominations from universities, Native American organizations, Hispanic groups, and other interested organizations or individuals for the following 7 appointments:

1. Four members with expertise in the history of the De Soto Expedition;

2. Two members with knowledge of the Native American societies encountered by the De Soto Expedition;

3. One member with knowledge of the history of Spanish colonization of the southeastern United States.

Dated: February 7, 1992.

Manuel Lujan, Jr.,

Secretary of the Interior.

[FR Doc. 92–3736 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–70–M

Acadia National Park Advisory Commission; Bar Harbor, ME; Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92–463 86 Stat. 770, 5 U.S.C. app. 1, sec. 10), that the Acadia National Park Advisory Commission will hold a meeting on Monday, March 9, 1992.

The Commission was established pursuant to Public Law 99–420, section 103. The purpose of the Commission is to consult with the Secretary of the Interior, or his designee, on matters relating to the management and development of the Park, including but not limited to the acquisition of lands and interests in lands (including conservation easements on islands) and termination of rights of use and occupancy.

The meeting will convene at Acadia National Park Headquarters, Route 233, McFarland Hill, at 1 p.m. to consider the following agenda:

1. Review and approval of minutes from the meeting held November 25, 1991.

2. Report of the Conservation Easement Subcommittee.

3. Report of the Acquisition Easement Subcommittee.

4. Report of the General Management Planning Subcommittee.

5. Proposed agenda and date of the next Commission meeting.

The meeting is open to the public. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made to the Superintendent at least seven days prior to the meeting.

Further information concerning these meetings may be obtained from the Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, Maine 04609, telephone: 207) 288–5456.

Dated: February 6, 1992.

Steven H. Lewis,

Acting Regional Director.

[FR Doc. 92–3718 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–70–M

Delta Region Preservation Commission, Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Delta Region Preservation Commission will be held at 7 p.m., on Wednesday, March 11, 1992, in the Gold and White Room in the Student Center of Xavier University, 7325 Palmetto, New Orleans, Louisiana.

The Delta Region Preservation Commission was established pursuant to section 907 of Public Law 95–625 (16 U.S.C. 230f), as amended, to advise the Secretary of the Interior in the selection of sites for inclusion in Jean Lafitte National Historical Park and Preserve, and in the implementation and development of a general management plan and of a comprehensive interpretive program of the natural, historic, and cultural resources of the Region.

The matters to be discussed at this meeting include:

—Superintendent's Report on all Units
—Update on Atchafalaya and Jazz Studies
—Discussion of Barataria Marsh Management
—Old Business
—New Business

The meeting will be open to the public. However, facilities and space for accommodating members of the public are limited, and persons will be accommodated on a first-come-first-served basis. Any member of the public may file a written statement concerning the matters to be discussed with the Superintendent, Jean Lafitte National Historical Park and Preserve.

Persons wishing further information concerning this meeting, or who wish to submit written statements may contact Robert Belous, Superintendent, Jean Lafitte National Historical Park and Preserve, U.S. Customs House, 423 Canal Street, room 210, New Orleans, Louisiana 70130–2341, Telephone 504/589–3882. Minutes of the meeting will be available for public inspection four weeks after the meeting at the office of Jean Lafitte National Historical Park and Preserve.

Dated: February 7, 1992.

Philip A. Francis,

Acting Regional Director, Southwest Region.

[FR Doc. 92–3719 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–70–M

National Register of Historic Places; Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before February 8, 1992. Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013–7127. Written comments should be submitted by March 4, 1992.

Carol D. Shull,

Chief of Registration, National Register.

ARKANSAS

Cross County

Grace Episcopal Church, 614 E. Poplar St., Wynne, 92000106

Pulaski County

McKenzie House, 4911 AR 161, Scott, 92000105

GEORGIA

Ware County

Downtown Waycross Historic District, Roughly bounded by the Seaboard Coast Line RR tracks and Albany, Isabella, Remshart and Nicholls Sts., Waycross, 92000125

IOWA

Lee County

Atchison, Topeka and Santa Fe Passenger and Freight Complex Historic District (Advent & Development of Railroads in Iowa MPS), 902 Ave. H, Fort Madison, 92000100

MISSISSIPPI

Walthall County

Collins, George H., House, 615 Union Rd., Tylertown, 92000102

MONTANA

Custer County

Ursuline Convent of the Sacred Heart, 1411 Leighton Blvd., Miles City, 92000115

Lewis and Clark County

Silver King Ranch, Roughly 15 mi. NE of Lincoln in Helena NF, Lincoln vicinity, 92000114

NEVADA

Clark County

Goodsprings Schoolhouse (Historic School Buildings in the Evolution of the Fifth Supervision School District MPS), San Pedro Ave. E. of jct. with Esmeralda St., Goodsprings, 92000121

Mesquite High School Gymnasium (Historic School Buildings in the Evolution of the Fifth Supervision School District MPS), 144 E. North 1st St., Mesquite, 92000119

Overton Gymnasium (Historic School Buildings in the Evolution of the Fifth Supervision School District MPS), N. West Thomas St. W. of jct. with S. Anderson St., Overton, 92000118

Washington School (Historic School Buildings in the Evolution of the Fifth Supervision School District MPS), 1901 N. White St., North Las Vegas, 92000120

Douglas County

Douglas County High School (DeLongchamps, Frederick J., Architecture TR), 1477 US 395, Gardnerville, 92000117

WASHOE COUNTY

Washoe County Library—Sparks Branch (DeLongchamps, Frederick J., Architecture TR), 814 Victorian St., Sparks, 92000116

OKLAHOMA

Oklahoma County

Oklahoma County Courthouse (County Courthouses of Oklahoma MPS), 321 Park Ave., Oklahoma City, 92000126

OREGON

Clackamas County

Latourette, DeWitt Clinton, House, 914 Madison St., Oregon City, 92000127

Clatsop County

Goodwin—Wilkinson Farmhouse, US 26/101 W of Cullaby Lake, Warrenton vicinity, 92000128

Jackson County

Merritt, John W., House and Store, 117 E. Pine St., Central Point, 92000129

Josephine County

Rogue River Valley Grange No. 469, 2064 Upper River Rd., Grants Pass vicinity, 92000130

Linn County

Wigle, Jacob and Maranda K., Farmhouse, 1119 Kirk Ave., Brownsville, 92000131

Malheur County

First Bank of Vale, 148 Main St. S., Vale, 92000132

Marion County

Paulus, Christopher, Building, 355, 357 and 363 Court St. NE., Salem, 92000133

Multnomah County

Graham, Thomas, Building, 6031 SE. Stark St., Portland, 92000134

Turner, Frederick, Fourplex, 1430 NE. Twentysecond Ave., Portland, 92000135

Yamhill County

Chambers, Joseph and Virginia, Farmstead, 30295 N. OR 99W, Newberg vicinity, 92000136

TENNESSEE

Warren County

Faulkner, Clay, House, Jct. of Faulkner Springs and Flood Rds., Faulkner Springs, 92000137

UTAH

Utah County

American Fork Second Ward Meetinghouse, 130 West 100 South, American Fork, 92000101

WISCONSIN

Columbia County

Columbus Downtown Historic District, Roughly bounded by Mill, Water and Harrison Sts. and Dickason Blvd., Columbus, 92000113

Society Hill Historic District, Roughly bounded by W. Wisconsin, Cass and W. Emmett Sts. and MacFarlane Rd., Portage, 92000112

Door County

LOUISIANA (Shipwreck) (Great Lakes Shipwrecks of Wisconsin MPS), Address Restricted, Washington vicinity, 92000104

Pilot Island NW Site (Great Lakes Shipwrecks of Wisconsin MPS), Address Restricted, Washington vicinity, 92000103

Fond Du Lac County

Hotel Calumet, 170 Forest Ave., Fond du Lac, 92000111

Congregation Beth Israel Synagogue, 2432 N. Teutonia Ave., Milwaukee, 92000107

Milwaukee—Western Fuel Company Building, 2150 N. Prospect Ave., Milwaukee, 92000108

Washington County

Barton Historic District, Roughly bounded by Harrison and Jefferson St., Barton Ave., Salisbury Rd., Monroe St. and the Milwaukee R., West Ben, 92000109

Winnebago County

Jennings, Ellis, House, 711 E. Forest Ave., Neenah, 92000110

WYOMING

Albany County

Richardson's Overland Trail Ranch, 111 Hart Rd., Laramie, 92000122

Washakie County

Worland Ranch, Jct. of US 20 and Wy 433, Worland, 92000123

[FR Doc. 92–3716 Filed 2–14–92; 8:45 am]

BILLING CODE 4310–70–M

National Register of Historic Places; Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before February 1, 1992. Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013–7127. Written comments should be submitted by March 4, 1992.

Carol D. Shull,

Chief of Registration, National Register.

ARKANSAS

Washington County

Bariola Farm, 329 Ardemagni Rd., Tontitown, 92000096

FLORIDA

Lake County

Mount Dora A.C.L. Railroad Station, Old, 341 Alexander St., Mount Dora, 92000099

MARYLAND

Frederick County

Emmitsburg of Historic District, Roughly, Main St. E of Mountain View Cemetery Rd. and Seton Ave. adjacent to Main, Emmitsburg, 92000076

Kent County

White House Farm, MD 213 SW of jct. with MD 292, Chestertown vicinity, 92000080

MASSACHUSETTS

Hampden County

Upper Worthington Historic District (Boundary Increase), 443–472 Taylor St., Springfield, 92000075

Hampshire County

South Hadley Canal Historic District, Address Restricted, South Hadley vicinity, 92000077

MISSOURI

St. Louis Independent City

Loretto Academy, Address Restricted, St. Louis (Independent City) vicinity, 92000079

NEW JERSEY

Salem County

Broadway Historic District, Broadway from Front to Yorke Sts., Salem, 92000098

NEW YORK

Nassau County

Sands Family Cemetery, Off Sands Point Rd. just S of jct. with Middle Neck Rd., Sands Point, 92000092

Westchester County

Wickers Creek Site, Address Restricted, Dobbs Ferry, 92000093

NORTH CAROLINA

Tyrrell County

Scuppernong River Bridge, US 64 Bus. across the Scuppernong R., Columbia, 92000078

OREGON

Clackamas County

Dana, Marshall, House, 15725 SE. Dana Ave., Milwaukee vicinity, 92000083
Ertz, Charles W., House, 1650 North Shore Rd., Lake Oswego, 92000081
Petzold, Richard B., Building, 714 Main St., Oregon City, 92000084
Weinstein, Clara and Samuel B., House, 16847 SW. Greenbriar Rd., Lake Oswego, 92000082

Multnomah County

Autzen, Thomas J., House, 2425 NE. Alameda, Portland, 92000088
Lauer Apartment Building, 323–337 NW. Seventeenth Ave., Portland, 92000089
Nichols, Dr. A.S., House, 1961 SW. Vista Ave., Portland, 92000090
Pacific Building, 520 SW. Yamhill St., Portland, 92000091
Parkview Apartments, 1760 NE. Irving St., Portland, 92000085
Ricen, Dr. Leo, House, 2624 NW. Overton St., Portland, 92000086
Roome-Stearns House, 2146 NE. Twelfth Ave., Portland, 92000087

TEXAS

Tarrant County

Grapevine Commercial Historic District, 404–432 S. Main St., Grapevine, 92000097

Taylor County

Sayles Boulevard Historic District (Abilene MPS), Roughly bounded by S. Fifth, Meander and S. Tenth Sts. and Highland Ave., Abilene, 92000095

VERMONT

Orange County

Hayward and Kibby Mill, Spring Rd. at First Branch, White R., Tunbridge, 92000094

[FR Doc. 92–3717 Filed 2–14–92; 8:45 am]
BILLING CODE 4310–70–M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB–55 (Sub-No. 412X)]

CSX Transportation, Inc.—Abandonment Exemption—In Bell County, KY

Applicant has filed a notice of exemption under 49 CFR 1152 subpart F—Exempt Abandonments to abandon its 0.99-mile line of railroad between milepost SH–207.90, near Heyburn, and the end of the branch line at milepost SH–208.89, in Bell County, KY.

Applicant has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; and (3) no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period. The appropriate State agency has been notified in writing at least 10 days prior to the filing of this notice.

As a condition to use this exemption, any employee affected by the abandonment shall be protected under Oregon Short Line R. Co.—Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on March 19, 1992 (unless stayed). Petitions to stay that do not involve environmental issues,[1] formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2),[2] and trail use/rail banking statements under 49 CFR 1152.29 must be filed by February 28, 1992.[3] Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 9, 1992, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the notice of exemption contains false or misleading information, use of the exemption is void *ab initio.*

Applicant has filed an environmental report which addresses environmental or energy impacts, if any, from this abandonment.

The section of Energy and Environment (SEE) will prepare an environmental assessment (EA). SEE will issue the EA by February 21, 1992. Interested persons may obtain a copy of the EA from SEE by writing to it (room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief, SEE at (202) 927–6248. Comments on environmental and energy concerns must be filed within 15 days after the EA becomes available to the public.

Environmental, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: February 5, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92–3733 Filed 2–14–92; 8:45 am]
BILLING CODE 7035–01–M

[1] A stay will be routinely issued by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Section of Energy and Environment in its independent investigation) cannot be made prior to the effective date of the notice of exemption. *See Exemption of Out-of-Service Rail Lines,* 5 I.C.C.2d 377 (1989). Any entity seeking a stay involving environmental concerns is encouraged to file its request as soon as possible in order to permit this Commission to review and act on the request before the effective date of this exemption.

[2] *See Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[3] The Commission will accept a late-filed trail use statement as long as it retains jurisdiction to do so.

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to Resource Conservation and Recovery Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on January 31, 1992, a proposed Consent Decree in *United States* v. *Indiana Woodtreating, Inc.,* No. IP 86–253–C, was lodged with the United States District Court for the Southern District of Indiana. The United States' Complaint in this case alleged violations of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. 6901 *et seq.,* from defendant's operation of a woodtreating plant in Bloomington, Indiana. The four-count complaint alleged a failure by defendant to notify the United States Environmental Protection Agency of hazardous waste activities, failure to obtain a permit or interim status, violations of State and Federal RCRA regulations, and also a release of hazardous waste into the environment requiring corrective action.

The proposed Consent Decree requires that defendant, which has ceased operations, use funds from the winding up of its business to implement a closure plan approved by the Indiana Department of Environmental

Management and take corrective action at the facility.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Indiana Woodtreating, Inc.*, DOJ Ref. No. 90–7–1–305.

The proposed Consent Decree and separate stipulation may be examined at the Offices of the United States Attorney for the Southern District of Indiana, U.S. Courthouse, Fifth Floor, 46 East Ohio Street, Indianapolis, Indiana 46204, at the Office of Regional Counsel, United States Environmental Protection Agency, Region V, 111 West Jackson Street, Chicago, Illinois 60604, and at the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20004, (202) 347–2072. A copy of the proposed Consent Decree may be obtained in person or by mail from the Document Center. In requesting a copy, please enclose a check in the amount of $61.25 (25 cents per page reproduction costs) payable to "Consent Decree Library."

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–3687 Filed 2–14–92; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Targeted Training Grants

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of grant program.

SUMMARY: The Occupational Safety and Health Administration (OSHA) has a grant program, Targeted Training, which awards funds to nonprofit organizations to address unmet needs for safety and health training and education in the workplace. This notice announces Targeted Training grant availability for training workers in the logging industry. The grant availability applies to all types of logging, including pulpwood harvesting and the logging of saw logs, bolts and other forest products. The notice describes the scope of the grant program and provides information on how to obtain a grant application. Applications should not be submitted without first obtaining the detailed grant application package mentioned later in the notice.

Authority for this program may be found in section 21(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 670).

DATES: Applications must be received by April 17, 1992.

ADDRESSES: Grant applications must be submitted to the OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Ronald Mouw, Chief, or Helen Beall, Training Specialist, Division of Training and Educational Programs, Office of Training and Education, Occupational Safety and Health Administration, U.S. Department of Labor, 1555 Times Drive, Des Plaines, Illinois 60018, telephone (708) 297–4810.

SUPPLEMENTARY INFORMATION:

Background

Section 21(c) of the Occupational Safety and Health Act provides for the education and training of employers and workers in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions. OSHA has used a variety of approaches over the years to fulfill its responsibilities under this section, one of which is the awarding of grants to nonprofit organizations to provide training and education to workers and employers.

The Targeted Training Program is OSHA's current grant program for training and education of workers and employers. Its goals include educating small businesses, training in new OSHA standards, and training in areas of special emphasis or recognized high hazard areas. Organizations awarded grants under this program will be expected to develop training and/or educational programs which address a target named by OSHA, reach out to workers and employers for whom the program is appropriate, and provide them with the training and/or educational program. Success is measured by the number of individuals participating in the program and evidence of their increased hazard recognition and abatement or compliance with the standards.

Scope

The purpose of this notice is to announce the availability of funds for grants which address worker safety in the logging industry, including pulpwood harvesting and the logging of saw logs, bolts and other forest products. Training programs should be carried out in close cooperation with people in the logging industry. It is expected that training will be conducted at logging sites by technical experts who are knowledgeable about safe work practices and who are responsive to changes in safety equipment and to the needs of the logging workforce. Grantees will be expected to incorporate OSHA's new logging standards into their training at such time as the standards are issued.

Among the activities which may be supported under these grants are: conducting training, conducting other educational activities designed to reach and inform workers, and developing educational materials for use in the training and/or educational activities.

Eligible Applicants

Any nonprofit organization which is not an agency of a State or local government is eligible to apply. For purposes of eligibility for this grant program, agencies of State and local governments do not include State or local government supported institutions of higher education. State or local government supported institutions of higher education are eligible to apply.

Nonsupportable Activities

Statutory and regulatory limitation, as well as the objectives of the grant program, prevent reimbursement for certain activities under these grants. These limitations include the following.

1. Any activities inconsistent with the goals and objectives of the Occupational Safety and Health Act of 1970.
2. Activities involving workplaces largely precluded from enforcement action under section 4(b)(1) of the Occupational Safety and Health Act.
3. Activities for the benefit of State, county or municipal employees.
4. Production, publication or reproduction of training and educational materials, including programs of instruction, which have not been approved by OSHA.
5. Lobbying.
6. Training and other educational activities that primarily address issues other than recognition, avoidance, and prevention of unsafe or unhealthful working conditions. Examples include activities concerning workers' compensation, first aid, and publication of materials prejudicial to labor or management.
7. Activities which promote logging production methods or equipment.
8. Activities which provide assistance to workers in arbitration cases or other

actions against employers, or which provide assistance to employers and/or workers in the prosecution of claims against Federal, State or local governments.

9. Activities which directly duplicate services offered by OSHA, a State under a State Plan, or consultation programs provided by State designated agencies under sections 7(c)(1) of the Act.

10. Activities directly or indirectly intended to generate membership in the grant recipient's organization.

Administrative Requirements

Grant recipients that develop curriculums and/or educational materials with grant funds will provide copies of the curriculums and/or educational materials to OSHA by the end of the grant period. The curriculums and materials will be in the public domain.

The grant program will be administered in compliance with 41 CFR Part 29–70 and OMB Circulars A–110, A–133 and A–21 or A–122. All applicants will be required to certify to a drug-free workplace in accordance with 20 CFR part 98 and to comply with the New Restrictions on Lobbying published at 29 CFR Part 93.

The program is subject to matching share requirements. Grant recipients will be expected to provide a minimum of 20% of the total grant budget. For example, if the Federal share of the grant is $80,000 (80% of the grant), then the matching share will be $20,000 (20% of the grant), for a total grant of $100,000. The matching share may exceed 20%.

Evaluation Process and Criteria

Applications for grants solicited in this notice will be evaluated on a competitive basis by the Assistant Secretary for Occupational Safety and Health with assistance and advice from OSHA staff.

The following factors, which are not ranked in order of importance, will be considered in evaluating grant applications.

1. Program Design

a. The plan to develop and implement a training and education program which addresses logging safety for workers.

b. The number of workers to be reached by the program.

c. The appropriateness of the planned activities for providing on-site safety training for loggers.

d. The plan for selecting training sites and recruiting trainees.

e. The plan for evaluating the program's effectiveness in achieving its objectives.

f. The feasibility and soundness of the proposed work plan in achieving the program objectives effectively.

2. Program Experience

a. Prior occupational safety and health experience of the organization.

b. Previous and current training or education programs conducted by the organization.

c. Technical and professional expertise of present or proposed project staff in logging and in occupational safety and health.

3. Administrative Capability

a. Managerial expertise of the applicant as evidenced by the variety and complexity of current and/or recent programs it has administered.

b. Financial management capability of the applicant as evidenced by a recent report from an independent audit firm or a recent report from another independent organization qualified to render judgment concerning the soundness of the applicant's financial practices.

c. Evidence of the applicant's nonprofit status, preferably from the IRS.

d. The completeness of the application, including forms, budget detail, narrative and workplan, and required attachments.

4. Budget

a. The reasonableness of the budget in relation to the proposed program activities.

b. The proposed non-Federal share is at least 20% of the total budget.

c. The compliance of the budget with applicable Federal cost principles and with OSHA requirements contained in the grant application instructions.

In addition to the preceding factors, the Assistant Secretary will consider other factors such as the overall geographical distribution and coverage of populations at risk.

Availability of Funds

There is approximately $340,000 available for this program. It is anticipated that the average Federal award will be $100,000. Grants will be awarded for a twelve-month period.

Application Procedures

Those organizations that meet the eligibility requirements described above and are interested in conducting project activities as described may request a grant application package from the OSHA Office of Training and Education, Division of Training and Educational Programs, 1555 Times Drive, Des Plaines, Illinois 60018.

All applications must be received by the OSHA Office of Training and Education no later than 4:30 p.m. local time, April 17, 1992.

Notification of Selection

Following review and evaluation, those organizations selected as potential grant recipients will be notified by a representative of the Assistant Secretary. An applicant whose proposal is not selected will also be notified in writing to that effect. Notice of selection as a potential grant recipient will not constitute approval of the grant application as submitted. Prior to the actual grant award, representatives of the potential grant recipient and OSHA will enter into negotiations concerning such items as program components, funding levels, and administrative systems. If negotiations do not result in an acceptable submittal, the Assistant Secretary reserves the right to terminate the negotiation and decline to fund the proposal.

Signed at Washington, DC, this 10th day of February 1992.

Dorothy L. Strunk,

Acting Assistant Secretary of Labor.

Addendum

To assist potential applicants, OSHA has assembled the following questions and answers.

Q. Can we get an extension of the deadline?

A. No. Waivers for individual applications cannot be granted, regardless of the circumstances. A closing date may be changed only under extraordinary circumstances. Any change must be announced in the **Federal Register** and must apply to all applications.

Q. Will you help us prepare our application?

A. No. We will answer specific questions about application requirements and evaluation criteria and any other subjects which will help potential applicants understand the application package.

Q. How long should an application narrative be?

A. There is no specified length. Generally 10 to 15 pages is sufficient. However, the most important thing to remember when completing the narrative is to address all items requested in the application package and to provide enough description of proposed program activities so that reviewers have a thorough understanding of the proposal.

Q. How many copies of the application should I submit?

A. Submit one original and three copies. Please do not bind them.

Q. When will I find out if I am going to be funded?

A. You can expect to receive notification two to three months after the application closing date.

Q. Can I obtain copies of the reviewers' comments?

A. Copies of reviewers' comments on their applications will be mailed to unsuccessful applicants upon written request.

Q. Can we budget for the lost time wages of employees participating in the educational program?

A. No. OSHA does not fund lost time wages in its grant programs.

Q. You request a copy of a recent audit but our organization has not had an audit. What do I submit?

A. Explain in the narrative when you expect an audit to be conducted. Submit a copy of your most recent IRS tax return for a nonprofit organization instead.

[FR Doc. 92-3723 Filed 2-14-92; 8:45 am]

BILLING CODE 4510-26-M

NATIONAL COMMISSION ON SEVERELY DISTRESSED PUBLIC HOUSING

Meetings/Public Hearings Announcement

AGENCY: National Commission on Severely Distressed Public Housing.

ACTION: Notice of meeting.

SUMMARY: In according with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Commission on Severely Distressed Public Housing announces a forthcoming meeting of the Commission.

DATES: Thursday, February 27, 1992, Public Hearing, 2:30 p.m.-9 p.m.

ADDRESSES: General Services Administration, 26 Federal Plaza, room 305 A B & C, New York, NY 10278.

*Notice: Use the Dwayne Street Entrance.

DATES: Friday, February 28, 1992, Full Commission Meeting, Marriott Marquis, 1535 Broadway, New York, NY 10036.

FOR FURTHER INFORMATION CONTACT: Carmelita Pratt, Administrative Officer, The National Commission on Severely Distressed Public Housing, 1100 L Street, NW., #7121, Washington, DC 20005 (202) 275-6933.

TYPE OF MEETING: Open.

Due to scheduling difficulties, this notice could not be published 15 days prior to this meeting as required by Federal Advisory Committee Act.

Carmelita R. Pratt,

Administrative Officer.

[FR Doc. 92-3735 Filed 2-14-92; 8:45 am]

BILLING CODE 6820-07-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Visual Arts Advisory Panel; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Visual Arts Advisory Panel (Art in Public Places/Visual Artists Forums Section) to the National Council on the Arts will be held on March 2, 1992 from 10:30 a.m. to 7 p.m., March 3-5 from 9 a.m. to 7 p.m. and March 6 from 9 a.m. to 5 p.m. in room 730 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

A portion of this meeting will be open to the public on March 6 from 2 p.m. to 5 p.m. The topics will be policy discussion and guidelines review.

The remaining portions of this meeting on March 2 from 10:30 a.m. to 7 p.m., March 3-5 from 9 a.m. to 7 p.m. and March 6 from 9 a.m. to 2 p.m. 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 information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of November 20, 1991, these sessions will be closed to the public pursuant to subsection (c)(4), (6) and (9)(B) of section 552b of title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels which are open to the public, and may be permitted to participate in the panel's discussions at the discretion of the panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of Special Constituencies, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TTY 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Yvonne M. Sabine, Advisory Committee Management Officer, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5433.

Dated: February 11, 1992.

Yvonne M. Sabine,

Director, Council and Panel Operations, National Endowment for the Arts.

[FR Doc. 92-3671 Filed 2-14-92; 8:45 am]

BILLING CODE 7537-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Astronomical Sciences Subcommittee for Long-Range Planning and Priorities; Meeting

In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Advisory Committee for Astronomical Sciences.

Date & Time: February 27 and 28, 1992, 9 a.m.-5 p.m.

Place: National Science Foundation, room 536.

Type of Meeting: Open.

Contact Person: Dr. Julie H. Lutz, Director, Division of Astronomical Sciences, room 615, National Science Foundation, Washington, DC 20550 (202/357-9488).

Summary Minutes: May be obtained from the contact person at the above address.

Purpose of Meeting: To provide advice and recommendations concerning long-range plans in astronomy, including a recommendation of relative priorities.

Agenda: Thursday and Friday, February 27 and 28, 1992: Discussions concerning long-range plans and priorities in astronomy.

Reason for Late Notice: This meeting was originally scheduled for March but dates had to be change at the last minute to accomodate committee members' schedules.

Dated: February 12, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92-3734 Filed 2-14-92; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-213]

Connecticut Yankee Atomic Power Co.; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-61, issued to Connecticut Yankee Atomic Power Company (CYAPCO, the licensee), for operation of the Haddam Neck Plant, located in Middlesex County, Connecticut.

Environmental Assessment

Identification of the Proposed Action

The proposed amendment will modify the Technical Specifications (TS) to reflect plant modifications to the auxiliary feedwater automatic initiation system. These modifications will restore the Haddam Neck auxiliary feedwater (AFW) system to a condition in which it will start automatically and achieve full design basis flow without any operator action or reliance on the control air system. The proposed action is in accordance with the licensee's amendment request dated August 30, 1991 with supplemental information provided by letter dated December 24, 1991 and February 4, 1992.

The Need for the Proposed Action

Testing performed at the end of the Cycle 15 refueling outage identified two problems with the AFW automatic initiation system. First, following automatic AFW initiation operator action at the main control board is necessary to manually adjust flow to the value required by the safety analysis. Second, if there were a failure of the non-QA control air system, the AFW pump Terry turbines would automatically start and then may trip out on overspeed. In a letter dated August 30, 1990, CYAPCO submitted to the NRC staff, proposed changes to the TS that, for Cycle 16 only, would define operability of the automatic AFW "as crediting operator action to adjust AFW to full flow following automatic initiation and reliance on the control air system to ensure successful automatic AFW initiation." Within that submittal, CYAPCO committed to perform plant modifications prior to or during Cycle 16 refueling outage that would correct the two problems. CYAPCO is replacing the existing AFW pump turbines' steam admission and governor control systems. The steam admission valve pneumatic actuators and the mechanical governor actuators will be replaced with hydraulic actuators. These valves will be controlled remotely from the control room and the remote indication panel via a microprocessor based control system.

CYAPCO performed a safety evaluation of these modifications and determined that they involve an unreviewed safety question and therefore in accordance with 10 CFR 50.59 requested NRC approval prior to implementation via this proposed TS change. CYAPCO has proposed this license amendment with the appropriate changes to TS to reflect the modifications being implemented to resolve AFW automatic initiation system problems.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed revision to the TS. The impact of the above change is to provide TSs to add channel operability and surveillance requirements for the automatic start of the new DC powered hydraulic pump which will require a minimum of 1 channel/pump to be operable during modes 1, 2, and 3, channel calibration and trip actuating device operational testing. These requirements ensure that the AFW automatic initiation system performs as intended. In addition the change will remove the statement defining Cycle 16 AFW automatic initiation as including operator action and reliance on control air. The TS change, which reflects a change to a digital control system, will slightly increase the probability of failure of the AFW system, however, the consequences of the accidents will not increase, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with this proposed TS amendment.

With regard to potential nonradiological impacts, the proposed amendment does involve features located entirely within the restricted area as defined in10 CFR part 20. It does not affect nonradiological plant effluents and has no other environmental impact, Therefore, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed amendment.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed amendment, any alternatives with equal or greater environmental impact need not be evaluated. The principal alternative to the amendment would be to deny the amendment request. Such action would not enhance the protection of the environment.

Alternative Use of Resources

This action does not involve the use of resources not considered previously in the Final Environmental Statement for Haddam Neck.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Impact

Based upon the foregoing environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed amendment.

For further details with respect to this proposed action, see the licensee's letters dated August 30, 1991, as supplemented December 2, 1991, and February 4, 1992. These letters 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 Russell Library, 123 Broad Street, Middletown, Connecticut 06547.

Dated at Rockville, Maryland, this 11th day of February 1992.

For the Nuclear Regulatory Commission.

John F. Stolz,

Director, Project Directorate I–4 Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 92–3728 Filed 2–14–92; 8:45 am]

BILLING CODE 7590–01–M

OFFICE OF PERSONNEL MANAGEMENT

Request for Expedited OMB Clearance of Form RI 25–47

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S. Code, chapter 35), this notice announces a request for clearance of an information collection survey. Form RI 25–47, Survey of Continuing Full-time School Attendance, is used to verify that students who certified they would be enrolled full time are still so enrolled.

Approximately 11,000 RI 25–47 forms will be completed per year. The form requires 5 minutes to fill out. The annual burden is 917 hours.

A copy of this proposal is appended to this notice.

DATES: Comments on this proposal should be received by February 25, 1992. OMB is being requested to take action by February 28, 1992.

ADDRESSES: Send or deliver comments to—

Mary Beth Smith-Toomey, Chief, Administrative Management Branch, U.S. Office of Personnel Management, 1900 E. Street, NW., rm. SBH22, Washington, DC 20415,

and

Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., room 3002, Washington, DC 20503, Telephone: (202) 395–7316.

FOR FURTHER INFORMATION CONTACT: Mary Beth Smith-Toomey (202) 606–0623.

U.S. Office of Personnel Management.

Constance Berry Newman,

Director.

United States Office of Personnel Management,
Retirement Programs,
PO Box 7174, Washington, DC 20044.

Dear Annuitant: Last year you certified that the student named above would be attending school full time through the end of the spring term. We are continuing to pay you benefits based upon your certification of the student's full-time attendance at an accredited school.

We are now requesting information to determine if the student's full-time attendance has changed since your last certification. Please answer the questions on the reverse of this form and return the completed questionnaire to us in the enclosed envelope to the above address. To ensure continued eligibility for payments, please return the questionnaire to us within 30 days. We appreciate your continued cooperation.

Retirement Inspection Branch

Privacy Act and Public Burden Statements

The Office of Personnel Management (OPM) administers the Civil Service Retirement System (chapter 83, of title 5, U.S. Code) and the Federal Employees Retirement System (chapter 84, title 5, U.S. Code.) The information requested on the enclosed form is needed to document a retirement benefit or claim. The information may be shared and is subject to verification, via paper, electronic media, or through the use of computer matching programs, with national, state, local or other charitable or social security administrative agencies in order to determine benefits under their programs, to obtain information necessary for determination or continuation of benefits from OPM, or to report income for tax purposes. It may also be shared and verified, as noted above, with law enforcement agencies when they are investigating a violation or potential violation of civil or criminal law. Provision of the information is voluntary; however, failure to supply all the requested information may delay or cause suspension of your payments. Intentionally false statements and/or suspected illegal activities are reportable by us to the appropriate law enforcement agencies.

We think this form takes an average 5 minutes per response to complete, including the time for reviewing instructions, getting the needed data, and reviewing the completed form. Send comments regarding our estimate of any other aspect of this form, including suggestions for reducing completion time, to the Office of Management and Budget, Paperwork Reduction Project (3206–XXXX), Washington, D.C. 20503.

Survey of Continuing Full-time School Attendance

Did the student named on the reverse stop full-time school attendance at any time since your last certification?

☐ Yes

1. What date did the student stop full-time attendance?

_____

2. Did the student begin full-time attendance again?

☐ No

☐ Yes → If yes, show date:

_____

3. Did the student stop full-time attendance after the date in 2 above?

☐ No

☐ Yes → If yes, show date:

_____

☐ No

1. How many credit hours is the student taking?

If college or equivalent show credit hours per term:

_____

If high school or equivalent, show weekly clock hours:

_____

If high school work study program, show clock hours at:

work _____ + school _____ = total

_____

2. Show date the student is expected to end full-time attendance for this school term:

_____

I certify that the information given in regard to the school enrollment of the student named on the reverse side is true and correct to the best of my knowledge and belief. OPM may further verify the information provided.

Signature _____

Date _____

Telephone number ( ) _____

[FR Doc. 92–3578 Filed 2–14–92; 8:45 am]

BILLING CODE 6325–01–M

Request for Clearance of Form RI 25–37

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S. Code, chapter 35), this notice announces a request for clearance of an information collection. Form RI 25–37, Evidence to Prove Dependency of a Child, is designed to collect sufficient information for the Retirement and Insurance Group to be able to determine whether the surviving child of a deceased Federal employee or annuitant is eligible to receive benefits as a dependent child.

Approximately 250 dependency determinations are made annually. It requires about one (1) hour to assemble the needed documentation. The annual burden is 250 hours.

For copies of this proposal, contact C. Ronald Trueworthy, on (703) 908–8550.

ADDRESSES: Send or deliver comments to—

Mary Beth Smith-Toomey, Program Officer, U.S. Office of Personnel Management, 1900 E. Street, NW, SBH22, Washington, DC 20415,

and

Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., room 3002, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Mary Beth Smith-Toomey, (202) 606–0623.

U.S. Office of Personnel Management.

Constance Berry Newman,

Director.

[FR Doc. 92–3574 Filed 2–14–92; 8:45 am]

BILLING CODE 6325–01–M

Request for Approval of Comprehensive Medical Plans Submitted to OMB for Clearance

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S. Code, chapter 35), this notice announces a renewal of an existing information collection and recordkeeping requirement from the public. Comprehensive Medical Plans—Application to Participate in Federal Employees Health Benefits Program (FEHBP) and Contractor Records Retention are required under the authority of title 5, U.S. Code, chapter 89, and Federal Acquisition Regulation (FAR) 9.1. Comprehensive medical plans applying for participation in the FEHBP must complete an application form so OPM can determine if the plans are "responsible prospective contractors" as defined under FAR 9.1. Once approval is obtained, the comprehensive medical plans are required to keep administrative, financial and claim records, which are subject to an audit. Annual use (the number of plans expected to apply) is estimated at 25

applications during the next contract year from January 1, 1992 through December 31, 1992. The total annual information and recordkeeping burden is 7,050 hours.

For copies of this proposal, contact C. Ronald Trueworthy, on (703) 908–8550.

DATES: Comments on this proposal should be received by March 19, 1992.

ADDRESSES: Send or deliver comments to—

Reginald M. Jones, Jr., Assistant Director, Office of Insurance Programs, U.S. Office of Personnel Management, 1900 E Street, NW, room 3415, Washington, DC 20415,

and

Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., room 3002, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Mary Beth Smith-Toomey, (202) 606–0623.

U.S. Office of Personnel Management.

Constance Berry Newman,

Director.

[FR Doc 92–3580 Filed 2–14–92; 8:45 am]

BILLING CODE 6325–01–M

POSTAL SERVICE

Changes in Certain Postal Rates and Mail Classification

AGENCY: Postal Service.

ACTION: Change in postal rates and mail classification for third-class 125-piece walk-sequenced non-letters.

SUMMARY: Pursuant to its authority under 39 U.S.C. 3625, the Postal Service is implementing the changes indicated below in domestic postage rates and mail classification for third-class 125-piece walk-sequenced non-letters.

EFFECTIVE DATE: March 15, 1992.

FOR FURTHER INFORMATION CONTACT: David Rubin, (202) 268-2986.

SUPPLEMENTARY INFORMATION: On August 22, 1991, the Postal Service filed, pursuant to chapter 36, title 39, United States Code, a request with the Postal Rate Commission for a recommended decision on the establishment of rate categories and discounts for non-letter third-class mail prepared in walk-sequence order and presented in quantities of at least 125 pieces per route. An explanation of the Postal Service's proposal and an invitation to participate in Commission Docket No. MC91–2 was published in the **Federal Register** by the Postal Rate Commission on September 3, 1991 (56 FR 43636).

On November 6, 1991, the Postal Service filed with the Postal Rate Commission a Stipulation and Agreement, signed by 13 of the 17 participants in the Docket, and not opposed by the 4 other participants, supporting the rate and classification changes proposed by the Postal Service. On November 22, 1991, the Postal Rate Commission issued its Opinion and Recommended Decision adopting this Stipulation and Agreement as the basis for its recommendation of the rate and classification changes proposed by the Postal Service.

In a decision adopted on January 6, 1992, the Governors of the Postal Service approved this Recommended Decision. The Board of Governors of the Postal Service ordered that the changes in rates and mail classification become effective at 12:01 a.m. on March 15, 1992.

In accordance with these actions by the Governors and the Board of Governors, the Postal Service hereby gives notice that the rate and classification changes listed below will become effective at 12:01 a.m. on March 15, 1992. Implementing regulations are published elsewhere in this issue.

Authority: 39 U.S.C. 101(d), 401, 403, 404, 3621, 3625, 3626.

Stanley F. Mires,

Assistant General Counsel, Legislative Division.

Classification Schedule 300 is amended to add a new section 300.02310 to read as follows:

300.02310 125-Piece Walk Sequence Mail

Bulk third-class mail presented in a carrier-route mailing which is walk sequenced and contains a minimum of 125 pieces per carrier route, and which meets the preparation requirements prescribed by the Postal Service, is eligible for the applicable discounts set forth in Rate Schedules 301 and 302.

Rate Schedules 301 and 302 are amended to read as follows:

RATE SCHEDULE 301

[Third-Class Mail: Regular Bulk [1]]

	Piece rates (cents)	Pound rates (cents)
Letter Size:		
Piece Rate	19.8	
Discounts (per piece):		
Destination Entry:		
BMC	1.2	
SCF	1.7	
Delivery Office [2]	2.2	
Presort Level:		
3/5 Digit	3.3	
Carrier Route	6.7	
Saturation	7.4	

RATE SCHEDULE 301—Continued

[Third-Class Mail: Regular Bulk [1]]

	Piece rates (cents)	Pound rates (cents)
Automation: [3]		
ZIP + 4: [4]		
Basic	0.9	
3/5 Digit [5]	0.4	
Barcode: [4]		
Basic	1.9	
3-Digit [5]	1.1	
5-Digit [5]	1.9	
Non-Letter Size:		
Piece Rate [6]	23.3	
Discounts (per piece):		
Destination Entry:		
BMC	1.2	
SCF	1.7	
Delivery Office [2]	2.2	
Presort Level:		
3/5 Digit	4.6	
Carrier Route	9.1	
125-Piece Walk Sequence	9.6	
Saturation	10.6	
Pound Rate: [6]		
Pound Rate plus Per Piece Rate	10.9	60.0
Discounts:		
Destination Entry (per pound):		
BMC		5.8
SCF		8.1
Delivery Office [2]		10.4
Presort Level (per piece):		
3/5 Digit	4.6	
Carrier Route	9.1	
125-Piece Walk Sequence	9.6	
Saturation	10.6	

[1] A fee of $75.00 must be paid once each 12-month period for each bulk mailing permit.

[2] Applies only to carrier route presort, 125-piece walk sequence and saturation mail.

[3] For letter size pieces meeting applicable Postal Service regulations.

[4] Among AIP + 4 and barcode discounts, only one discount may be applied.

[5] Deducted from otherwise applicable 3/5-digit rate.

[6] Mailer pays either the piece or the pound rate, whichever is higher.

RATE SCHEDULE 302

[Third-Class: Nonprofit-Bulk Mail [1]]

	Piece rates (cents)	Pound rates (cents)
Letter Size:		
Piece Rate	11.1	
Discounts (per piece):		
Destination Entry:		
BMC	1.2	
SCF	1.7	
Delivery Office [2]	2.2	
Presort Level:		
3/5 Digit	1.3	
Carrier Route	3.7	
Saturation	4.0	
Automation [3]		
ZIP + 4 [4]		
Basic	0.7	
3/5 Digit [5]	0.4	
Barcode: [4]		
Basic	1.7	
3-Digit [5]	1.0	
5-Digit [5]	1.7	

RATE SCHEDULE 302—Continued

[Third-Class: Nonprofit-Bulk Mail [1]]

	Piece rates (cents)	Pound rates (cents)
Non-Letter Size:		
Piece Rate [6]	14.6	
Discounts (per piece):		
Destination Entry:		
BMC	1.2	
SCF	1.7	
Delivery Office [2]	2.2	
Presort Level:		
3/5 Digit	1.4	
Carrier Route	4.5	
125-Piece Walk Sequence	4.7	
Saturation	5.2	
Pound Rate: [6]		
Pound Rate plus Per Piece Rate	6.3	39.8
Discounts:		
Destination Entry (per pound):		
BMC		5.8
SCF		8.1
Delivery Office [2]		10.4
Presort Level (per piece):		
3/5 Digit	1.4	
Carrier Route	4.5	
125-Piece Walk Sequence	4.7	
Saturation	5.2	

[1] A fee of $75.00 must be paid once each 12-month period for each bulk mailing permit.
[2] Applies only to carrier route presort, 125-piece walk sequence and saturation mail.
[3] For letter size pieces meeting applicable Postal Service regulations.
[4] Among ZIP + 4 and barcode discounts, only one discount may be applied.
[5] Deducted from otherwise applicable 3/5-digit rate.
[6] Mailer pays either the piece or the pound rate, whichever is higher.

[FR Doc. 92-3755 Filed 2-14-92; 8:45 am]

BILLING CODE 7710-12-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-30353; File No. SR-CSE-92-01]

Self-Regulatory Organizations; Notice of and Order Granting Accelerated Approval to Proposed Rule Change by the Cincinnati Stock Exchange Relating to the Extension of a Pilot Program for Preferencing of Public Agency Market and Marketable Limit Orders by Approved Dealers and Other Proprietary Members

February 7, 1992.

I. Introduction

On January 21, 1992, the Cincinnati Stock Exchange, Inc. ("CSE" or "Exchange") submitted a proposed rule change to the Securities and Exchange Commission ("Commission") pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), and rule 19b-4 thereunder. The CSE requested accelerated approval of a proposed rule change to extend for another six months paragraphs (u), (l) and (m) of Exchange Rule 11.9, which modify the Exchange's time priority rules. The CSE originally received approval for a six-month pilot to study the new preferencing rule.[1] The pilot was subsequently extended for another six months on August 5, 1991,[2] and amended on October 30, 1992.[3]

The preferencing rule modifies the Exchange's time priority rules to permit a market maker to act as Dealer of the Day and have priority over same-priced market maker or professional agency interest entered prior in time to his bid or offer when the market maker is interacting with public agency market and marketable limit orders that he or she represents as agent. The CSE intends the rule to provide market makers with the ability to retain and execute their internal order flow at the best bid or offer, provided the public limit orders on the book have been executed at that price. The time priority rule was designed to create incentives for a market maker/dealer to direct his or her own retail orders to the Exchange, permitting the market maker/dealer to preference itself over other professionals with respect to order flow that the market maker/dealer is directing to the Exchange.

Originally, as a condition of Commission approval of the preferencing rule, the CSE agreed to propose the rule on a six-month pilot basis and amend the proposal to address Commission concerns regarding: (1) Short-sale arbitrage programs; (2) payment for order flow; (3) the number of issues that a Designated Dealer could preference during the period of the pilot; and (4) length of service as a Designated Dealer. To prevent the use of preferencing to facilitate program trading, the CSE agreed to limit to 60 the number of issues that a Designated Dealer could preference.

To conduct a more extensive pilot, provide the dealers with flexibility to experiment with different issue mixes and improve the Exchange's ability to attract market makers to the National Securities Trading System, the CSE requested that rule 11.9 be amended to increase from 60 to 125 the number of stocks that a Designated Dealer could preference to itself.[4] As a condition of Commission approval, the CSE agreed to provide the Commission with the following information during the extension of the pilot to aid the Commission in evaluating the effect of lifting the sixty-issue cap: (1) A list indicating how many Designated Dealers are preferencing in more than sixty issues; (2) a list identifying, in each such case, the issues being preferenced; and (3) reports indicating the volume of preferenced trades in each issue. Further, the CSE agree that, if the Commission requests it, it would provide available information relating to specific intervals of time. Finally, the CSE agreed that the dealer preferencing program would not be used for index arbitrage purposes until permitted by the Commission.[5]

II. Description of the Proposal and Exchange Rationale

The purpose of the proposed rule change is to extent for another six months the pilot for CSE's preferencing rule, as amended. Although preferencing has increased since its introduction in April, 1991, the CSE states that the overwhelming majority of the Exchange's share volume continued, as of December 1991, to be non-preferenced trading. Thus, the CSE is requesting another extension of the preferencing pilot, as amended, so that the Exchange and the Commission might continue to evaluate the impact of preferencing on the national market system.

III. Discussion

The Commission finds that the extension of the pilot, as amended, is consistent with the Act and the rules and regulations thereunder applicable to the Exchange. Specifically, the proposal is consistent with section 6(b)(5) because it is designed to promote just and equitable principles of trade, and to remove impediments to and perfect the mechanism of a free and open market and a national market system. The Commission believes that the proposal, as amended, addresses the CSE's legitimate desire to attract additional business to the exchange. Approval, however, is contingent upon the CSE continuing to abide by the conditions set out above and to provide the information described above. Approval also is conditioned upon the CSE providing, for each month of the pilot program, the Commission with information on the total preferenced

[1] *See* Securities Exchange Act Release No. 28866 (February 7, 1991), 56 FR 5854.
[2] *See* Securities Exchange Act Release No. 29524 (August 5, 1991); 56 FR 38160.
[3] Securities Exchange Act Release 29885 (October 30, 1991) 56 FR 56676.
[4] *See* Securities Exchange Act Release No. 29885 (October 30, 1991), 56 FR 56676.
[5] *Id.*

share and transaction volume and what percentage of total CSE share and transaction volume the preferenced volume represents.

The Commission finds good cause for approving the extension of the pilot, as amended, for an additional six months effective upon termination of the extension of the original pilot on February 7, 1992, which is prior to the thirtieth day after the date of publication of the notice of filing. The Commission believes that accelerated approval will help the CSE continue its preferencing program without interruption to participating dealers.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the proposed rule change. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submissions, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the principal office of the above-referenced self-regulatory organization. All submissions should refer to the file number in the caption above and be submitted by March 10, 1992.

V. Conclusion

Based on the foregoing, the Commission has concluded that the extension of the pilot, as amended on October 30, 1991, is consistent with the requirements of the Act and that it is appropriate to approve the proposal.

It is Therefore Ordered, Pursuant to section 19(b)(2) of the Act, that the extension of the pilot for an additional six-month period, commencing upon termination of the extension of the original pilot, as amended, on February 7, 1992, be, and hereby is, approved until August 7, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority. 17 CFR 200.30–3(a)(12).

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–3672 Filed 2–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–30352; File No. SR–OCC–91–10]

Self-Regulatory Organization; The Options Clearing Corp.; Order Approving a Proposed Rule Change Relating to Rules on Financial Requirements

February 7, 1992.

On May 24, 1991, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission ("Commission") a proposed rule change (SR–OCC–91–10) pursuant to section 19(b) of the Securities Exchange Act of 1934 ("Act").[1] The purpose of the proposed rule change is to amend OCC's financial responsibility rules to provide for greater symmetry between those rules and rule 15c3–1 of the Act.[2] Notice of the proposed rule change appeared in the **Federal Register** on July 17, 1991.[3] OCC filed amendments to the proposal on November 8, 1991, and on January 17, 1992.[4] No comments were received regarding the proposed rule change. The Commission is approving the proposed rule change as amended.

I. Description of the Proposed Rule Change

The proposed rule change amends OCC's financial responsibility rules to require a clearing member to notify OCC if the clearing member has provided the Commission notice as required by rule 15c3–1(e)(1) of the Act and to provide OCC a copy of any such notice. Generally, rule 15c3–1(e)(1) of the Act prohibits the withdrawal of a broker's or dealer's equity capital by a stockholder or partner and prohibits the making of any unsecured advance or loan or payment of a dividend or similar distribution to a stockholder, partner, sole proprietor, employee, or affiliate if such withdrawal, advance, or loan exceeds certain percentages of the broker's or dealer's excess net capital unless the broker or dealer provides notice to the Commission and its examining authority.[5]

The proposed rule change also amends paragraph .04 of the Interpretations and Policies ("Interpretations") under OCC Rule 305. OCC rule 305 authorizes OCC to impose restrictions on a clearing member's positions if the financial or operational condition of that clearing member makes it necessary or advisable for the protection of OCC, its other clearing members, or the general public. The Interpretations under rule 305 set forth nonexclusive situations in which OCC may take action under rule 305. Under the proposed amendment to Interpretations .04, OCC may impose restrictions on a member's positions if the member's net worth becomes less than the greater of either the member's largest one-month pretax loss (exclusive of extraordinary items) as reported over the most recent twelve-month period or $75,000.

The proposed rule change also makes a technical amendment to OCC's pledge program concerning allocation of exercises and sales among pledge accounts. Under the proposal, rule 614(f)(2) [6] is amended to provide that in calculating the allocation of exercises and sales of options among pledge accounts pursuant to rule 614(f)(2), any allocation of a fraction of an option that was exercised or sold shall be disregarded and any remaining exercised or sold options that were not initially allocated because of the disregarding of fractions shall be allocated to the pledge account with the lowest numerical designation which has a long position in the particular options series after giving effect to all previous allocations.

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[1] 15 U.S.C. 78s(b).

[2] 17 CFR 240.15c3–1 (Uniform Net Capital Rule).

[3] Securities Exchange Act Release No. 29429 (July 10, 1991), 56 FR 32597.

[4] In November, OCC amended the proposal to clarify that a clearing member must notify OCC if that clearing member has provided any notice as required by paragraph (e)(1) of rule 15c3–1. Previously, OCC's proposal referenced paragraph (e)(1)(iv) of rule 15c3–1. Letter from Jean M. Cawley, Staff Counsel, OCC, to Jerry W. Carpenter, Branch Chief, Division of Market Regulation ("Division"), Commission (November 7, 1991).

In January, OCC filed an amendment to make a technical change to rule 614, which governs OCC's pledge program. The amendment will conform the relevant portion of OCC's pledge reallocation process to changes in its pledgee priority status recently approved by the Commission in Securities Exchange Act Release No. 30110 (December 20, 1991), 56 FR 67346. Letter from Jean Cawley, Staff Counsel, OCC, to Anthony Bosch, Staff Attorney, Division, Commission (January 17, 1992).

[5] Rule 15c3–1(e)(1) imposes several limitations on the withdrawal of equity capital from a broker or dealer. Among other limitations, the rule includes:

(i) A broker or dealer must notify, in writing, the Commission and certain other described persons two business days before making withdrawals of equity capital directly or indirectly to benefit certain described affiliated persons related to the broker or dealer if those withdrawals would exceed in any thirty day period, thirty percent of the broker's or dealer's excess net capital; and

(ii) A broker or dealer must notify the Commission within two business days after any withdrawal, advance, or loan as described above that would exceed in any thirty day period twenty percent of the broker's or dealer's excess net capital.

[6] Rule 614(f)(2) sets forth the allocation procedure in situations where OCC fails to receive an Overpledged Value Amount from a clearing member.

II. Discussion

The Commission believes that OCC's proposed rule change is consistent with section 17A of the Act and specifically with sections 17A(b)(3) (A) and (F).[7] Sections 17A(b)(3) (A) and (F) of the Act require a clearing agency be organized and its rules be designed to facilitate the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in its custody or control or for which it is responsible. The Commission believes that the proposed rule change is consistent with these requirements.

The Commission recently amended the uniform net capital rule, rule 15c3–1 under the Act, to establish revised limitations on withdrawal of equity capital from a broker or dealer.[8] The amendments were a response to the Commission's concerns that significant amounts of equity capital could be withdrawn from a broker or dealer between reporting periods without notification to the Commission or the broker's or dealer's examining authority if the withdrawal did not cause the broker's or dealer's net capital to decline below certain levels established under the rule.

Generally, the amendments to rule 15c3–1(e)(1) of the Act prohibit the withdrawal of a broker's or dealer's equity capital by a stockholder or partner and the making of any unsecured advance or loan to a stockholder, partner, sole proprietor, employee, or affiliate if such withdrawal, advance, or loan exceeds certain percentages of the broker's or dealer's excess net capital unless the broker or dealer provides notice to the Commission and its examining authority. The notice provisions are designed to prevent a broker or dealer from favoring owners of the firm to the detriment of its customers or other creditors by placing restrictions on the withdrawal of equity capital. The provisions are also intended to alert regulatory authorities that a broker or dealer may be experiencing financial difficulty.

OCC's proposed rule change will require members to inform OCC of any such notification to the Commission and will require members to furnish a copy of such notice to OCC. This will serve to alert OCC that a broker or dealer may be experiencing financial difficulty and, thus, should help ensure the safeguarding of securities and funds in OCC's custody or control or for which it is responsible.

OCC's proposal also will amend Interpretations .04 to OCC rule 305 to enable OCC to impose restrictions on a member's positions if the member's net worth becomes less than the member's largest pretax monthly loss (exclusive of extraordinary items) as reported over the most recent twelve-month period or if the member's net worth becomes less than $75,000. The proposal's standard is based upon a member's decline in net worth. Presently, OCC compares the total subordinated debt of a clearing member to the clearing member's total capital regardless of whether or not the subordinated debt qualifies as equity under rule 15c3–1. This may restrict brokers and dealers from increasing capital positions through borrowings of equity subordinated debt. The proposed rule change should provide OCC with sufficient notice of deterioration in a clearing member's net worth without restricting the use of equity subordinated debt to strengthen member capital positions.

III. Conclusion

For the reasons discussed above, the Commission finds that the proposal is consistent with the requirements of the Act, particularly with section 17A of the Act, and the rules and regulations thereunder.

It is therefore ordered, Pursuant to section 19(b)(2) of the Act, that the proposed rule change (File No. SR–OCC–91–10) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–3673 Filed 2–14–92; 8:45 am]

BILLING CODE 8010–01–M

[7] 15 U.S.C. 78q–1(b)(3) (A) and (F).

[8] Securities Exchange Act Release No. 28927 (February 28, 1991), 56 FR 9124.

[Release No. 34–30354; File No. SR–PSE–92–1]

Self-Regulatory Organizations; Filing of Proposed Rule Change by the Pacific Stock Exchange, Inc. Relating to the Adoption of Listing Requirements for U–7 Securities

February 10, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 14, 1992, the Pacific Stock Exchange, Inc. ("PSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The PSE proposes to provide for the listing of U–7 securities on the Exchange. U–7 securities are securities that are issued pursuant to Form U–7 of the North American Securities Administrators Association ("NASAA") and rule 504 under regulation D of the Securities Act of 1933. Specifically, this filing sets forth listing requirements for common stock, bonds, and debenture U–7 securities.[1]

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

This filing provides for the listing of U–7 securities on the Exchange. U–7 securities are securities that are issued pursuant to form U–7 of the NASAA and rule 504 under regulation D of the Securities Act of 1933. Because U–7 securities are not currently listed or traded on a national securities exchange, the PSE believes that the listing of these securities on the Exchange should provide public investors with a much-needed regulated market place to trade these securities.

In the following paragraphs the Exchange will describe U–7 securities and their current status as a capital-raising tool for lower capitalized companies. Also, the Exchange will justify the proposed listing requirements for both common stock and bond and debenture U–7 securities.

[1] The exact text of the proposed rule change was attached to the rule filing as exhibit A and is available at the PSE and the Commission at the address noted in Item IV below.

The Commission exempts issuers from certain registration and reporting requirements for offering pursuant to regulation D under the Securities Act of 1933. Various state securities regulators also provide such exemptions, which are commonly called uniform limited offering registrations.

These exemptions are designed to allow small companies to raise capital on a limited basis; offerings are generally limited to $1,000,000 or less. Such exemptions also allow small companies to market an offering directly to a limited population of shareholders by bypassing both the venture capital and small underwriting houses.

Specifically, under the exceptions, an issuer may publicly offer securities in amounts of up to $1,000,000 in a twelve month period. Such limited offerings must qualify under state blue sky laws that require delivery of a prospectus offering circular or disclosure documents to all purchasers prior to sale. Form U–7, which is used by companies to register these offerings, has been approved by the American Bar Association and the NASAA.

As of 1990, the following States have adopted regulations governing the registration of small offerings (U–7 securities):

Alaska	Massachusetts	South Dakota
Arizona	Mississippi	Texas
Idaho	Montana	Washington
Iowa	Nebraska	Wisconsin
Kansas	Nevada	Wyoming
Maine	North Dakota	

The following States have adopted regulations providing for the limited registration of small offerings:

California	Illinois
Colorado	New York
Connecticut	North Carolina

It appears that these small U–7 offerings are growing in numbers as a result of a decrease in underwriting activity by regional brokerage houses. Further, a number of authorities believe that this form of small offering will become the most common public issuance within the next several years. Consequently, the PSE believes that an exchange market in these securities is essential for the protection of public investors.

The Exchange has developed a set of listing requirements that are designed to ensure a minimum level of performance by issuers of U–7 securities. In the case of common stock U–7 securities, the offering must constitute at least 200,000 shares resulting in at least 200,000 shares issued and outstanding and a market value of at least $1,000,000. The offering price must be at least $5.00 and a minimum of 250 beneficial holders are required. Stockholder approval must be obtained for options or remuneration plans that substantially affect the rights of shareholders, transactions to which the company is a party that results in a change of control of the company, and acquisitions by the issuer.

With regard to bond and debenture U–7 securities, the offering must have a value of at least $1,000,000, which results in a principal amount outstanding of at least $1,000,000. At least 200 beneficial holders are required and the aggregate market value of the securities must be at least $1,000,000.

An issuer with a class of equity traded on another national securities exchange will be required to list such class of equity on the Exchange as a condition of listing bonds or debentures.

The purposed rule change is consistent with section 6(b) of the Act in general and furthers the objectives of section 6(b)(5) in particular in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market, and protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Person making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the PSE. All submissions should refer to File No. SR–PSE–92–1 and should be submitted by March 10, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–3674 Filed 2–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–30362; File No. SR–Philadep–90–04]

Self-Regulatory Organizations; Philadelphia Depository Trust Company; Order Temporarily Approving a Proposed Rule Change Concerning Telecommunications System

February 10, 1992.

On September 14, 1990, pursuant to section 19(b) of the Securities Exchange Act of 1934 ("Act").[1] Philadelphia Depository Trust Company ("Philadep") filed with the Securities and Exchange Commission ("Commission") a proposed rule change (File No. SR–Philadep–90–04) that would enhance Philadep's telecommunications system.[2] Notice of proposal was published in the **Federal Register** on March 25, 1991.[3] No

[1] 15 U.S.C. 78s(b).

[2] The Commission previously has approved substantially the same proposed rule change. *See* Securities Exchange Act Release Nos. 20519 (December 30, 1983), 49 FR 966 (approving Philadep's telecommunications system on a pilot basis); 27491 (November 30, 1989), 54 FR 50556 (approving the proposal on a temporary basis); 27863 (March 29, 1990), 55 FR 12762 (extending the temporary approval of the proposal); and 28172 (July 3, 1990), 55 FR 28493 (further extending the temporary approval period.)

[3] Securities Exchange Act Release No. 28984 (March 18, 1991), 56 FR 12405.

comments were received. On November 20, 1991, Philadep filed a proposed rule change (File No. SR–Philadep–91–02) that it subsequently requested be treated as an amendment to the proposal.[4] This order approves the amended proposal on a temporary basis until February 28, 1993.

I. Description

The proposed rule change would allow Philadep participants to access additional telecommunications services through PHILANET, a terminal network system that provides Philadep participants on-line access to information about their accounts.[5] In addition, the proposal would increase protection against unauthorized access to participant account information. Participants may gain access to PHILANET through a dial-up connection (*i.e.*, by dialing a telephone number assigned to a port allocated for that participant's use) or through a dedicated line connection (*i.e.*, by engaging the participant's telephone line having restricted access to established entry points).[6] To access PHILANET a participant may use a dumb terminal or personal computer ("PC") with an on-line computer-to-computer hook-up.[7]

The enhancements to Philadep's system include a data checkpoint whereby PHILANET will examine data in "critical fields" and count the number of records and transactions in each data transmission to determine whether the transmission falls within established parameters for the user.[8] If the transmission does not pass the checkpoint, it will not be processed.

Philadep requires users to identify themselves with passwords in order to access the system. Philadep will investigate attempts to gain unauthorized access to the system.[9] Periodically, PHILANET will require users to change passwords. Philadep must approve all requests for changes in computer access privileges.

As a part of its disaster recovery procedures, Philadep maintains a back-up processing power grid. Philadep's data processing system can be switched to the back-up grid in the event of a power failure.[10]

II. Discussion

The Commission believes that the proposed rule change is consistent with section 17A of the Act and in particular sections 17A(b)(3) (A) and (F).[11] These Sections require that a clearing agency is organized and its rules are designed to promote the prompt and accurate clearance and settlement of securities transactions for which it is responsible and to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency.

The Commission believes that Philadep's proposal will facilitate the prompt and accurate clearance and settlement of securities transactions by encouraging the use of automation techniques. The proposal should significantly speed up securities processing, reduce paper processing, and reduce the need to use tape transmissions, thus reducing the risk of data loss and delays in receiving data.

Dial-up access should provide an economical alternative to the use of dedicated telephone lines and should increase the number of participants, particularly smaller-volume participants, who have access to the efficiencies of automated communication systems. While the Commission recognizes that no safeguarding system can provide complete protection from the risk of unauthorized access, the Commission believes that clearing agencies' automated processing systems, and in particular, systems that provide dial-up access, should contain a significantly high level of safeguarding mechanisms adequately designed to minimize the risk of unauthorized system access.[12]

Philadep has operated its telecommunications system for eight years without experiencing any instances of unauthorized system access.[13] Philadep plans to upgrade its telecommunications system in the near future and Philadep has represented that the enhancements, among other things, will increase the security of the system. The Commission encourages Philadep to continue to monitor the adequacy of dial-up safeguards and to implement additional safeguards as necessary to minimize the risk of unauthorized access. The Commission expects Philadep to file the proposed rule change concerning enhancements to its system during the second quarter of 1992.[14]

In light of the significance of system access controls in the clearance and settlement of securities transactions, the Commission is approving the proposed rule change for a temporary period of one year. During that time the Commission expects Philadep to provide quarterly reports regarding the number of participants using dial-up access and dedicated lines, the number of lines available (dedicated and dial-up), any security breaches to the system, any significant operational difficulties that have occurred, and capacity projections

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[4] *See* File No. SR–Philadep–91–02, and *see* letter from Daniel B. Soffin, Law Clerk, Office of the General Counsel, Philadep, to Sonia Burnett, Attorney, Division of Market Regulation, Commission (November 20, 1991) requesting that the Commission withdraw File No. SR–Philadep–91–02 and consider it as an amendment to File No. SR–Philadep–90–04.

[5] Participants may input instructions for institutional deliveries, file updates and inquiries, and request printed activity reports. PHILANET offers participants the ability to reprint "receive" or "delivery" tickets at the participants' terminal printers, access information on preliminary or final money settlement, monitor all valued book-entry deliveries and receives that pass through their account, print a three-day history of reorganization notices at the participant's terminal printer, inquire into daily reorganization settlements, inquire into daily dividend and interest settlement information including a three-day history of such information, inquire into daily dividend and interest announcement information affecting their accounts, obtain notice of pending deliveries into their accounts through the recycling of the intent to deliver notice for up to thirty days, initiate customer transfers on-line, and view a listing of voluntary offers, including a last warning one day prior to Philadep s cutoff date.

[6] Currently, Philadep has 17 participants using dial-up access and one dedicated line user. The telephone number assigned to a participant using dial-up access is one in a group of telephone connections called a "hunt group." If the line is already in use, PHILANET will route the call to another port and continue to re-route the call until it reaches an available line

[7] A "dumb" terminal is similar to a PC but has little or no memory and no processing capacity The central processing unit ("CPU") contained within the mainframe of the computer typically has a large memory and is capable of processing one or more sets of data simultaneously. The CPU is the "brain" of the computer.

[8] Critical fields contain essential information such as the "Customer Number" and the "CUSIP." ("CUSIP" is the acronym for the Committee on Uniform Securities Identification Procedures. The CUSIP numbering system was developed by a committee of the American Bankers Association and was created to identify specific securities issues in automated recordkeeping systems.)

[9] Philadep distributes to new participants instructions for using PHILANET and provides a demonstration of PHILANET's features.

[10] The data system would be switched to the second grid by way of a "fast switch." However, because it takes a few seconds to store data already received by the system, the information most recently received would be lost.

[11] 15 U.S.C. 78q–1(b)(3) (A) and (F).

[12] Passwords are the most common method of controlling access to automated systems. However just like anything known to one person, passwords may become known to another person. See U.S. Department of Commerce/National Bureau of Standards, Federal Information Processing Standards No. 48 ("FIPS PUB 48") (April 1977). For this reason, password access, especially from remote terminals, should be supplemented by another safeguarding mechanism such as mandatory on-line hook-ups or a dial-back feature While the Commission recognizes the need for flexibility in the design and implementation of security systems, each system must be so designed as to provide the Commission a sound basis on which to make a finding consist with the provisions of the Act. See 17 CFR 240.17A(a)(1)(C).

[13] See File No. SR–Philadep–90–04.

[14] Letter from William W Uchimoto, General Counsel, Philadep, to Ester Saverson, Branch Chief, Division, Commission (August 6, 1991).

for six months following the date of the report.

III. Conclusion

On the basis of the foregoing, the Commission preliminarily finds that Philadep's proposed rule change is consistent with the Act and in particular with section 17A of the Act).

It is Therefore ordered, Pursuant to section 19(b)(2) of the Act,[15] that the proposed rule change (File No. SR–Philadep–90–04) be, and hereby is, approved on a temporary basis until February 28, 1993.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[16]

[FR Doc. 92–3675 Filed 2-14-92; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC–18544; 811–5566]

MFS Multimarket Total Return Trust; Deregistration

February 10, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: MFS Multimarket Total Return Trust ("MFT").

RELEVENT 1940 ACT SECTIONS: Section 8(f) and rule 8f–1 thereunder.

SUMMARY OF APPLICATION: Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on December 24, 1991 and supplemented by a letter dated February 7, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 9, 1992, and should be accompanied by proof of service on the Applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street, NW., Washington DC 20549. Applicant, 500 Boylston Street, Boston, Massachusetts 02116.

FOR FURTHER INFORMATION CONTACT: Marc Duffy, Staff Attorney, (202) 272–2511, or Max Berueffy, Branch Chief, (202) 272–3016 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representations:

1. MFT is a Massachusetts business trust and closed-end non-diversified management company. On May 23, 1988, MFT registered under the Act by filing a Notification of Registration on Form N–8A pursuant to section 8(a) of the Act. On May 23, 1988, June 10, 1988, and July 21, 1988, MFT registered a total of 18,400,000 shares of beneficial interest on Form N-2 under the Securities Act of 1933. MFT's registration statement became effective and its initial public offering commenced on July 21, 1988.

2. On September 17, 1991, the Board of Trustees of MFT approved an Agreement and Plan of Reorganization (the "Reorganization") between MFT and Massachusetts Financial Bond Fund ("MFB") (File No. 811–2464), an investment company that is an affiliated parson of MFT by virtue of having a common investment adviser. MFT believes the Reorganization was exempt from the provisions of section 17(a) because, in accordance with rule 17a–8 under the Act, MFT's Board of Trustees found that (a) participation in the Reorganization was in the best interests of MFT and (b) the interest of existing shareholders of MFT would not be diluted.

3. On September 20, 1991, MFB filed with the SEC a registration statement containing proxy materials soliciting approval of the Reorganization by MFT's shareholders to MFT's shareholders of record as of October 21, 1991. At a meeting on December 18, 1991, a majority of MFT's shareholders approved the Reorganization.

4. As of December 23, 1991, MFT had 14,870,489.458 shares outstanding representing an aggregate net asset value of $143,092,688.97 and a net asset value per share of $9.62. On this same date, MFT, pursuant to the Reorganization, transferred all of it assets and liabilities to MFB in exchange for 10,309,271.540 shares issued by MFB with a net asset value per share of $13.88 Immediately thereafter, MFT distributed the MFB shares received in connection with the Reorganization to MFT's shareholders in complete liquidation of their accounts.

5. MFT and MFB each assumed its own expenses in connection with the Reorganization. MFT bore legal, accounting and other expenses relating to the Reorganization of approximately $18,587, $4,500, and $73.424, respectively. In a letter dated February 7, 1992, MFT stated that the "other expenses" of $73,424 were as follows: printing of proxy materials—$31,000; solicitation of proxies—$18,200; and transfer agency fees—$24,224.

6. At the time of filing of the application, MFT had no shareholders, assets or liabilities. MFT is not a party to any litigation or administrative proceedings. MFT is not engaged, nor does it propose to engage, in any business activities other than those necessary for the winding up of its affairs, MFT intends to file a Termination of Trust with the Secretary of State of The Commonwealth of Massachusetts on the date of filing of this application.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–3676 Filed 2–14–92; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Shortage of Operating Funds for a Disaster in Idaho

As a result of the Secretary of Agriculture's disaster designation S–559 for counties in the State of Idaho and contiguous counties in the State of Oregon, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3691 Filed 2–14–92; 8:45 am]

BILLING CODE 8025-01-M

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[15] 15 U.S.C. 78s(b)(2)

[16] 17 CFR 200.30–3(a)(12).

Shortage of Operating Funds for a Disaster in Maine

As a result of the Secretary of Agriculture's disaster designation S–558 for counties in the State of Maine and counties in the State of New Hampshire, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3692 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

Shortage of Operating Funds for a Disaster in Michigan

As a result of the Secretary of Agriculture's disaster designation S–563 for counties in the State of Michigan and contiguous counties in the States of Ohio and Indiana, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3693 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

Shortage of Operating Funds for a Disaster in Nebraska

As a result of the Secretary of Agriculture's disaster designation S–562 for counties in the State of Nebraska and contiguous counties in the States of Colorado, Iowa, Kansas, and South Dakota, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3294 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

[Declaration of Disaster Loan Area #2550]

Commonwealth of Puerto Rico; Declaration of Disaster Loan Area

As a result of the President's major disaster declaration on January 22, 1992, I find that the municipalities of Adjuntas, Aquas Buenas, Aibonito, Arroyo, Barceloneta, Barranquitas, Caguas, Canovanas, Cayey, Cidra, Coamo, Comerio, Dorado, Fajardo, Guayama, Humacao, Jayuya, Juana Diaz, Lajas, Loiza, Luquillo, Maunabo, Naguabo, Naranjito, Orocovis, Patillas, Ponce, Salinas, San Lorenzo, Santa Isabel, Toa Baja, Utuado, Villalba, and Yabucoa in the Commonwealth of Puerto Rico constitute a disaster area as a result of damages caused by severe storms and flooding which occurred January 5–6, 1992. Applications for loans for physical damage may be filed until the close of business on March 23, 1992, and for loans for economic injury until the close of business on October 22, 1992, at the address listed below:

U.S. Small Business Administration
Disaster Area 1 Office
360 Rainbow Blvd., South, 3rd Fl.
Niagara Falls, NY 14303

or other locally announced locations. In addition, applications for economic injury loans from small businesses located in the contiguous municipalities of Arecibo, Bayamon, Cabo Rojo, Carolina, Catano, Ceiba, Ciales, Corozal, Florida, Guanica, Guayanilla, Guaynabo, Gurabo, Hatillo, Juncos, Lares, Las Piedras, Manati, Maricao, Morovis, Penuelas, Rio Grande, Sabana Grande, San German, San Juan, Toa Alta, Trujillo Alto, Vega Alta, and Yauco in the Commonwealth of Puerto Rico may be filed until the specified date at the above location.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere	8.000
Homeowners without credit available elsewhere	4.000
Businesses with credit available elsewhere	6.500
Businesses and non-profit organizations without credit available elsewhere	4.000
Others (including non-profit organizations) with credit available elsewhere	8.500
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere	4.000

The number assigned to this disaster for physical damage is 255006 and for economic injury the number is 753100.

Notice: Due to SBA's present shortage of operating funds for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of our ability to continue to accept or process disaster loan applications or make disbursements on loans until additional funds are available.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: January 24, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3690 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

Shortage of Operating Funds for a Disaster in Texas

As a result of the Secretary of Agriculture's disaster designation S–561 for counties in the State of Texas and contiguous counties in the State of Louisiana, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3695 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

Shortage of Operating Funds for a Disaster in Texas

As a result of the Secretary of Agriculture's disaster designation S–560 for counties in the State of Texas and contiguous counties in the State of New Mexico, the Small Business Administration (SBA) is accepting economic injury disaster loan applications from eligible nonfarm small business concerns. However, due to SBA's present severe shortage of operating funds for the disaster program for the current fiscal year (through September 30, 1992), SBA cannot provide assurance of its ability to continue to accept or process disaster loan applications or make disbursements on disaster loans until additional funds are available.

Dated: February 3, 1992.

Alfred E. Judd,

Acting Assistant Administrator for Disaster Assistance.

[FR Doc. 92–3696 Filed 2–14–92; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF STATE

[Public Notice 1572]

Organization for the International Telegraph and Telephone Consultative Committee (CCITT); Study Group C Meeting

The Department of State announces that Study Group C of U.S. organization for the International Telegraph and Telephone Consultative Committee (CCITT) will meet on Friday, March 6, 1992 at the Newark Airport Marriott Hotel, Newark International Airport, Newark, NJ 07114. The room will be posted in the lobby. The meeting will begin at 9:30 a.m.–4 p.m.

The agenda for the March 6 meeting will include consideration of Optical Fiber and Optical Fiber System issues in preparation of the May CCITT SGXV meeting in Geneva, Switzerland, including review and approval of U.S. Contributions, and any other matters within the purview of Study Group C.

Members of the general public may attend the meeting and join in the discussions subject to the instructions of the Chairman. Attendance of public members will be limited to the seating available. Prior to the meeting, persons who plan to attend should so advise Madeleine Widuch at 908–234–8624.

Dated: February 6, 1992.

Earl S. Barbely,

Director, Telecommunications and Information Standards, Chairman, U.S. CCITT National Committee.

[FR Doc. 92–3688 Filed 2–14–92; 8:45 am]

BILLING CODE 4710–07–M

[Public Notice 1575]

Shipping Coordinating Committee; Subcommittee on Safety of Life at Sea Working Group on Bulk Chemicals; Meeting

The Working Group on Bulk Chemicals of the Subcommittee on Safety of Life at Sea (SOLAS) will conduct an open meeting at 9:30 a.m. on March 2, 1992, in room 2415, at U.S. Coast Guard Headquarters, 2100 2nd Street, SW., Washington, DC 20593–0001. The purpose of the meeting is to review bulk chemical activities at the International Maritime Organization's (IMO) twenty-first meeting of its Subcommittee on Bulk Chemicals (BCH) and to provide a preview of the agenda items to be addressed at the twenty-second session of BCH scheduled for September 7–11, 1992 at the IMO Headquarters in London.

Among other things, the items of particular interest are:

a. Amendments and interpretation of the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code) and the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code).

b. Amendments and interpretation of the provisions of Annex II of the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78).

c. Amendments and interpretation of the provisions of the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (GC Code) and the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code).

d. Guidelines for technical assessment for intervention under the 1973 Intervention Protocol.

e. Vapor emission control systems.

f. Transboundary movement of wastes by sea.

g. Role of the human element in maritime casualties.

h. Air pollution from ships.

i. Existing ships' standards.

j. Draft Hazardous and Noxious Substances convention.

k. International Convention on Oil Pollution Preparedness, Response and Cooperation.

Members of the public may attend this meeting up to the seating capacity of the room. Interested persons may seek information by writing: Commander K. J. Eldridge, U.S. Coast Guard (G–MTH–1), 2100 Second Street, SW., Washington, DC 20593–0001 or by calling (202) 267–1217.

Dated: February 11, 1992.

Geoffrey Ogden,

Chairman, Shipping Coordinating Committee.

[FR Doc. 92–3743 Filed 2–14–92; 8:45 am]

BILLING CODE 4710–07–M

Office of the Secretary

[Public Notice 1574]

Extension of the Restriction on the Use of United States Passport for Travel To, In, or Through Lebanon

On January 26, 1987, pursuant to the authority of 22 U.S.C. 211a and Executive Order 11295 (31 FR 10603), and in accordance with 22 CFR 51.73(a)(3), all United States passports, with the exception of passports of immediate family members of hostages in Lebanon, were declared invalid for travel to, in, or through Lebanon unless specifically validated for such travel. This action was taken because the situation in Lebanon was so chaotic that American citizens there could not be considered safe from terrorist acts.

Although there has been some improvement in the security situation and the remaining U.S. hostages in Lebanon have been released, review of the situation there has led me to conclude that Lebanon continues to be an area "* * * where there is imminent danger to the public health or the physical safety of United States travelers" within the meaning of 22 U.S.C. 211(a) and 22 CFR 51.73(a)(3). In view of the release of the American hostages, it is unnecessary to continue the previous exception for hostage family members.

Accordingly, all United States passports shall remain invalid for travel to, in, or through Lebanon unless specifically validated for such travel under the authority of the Secretary of State.

This Public Notice shall be effective upon publication in the **Federal Register** and shall expire at the end of one year unless extended or sooner revoked by Public Notice.

Dated: February 10, 1992.

Lawrence S. Eagleburger,

Acting Secretary of State.

[FR Doc. 92-3661 Filed 2-14-92; 8:45 am]

BILLING CODE 4710-06-M

DEPARTMENT OF TRANSPORTATION

Order Adjusting International Cargo Rate Flexibility Level

Policy Statement PS-109, implemented by Regulation ER-1322 of the Civil Aeronautics Board and adopted by the Department, established geographic zones of cargo pricing flexibility within which certain cargo rate tariffs filed by carriers would be subject to suspension only in extraordinary circumstances.

The Standard Foreign Rate Level (SFRL) for a particular market is the rate in effect on April 1, 1982, adjusted for the cost experience of the carriers in the applicable ratemaking entity. The first adjustment was effective April 1 1983. By Order 92-1-32, the Department established the currently effective SFRL adjustments.

In establishing the SFRL for the two-month period beginning February 1, 1992, we have projected non-fuel costs based on the year ended September 30, 1991 data, and have determined fuel prices on the basis of the latest available experienced monthly fuel cost levels as reported to the Department.

By Order 92-2-11 cargo rates may be adjusted by the following adjustment factors over the April 1, 1982 level:

Atlantic	1.3746
Western Hemisphere	1.1568
Pacific	1.5227

For further information contact: Keith A. Shangraw (202) 366-2439.

By the Department of Transportation: February 10, 1992.

Patrick V. Murphy,

Deputy Assistant Secretary for Policy and International Affairs.

[FR Doc. 92-3700 Filed 2-14-92; 8:45 am]

BILLING CODE 4910-62-M

[Docket 37554]

Order Adjusting the Standard Foreign Fare Level Index

The International Air Transportation Competition Act (IATCA), Public Law 96-192, requires that the Department, as successor to the Civil Aeronautics Board, establish a Standard Foreign Fare Level (SFFL) by adjusting the SFFL base periodically by percentage changes in actual operating costs per available seat-mile (ASM). Order 80-2-69 established the first interim SFFL, and Order 92-1-31 established the currently effective two-month SFFL applicable through January 31, 1992.

In establishing the SFFL for the two-month period beginning February 1, 1992, we have projected non-fuel costs based on the year ended September 30, 1991 data, and have determined fuel prices on the basis of the latest available experienced monthly fuel cost levels as reported to the Department.

By Order 92-2-10 fares may be increased by the following adjustment factors over the October 1979 level:

Atlantic	1.6841
Latin America	1.4232
Pacific	2.0514
Canada	1.5060

For further information contact: Keith A. Shangraw (202) 366-2439.

By the Department of Transportation: February 10, 1992.

Patrick V. Murphy,

Deputy Assistant Secretary for Policy and International Affairs.

[FR Doc. 92-3699 Filed 2-14-92; 8:45 am]

BILLING CODE 4910-62-M

Federal Aviation Administration

Aviation Rulemaking Advisory Committee, General Aviation Operations Subcommittee; Meeting

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: The FAA is issuing this notice to advise the public of a meeting of the Federal Aviation Administration General Aviation Operations Subcommittee of the Aviation Rulemaking Advisory Committee.

DATES: The meeting will be held on March 10, 1992, at 10 a.m.

ADDRESSES: The meeting will be held at the National Business Aircraft Association, 1200 18th Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Ron Myres, Executive Director, General Aviation Operations Subcommittee, Flight Standards Service (AFS-850), 800 Independence Avenue, SW., Washington, DC 20591, Telephone: (202) 267-8150; FAX: (202) 267-5230.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. app. II), notice is hereby given of a meeting of the General Aviation Operations Subcommittee to be held on March 10, 1992, at the National Business Aircraft Association, 1200 18th Street, NW., Washington, DC. The agenda for this meeting will include progress reports from the IFR Fuel Reserve, Definition of Emergencies, Operations over the High Seas, Minimum Safe Operating Altitude, and Experimental/Restricted Category Operations Working Groups. In addition, the FAA will present a briefing on minimum equipment list (MEL) for general aviation aircraft.

Attendance is open to the interested public but may be limited to the space available. The public must make arrangements in advance to present oral statements at the meeting or may present written statements to the committee at any time. Arrangements may be made by contacting the person listed under the heading "**FOR FURTHER INFORMATION CONTACT.**"

Issued in Washington, DC, on February 10, 1992.

Ron Myres,

Executive Director, General Aviation Operations Subcommittee, Aviation Rulemaking Advisory Committee.

[FR Doc. 92-3713 Filed 2-14-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

[Number: 15-55]

Delegation of Authority to Director of U.S. Secret Service

February 7, 1992.

Subject: Delegation of Seizure, Forfeiture, and Related Authority to the Director, United States Secret Service, Relating to Violations Involving Federally Insured Financial Institutions, the Federal Deposit Insurance Corporation (FDIC) and the Resolution Trust Corporation (RTC).

1. *Purpose.* This directive delegates to the Director, United States Secret Service, seizure, forfeiture, and related authority of the Secretary pursuant to 18 U.S.C. 981 relating to violations within the investigatory jurisdiction of the United States Secret Service involving federally insured financial institutions, the FDIC and the RTC.

2. *Delegation.* By virtue of the authority vested in the Secretary of the Treasury by 18 U.S.C. 981 and the authority delegated to the Assistant Secretary (Enforcement) by Treasury Order 101-05, there is hereby delegated to the Director, United States Secret Service: seizure, forfeiture, and related authority of the Secretary pursuant to 18 U.S.C. 981 relating to violations set forth in 18 U.S.C. 981(a)(1)(C) within the investigatory jurisdiction of the United States Secret Service pursuant to section 528 of Public Law 101-509, dated

November 5, 1990, 28 U.S.C. 509 note, and 18 U.S.C. 3056.

3. *Forfeiture Remission.* The Director, United States Secret Service, is authorized to remit or mitigate forfeitures of property valued at not more than $500,000 seized pursuant to paragraph 2.

4. *Redelegation.* The authority delegated by this directive may be redelegated.

5. *Office of Primary Interest.* Office of the Assistant Secretary (Enforcement).

Peter K. Nunez,

Assistant Secretary (Enforcement).

[FR Doc. 92-3720 Filed 2-14-92; 8:45 am]

BILLING CODE 4810-25-M

Sunshine Act Meetings

Federal Register
Vol. 57, No. 32
Tuesday, February 18, 1992

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL ENERGY REGULATORY COMMISSION

Notice

February 5, 1992.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94–409), 5 U.S.C. 552b:

DATE AND TIME: February 12, 1992, 10:00 a.m.

PLACE: 825 North Capitol Street, N.E., Room 9306, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Lois D. Cashell, Secretary, Telephone (202) 208–0400. For a recording listing items stricken from or added to the meeting, call (202) 208–1627.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Reference and Information Center.

Consent Agenda—Hydro, 952nd Meeting—February 12, 1992, Regular Meeting (10:00 a.m.)

CAH–1.
Project No. 2731–002, Central Vermont Public Service Corporation
CAH–2.
Project No. 10866–001, Phoenix Hydro Corporation
CAH–3.
Project No. 6632–006, John N. Webster
CAH–4.
Project No. 7860, 014, Ammonoosuc River Hydroelectric Corporation
CAH–5.
Docket No. 10497–001, Tulsa Metropolitan Utility Authority
CAH–6.
Project No. 4636–008, Fourth Branch Associates
CAH–7.
Project No. 1835–062, Nebraska Public Power District

Consent Agenda—Electric

CAE–1.
Docket No. ER92–113–000, New England Power Company
CAE–2.
Docket Nos. ER92–236–000, and EL92–13–000, Delmarva Power & Light Company
CAE–3.
Docket No. ER92–242–000, Allegheny Generating Company
Docket No. EL92–10–000, Consumer Advocate Division of the Public Service Commission of West Virginia, Maryland People's Counsel and Pennsylvania Office of Consumer Advocate v. Allagheny Generating Company
CAE–4.
Docket No. ER92–183–000, Florida Power Corporation
CAE–5.
Docket No. ER92–198–001, Consumers Power Company
CAE–6.
Docket No. ER91–195–004, Western Systems Power Pool
CAE–7.
Docket No. EC88–2–008, Utah Power & Light Company, PacifiCorp and PC/UP&L Merging Corporation
CAE–8.
Docket No. EL91–48–000, American Municipal Power-Ohio, Inc. and the City of Cuyahoga Falls, Ohio v. Ohio Edison Company
CAE–9.
Docket No. EL91–36–001, Massachusetts Municipal Wholesale Electric Company v. Northeast Utilities Service Company
CAE–10.
Docket No. EL89–53–003, Blue Ridge Power Agency, Central Virginia Electric Cooperative, Inc., and Craig-Botetourt Electric Cooperative, Inc. v. Appalachian Power Company
Docket Nos. ER90–132–002 and ER90–133–002, Appalachian Power Company
CAE–11.
Docket No. FA85–71–006, Central Illinois Public Service Company
CAE–12.
Docket Nos. ER90–388–000 and ER90–522–000, Metropolitan Edison Company
CAE–13.
Docket No. EC92–2–000, Fitchburg Gas and Electric Light Company
CAE–14.
Docket No. EC92–4–001, Holyoke Power and Electric Company
CAE–15.
Docket No. AI92–1–001, Accounting Release No. AR–14

Consent Agenda—Oil and Gas

CAG–1.
Omitted
CAG–2.
Docket No. RP92–77–000, Texas Eastern Transmission Corporation
CAG–3.
Docket No. RP91–203–004, Tennessee Gas Pipeline Company
CAG–4.
Docket No. RP91–210–004, Tennessee Gas Pipeline Company
CAG–5.
Docket Nos. RP91–188–004, 006 and 007, El Paso Natural Gas Company
CAG–6.
Docket Nos. RP92–1–003, TA92–1–59–000 and TM92–2–59–000, Northern Natural Gas Company, Division of Enron Corporation
CAG–7.
Omitted
CAG–8.
Docket No. TM91–7–29–000, Transcontinental Gas Pipe Line Corporation
CAG–9.
Docket Nos. TA91–1–21–002, TM91–8–21–002 and RP90–108–011, Columbia Gas Transmission Corporation
CAG–10.
Docket No. RP91–181–002, Northern Natural Gas Company
CAG–11.
Docket No. IS90–11–000, *et al.*, Amerada Hess Pipeline Corporation, *et al.*
CAG–12.
Docket Nos. CP88–391–009, RP88–167–004, RP73–3–012, RP82–55–051, RP85–148–012, CP72–255–004, CP89–759–010, CP90–2228–003, CP90–2229–003, RP87–7–075, CP90–2230–004, CP89–728–003, CP89–790–003, CP88–273–002, CP88–328–007, CP89–1916–004, RP90–8–009, RP90–51–002, CP90–499–002, CP84–336–007, G–12503–002, G–12059–002, RP82–55–051 and CP91–2819–001, Transcontinental Gas Pipe Line Corporation
CAG–13.
Docket Nos. RP86–119–018, RP88–191–027, RP89–30–003, RP90–122–006, RP91–29–010, RP91–167–003, RP88–228–033, RP89–29–003, RP89–149–005, RP89–242–004, CP87–115–005, CP89–470–003, TA84–2–9–019, TA85–1–9–011, TA89–1–9–001, TA90–1–9–005, TA91–1–9–003, RP88–249–006, CP87–103–008, RP91–16–002 and CP91–3135–001, Tennessee Gas Pipeline Company
CAG–14.
Docket Nos. CP89–629–015 and CP90–639–008, Tennessee Gas Pipeline Company
CAG–15.
Docket No. RP91–210–005, Tennessee Gas Pipeline Company
CAG–16.
Docket No. RP91–210–003, Tennessee Gas Pipeline Company
CAG–17.
Docket No. RP91–181–003, Northern Natural Gas Company
CAG–18.
Docket Nos. RP92–1–001 and CP92–71–004, Northern Natural Gas Company
CAG–19.
Docket Nos. RP86–10–013 and 014, Williston Basin Interstate Pipeline Company
CAG–20.

Docket No. RP81–85–005, Trunkline LNG Company
CAG–21.
Docket Nos. RP91–100–001, RP91–101–001 and RP91–102–001, Texas Gas Transmission Corporation
CAG–22.
Omitted
CAG–23.
Omitted
CAG–24.
Omitted
CAG–25.
Omitted
CAG–26.
Docket No. RP91–136–004, Centra Pipelines Minnesota, Inc.
CAG–27.
Docket Nos. RP90–109–000, RP87–62–000 and RP86–148–000, Pacific Gas Transmission Company
CAG–28.
Docket Nos. RP91–149–000, 001, TQ90–4–49–000, 003, 004 and RP90–113–003, Williston Basin Interstate Pipeline Company
CAG–29.
Docket No. FA89–37–000, Texas Eastern Transmission Corporation
CAG–30.
Docket Nos. ST88–2859–000, ST88–3395–000 and ST88–3860–000, Sandy Hook Pipeline, Inc.
CAG–31.
Docket Nos. ST82–296–000, 001 and ST86–2660–000, Shreveport Intrastate Gas Transmission Ltd.
CAG–32.
Docket No. PR91–20–000, Prairie Producing Company v. Louisiana Intrastate
CAG–33.
Docket No. IS90–30–000, Amoco Pipeline Company
CAG–34.
Docket No. GP92–5–000, Wyoming Oil and Gas Conservation Commission and U.S. Department of the Interior, Bureau of Land Management, Tight Formation Determination-Wyoming 23, FERC No. JD92–00603T
CAG–35.
Docket No. GP90–11–000, NICOR Exploration Company v. Scarth Oil and Gas Company
CAG–36.
Docket No. CP92–240–001, Mojave Pipeline Company
Docket No. CP92–241–001, Kern River Gas Transmission Company
CAG–37.
Docket No. CP91–1964–001, Tennessee Gas Pipeline Company
CAG–38.
Docket No. CP89–634–012, Iroquois Gas Transmission System, L.P.
Docket No. CP89–629–011, Tennessee Gas Pipeline Company
CAG–39.
Docket No. CP91–2315–001, Boston Gas Company
CAG–40.
Docket No. CP92–260–000, Transcontinental Gas PIpe Line Corporation
CAG–41.
Docket No. CP92–132–000, Tennessee Gas Pipeline Company
CAG–42.
Docket No. CP91–2949–000, Northwest Pipeline Corporation
CAG–43.
Docket No. CP91–3220–000, Colorado Interstate Gas Company
CAG–44.
Docket No. CP91–2358–000, MIGC, Inc.
CAG–45.
Docket No. CP89–1195–000, National Fuel Gas Supply Corporation
CAG–46.
Docket No. CP91–1040–000, Transwestern Pipeline Company
CAG–47.
Docket No. CP91–2527–000, Air Products and Chemicals, Inc.
CAG–48.
Docket Nos. IS90–11–000, *et al.*, IS90–11–003 and IS91–6–001, Amerada Hess Pipeline Corporation
Docket Nos. IS90–12–003 and IS91–7–001, ARCO Pipe Line Company
Docket Nos. IS90–13–003 and IS91–8–001, BP Pipelines (Alaska) Inc.
Docket Nos. IS90–14–003 and IS91–9–001, Exxon Pipeline Company
Docket Nos. IS90–15–003 and IS91–10–001, Mobil Alaska Pipeline Company
Docket Nos. IS90–16–003 and IS91–11–001, Phillips Alaska Pipeline Corporation
Docket Nos. IS90–17–003 and IS91–12–001, Unocal Pipeline Company
CAG–49.
Docket No. CP88–185–007, Algonquin Gas Transmission Corporation
CAG–50.
Docket Nos. CP88–391–006, 007 and 008, Transcontinental Gas Pipe Line Corporation
CAG–51.
Docket Nos. CP91–2677–002 and CP89–634–016, Iroquois Gas Transmission System, L.P.
Docket Nos. CP89–629–013 and CP90–639–007, Tennessee Gas Pipeline Company
Docket No. CP89–661–014, Algonquin Gas Transmission Company

Hydro Agenda

H–1.
Omitted
H–2.
Omitted

Electric Agenda

E–1.
Reserved

Oil and Gas Agenda

I. Pipeline Rate Matters

PR–1.
Reserved

II. Producer Matters

PF–1.
Reserved

III. Pipleline Certificate Matters

PC–1.
Reserved

Lois D. Cashell,

Secretary.

[FR doc. 92–3777 Filed 2–12–92; 4:36 pm]

BILLING CODE 6717–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (4 U.S.C. 552b), notice is hereby given that at 10:03 a.m. on Wednesday, February 12, 1992, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider the following:

Matters relating to the probable failure of a certain insured bank.

Matters relating to the Corporation's corporate activities.

Memorandum regarding selection of servicer to manage, liquidate and collect the asset pool from the failed banks involved in the New Hampshire Plan.

Recommendations concerning administrative enforcement proceedings.

Recommendations regarding the liquidation of depository institutions' assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 47,780—
Vernon Savings and Loan Association, Dallas, Texas
and
Sunbelt Savings, Dallas, Texas
and
FirstSouth, FA, Pine Bluff, Arkansas

Reports of the Office of Inspector General:

Audit Report re:
Orlando Consolidated Office, Cost Center—208 (Memo dated December 17, 1991)
Audit Report re:
Midland Consolidated Office, Cost Center—402 (Memo dated January 9, 1992)
Audit Report re:
Equity Bank for Savings, F.A., Oklahoma City, Oklahoma, Assistance Agreement, Case Number SW–012/026c (Memo dated December 3, 1991)
Audit Report re:
EurekaBank, a Federal Savings Bank, Foster City, California, Assistance Agreement, Case Number C–334c (Memo dated November 27, 1991)
Audit Report re:
American Bank & Trust Company, Baton Rouge, Louisiana (4254) (Memo dated November 25, 1991)
Audit Report re:
Eliot Savings Bank, Boston, Massachusetts (4242) (Memo dated December 31, 1991)
Audit Report re:
Home National Bank of Milford, Milford, Massachusetts (4211) (Memo dated December 27, 1991)
Audit Report re:
Inventory Closing Procedures, O'Hare Consolidated Office (201) (Memo dated November 25, 1991)
Audit Report re:
Information Systems Audit Report, Oklahoma City Consolidated Office,

Cost Center 401 (Memo dated November 26, 1991)
Audit Report re:
Audit Report on the Travel Management System (Memo dated December 23, 1991)
Audit Report re:
Audit of the Personnel Action Request System Development Project, System Design Phase (Memo dated December 31, 1991)
Audit Report re:
Audit Report on the Management and Operations of the Terrace Park Apartments by Picerne Development Corporation (Memo dated November 29, 1991)
Audit Report re:
Audit Report on the Management and Operations of the Briarwood Townhomes by Kistenmacher & Company, Inc. (Memo dated January 3, 1992)
Audit Report re:
Audit Report on the Management and Operations of the Plaza Twelve Apartments by Michael T. Martin Company (Memo dated January 6, 1992)
Audit Report re:
Audit Report on the Management and Operations of the Sunrise Towers by Gulfstream Property Management, Inc. (Memo dated January 7, 1992)
Audit Report re:
Audit on Travel Voucher Processing Within the Division of Supervision, San Francisco Regional Office (Memo dated December 19, 1991)
Audit Report re:
Audit on Travel Voucher Processing Within the Division of Liquidation, San Francisco Regional Office (Memo dated December 24, 1991)
Audit Report re:
Audit of Relocation Payments and Policies (Memo dated January 10, 1992)
(Overview of the Office of Inspector General (Memo dated January 9, 1992)).

Application of Northeast Savings, F.A., Hartford, Connecticut, for consent to purchase certain assets and acquire certain liabilities of Columbian Credit Union, Cranston, Rhode Island, Greater Providence Deposit Corp., Providence, Rhode Island, and East Providence Credit Union, East Providence, Rhode Island, and Providence Teachers Credit Union, Providence, Rhode Island, and for consent to establish branches in Cranston, East Providence, North Providence, Riverside, Rumford, and Warwick, Rhode Island.

Memorandum regarding discounted retirement of preferred stock in the matter of Northeast Federal Corp., Hartford, Connecticut.

Personnel matter.

In calling the meeting, the Board determined, on motion of Director C.C. Hope, Jr. (Appointive), seconded by Vice Chairman Andrew C. Hove, Jr., concurred in by Director T. Timothy Ryan, Jr. (Office of Thrift Supervision), Ms. Susan Krause, acting in the place and stead of Director Robert L. Clarke (Comptroller of the Currency), and Chairman William Taylor, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Board Room of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Dated: February 12, 1992.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 92-3797 Filed 2-13-92; 9:12 am]

BILLING CODE 6714-0-M

TENNESSEE VALLEY AUTHORITY

[Meeting No. 1445]

TIME AND DATE: 10 a.m. (CST), February 19, 1992.

PLACE: Poindexter Hall, Mississippi College for Women, Columbus, Mississippi.

STATUS: Open.

AGENDA:

Approval of minutes of meeting held on November 20, 1991.

DISCUSSION ITEM:

1. Economic Update.

ACTION ITEMS:

New Business

C—Power

C1. Arrangements with East Kentucky Power Cooperative (EKPC) Providing for Interruptible Wheeling by TVA and for Transmission Service by EKPC.

C2. Arrangements with Big Rivers Electric Corporation Providing for Wheeling by TVA.

C3. Arrangements with Arkansas Electric Cooperative Corporation (AECC) Providing for TVA Purchases from AECC.

E—Real Property Transactions

E1. Deed Modification and Sale of Permanent Easement Affecting Approximately 0.46 Acre of Watts Bar Reservoir Land in Rhea County, Tennessee.

E2. Land Exchange by the United States Department of Agriculture Affecting 34.46 Acres of Former TVA Land on Hiwassee Reservoir in Cherokee County, North Carolina.

F—Unclassified

F1. New Investment Management Agreement Between the TVA Retirement System and J.P. Morgan Investment Management Inc.

F2. Supplement to Personal Services Contract No. TV-79561T with the Hartford Steam Boiler Inspection and Insurance Company.

F3. Supplement to the Fuel Reload Contracts as Part of the Partners in Performance Commercial Arrangement with General Electric.

F4. Contract for Nuclear Steam Supply System and Turbine Generator System Materials and Services with General Electric Company.

F5. Authorization of Designated Representative and Alternate Designated Representative Under Title IV of the Clean Air Act Amendments of 1990.

F6. Delegation to Senior Vice President, National Fertilizer and Environmental Research Center, of Authority to Execute Supplements to Personal Services Contracts for Standby Environmental Support.

INFORMATION ITEMS:

1. Recommendations resulting from the 56th Annual Wage Conference 1991–Annual Trades and Labor Employees.

2. Recommendations resulting from the 56th Annual Wage Conference 1991–Construction Project Agreement Wage Rates.

3. Amendment to Rules and Regulations of the TVA Retirement System Relating to the Medical Insurance Contribution.

4. Amendment to Rules and Regulations of the TVA Retirement System Relating to Retirement Benefits.

5. Appointment of Frank D. Robinson as TVA's Director of Small and Disadvantaged Business Utilization.

6. Filing of Condemnation Items.

CONTACT PERSON FOR MORE INFORMATION: Alan Carmichael, Manager, Media Relations, or a member of his staff can respond to requests for information about this meeting. Call (615) 632–6000, Knoxville, Tennessee. Information is also available at TVA's Washington Office (202) 479–4412.

Dated: February 12, 1992.

Edward S. Christenbury,

General Counsel and Secretary.

[FR Doc. 92-3803 Filed 2-13-92; 9:56 am]

BILLING CODE 8120-08-M

Corrections

Federal Register
Vol. 57, No. 32
Tuesday, February 18, 1992

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 AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 92

[Docket No. 91-157]

Contagious Equine Metritis

Correction

In rule document 91-30342 beginning on page 66780 in the issue of Thursday, December 26, 1991, make the following corrections:

§ 92.301 [Corrected]

On page 66781:

1. In the second column, in amendatory instruction 6 to § 92.301, in the second line, "(c)(2)(iv)(B)" should read "(c)(2)(vi)(B)".

2. In the third column, in amendatory instruction 12 to § 92.301, in the second line, remove the quotation marks after "(G)".

3. In the same column, in amendatory instruction 13 to § 92.301(c)(2)(viii)(G), in the second and fourth lines, remove the quotation marks after "(G)" and "(*2*)" respectively; and in the seventh line, "(c)(2)(viii)(B)(*6*)" should read "(c)(2)(vii)(B)(*6*)".

4. In the same column, in amendatory instruction 14 to § 92.301(c)(2)(viii)(G), in the fourth line, "(c)(2)(viii)(H)" should read "(c)(2)(vii)(H)".

5. In the same column, in amendatory instruction 15 to § 92.301, in the second line, "(c)(2)(viii)(B)" should read "(c)(2)(vii)(B)"; and in the fourth line, "(c)(2)(vii)(B)" should read "(c)(2)(viii)(B)".

BILLING CODE 1505-01-D

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

7 CFR Part 1710

RIN 0572-AA13

Borrower Eligibility for Different Types of Loans

Correction

In rule document 92-1513 beginning on page 2831 in the issue of Friday, January 24, 1992, make the following correction:

On page 2831, in the third column, in the second full paragraph, in the third line, the phrase "REA Act of" should read "RE Act for".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 156

[T.D. 8379]

RIN 1545-AL47

Excise Tax Relating to Gain or Other Income Realized By Any Person on Receipt of Greenmail

Correction

In rule document 91-30069, beginning on page 65684 in the issue of Wednesday, December 18, 1991, make the following corrections:

§ 156.6001-1 [Corrected]

1. On page 65685, in the third column, in § 156.6001-1(c), in the fourth line, "offices" should read "officers".

§ 156.6091-1 [Corrected]

2. On page 65686, in the second column, in § 156.6091-1(a), in the seventh line, "them" should read "the".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[T.D. 8392]

RIN 1545-AM75

Civil Cause of Action for Unauthorized Collection Actions

Correction

In rule document 92-2024, beginning on page 3535, in the issue of Thursday, January 30, 1992, make the following corrections:

§ 301.7433-1 [Corrected]

1. On page 3536, in the third column, in § 301.7433-1(a)(2), the first line should end after "action.", as it appears the first time. Then, a new flush paragraph should begin with "An action for * * *".

2. On page 3537, in the first column, in § 301.7433-1(c)(1), "marshall;" was misspelled.

BILLING CODE 1505-01-D

federal register

Tuesday
February 18, 1992

Part II

Department of Health and Human Services

Office of Community Services

State and Indian Tribal Grants for Family Violence Prevention and Services; Availability of Fiscal Year 1992 Funds; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Community Services

Notice of the Availability of Fiscal Year (FY) 1992 Funds for State and Indian Tribal Grants for Family Violence Prevention and Services

AGENCY: Administration for Children and Families (ACF), DHHS.

ACTION: Notice of the availability of fiscal year (FY) 1992 funds for State and Indian Tribal grants for family violence prevention and services.

SUMMARY: FY 1992 funds are available for grants to States (including Territories and Insular Areas) and Indian Tribes and Tribal organizations to assist in establishing, maintaining, and expanding programs and projects to prevent family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents. This Notice sets forth the application process and requirements for these grants.

DATES: Applications must be received by April 20, 1992.

ADDRESSES: Address applications to: Office of Community Services, Administration for Children and Families, Attn: William D. Riley, room 312–F, Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: William D. Riley (202) 245–2892.

SUPPLEMENTARY INFORMATION:

A. Background

Title III of the Child Abuse Amendments of 1984 (Pub. L. 98–457, 42 U.S.C. 10401 *et seq.*) is entitled the "Family Violence Prevention and Services Act" (the Act). It was first implemented in FY 1986 and was reauthorized by Congress in April 1988 by Public Law 100–294.

The purposes of this legislation are to assist States in their efforts to prevent family violence and provide immediate shelter and related assistance for victims of family violence and their dependents; and to carry out coordination, research, training, technical assistance, documentation, and evaluation activities. Also, the Secretary may make demonstration grants directly to Indian Tribes and Tribal organizations to prevent family violence and to provide immediate shelter and related assistance.

During FY 1991, 128 grants under the Act were made to States, Territories, and Indian Tribes. Grants to the States are based on population, with a minimum of $50,000 specified in the Act. In FY 1991, State grants ranged from $50,000 to $1 million. Family violence grants to eligible Indian Tribes are based on tribal population and were either $7,902 or $21,074, with the exception of the Navajo Nation which received $63,265.

Both State and Indian Tribal grantees are required to use not less than 60 percent of these funds for immediate shelter and related assistance (section 303(g)). States and Indian Tribes have met this requirement with the majority of the States and Tribes exceeding the 60 percent minimum.

The Department also funds the operation of the Clearinghouse on Family Violence Information; supports research activities, and regionally based training and technical assistance for State and local law enforcement personnel through the Department of Justice; and makes grants for technical assistance and training for State and local agencies administering this program.

During FY 1991, through the Coordinated Discretionary Funds Program (CDP) announcement, the Department made grant awards that enhanced public information and community awareness strategies and activities. These awards also served as models for the prevention of family violence and provided information on resources, facilities, and alternatives, to family violence victims and their dependents, community organizations, local school districts, and individuals seeking assistance.

B. Reporting Requirements

Program and Fiscal Reports

Current State and Indian Tribal grantees are reminded that annual program activity reports and a Financial Status Report, Standard Form (SF–269) are due by December 31, 1992. An SF–269 is due on an annual basis for each fiscal year award and must be submitted within 90 days after the end of each fiscal year.

C. Expenditure Period

These FY 1992 funds will be available for expenditure by States beginning October 1, 1991, through September 30, 1994.

D. Funds Available

Public Law 102–170, the Departments of Labor, Health and Human Services, and Education, Appropriation Act for FY 1992 made $20 million available for distribution to States and Tribes in FY 1992. (A total of $10.735 million was available in FY 1991.)

Of this amount the Department will make $17 million (85 percent of total funds) available for grants to States (section 310(b) of the Act). Estimates of State allocations are listed at the end of this Notice and have been computed based on the formula in section 304.

We estimate that approximately $1 million may be available for direct grants to Indian Tribes or Tribal organizations. The remaining funds will be used to carry out the research, evaluation, coordination, training and technical assistance, clearinghouse, and documentation activities required by the Act.

E. Eligibility: States

"States" as defined in section 309(6) of the Act are eligible to apply for funds. The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the remaining eligible entity previously a part of the Trust Territory of the Pacific Islands—the Republic of Palau. In the past, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands have applied for these funds as a part of their Consolidated Grant under the Social Services Block Grant.

F. Eligibility: Indian Tribes and Tribal Organizations

In FY 1986, the first year of this program, Indian tribal eligibility was limited to those Federally recognized Tribes that had established social services programs as evidenced by receipt of "638" contracts for social services with the Bureau of Indian Affairs (BIA).

In FY 1987, we expanded eligibility to include Indian Tribes and Tribal organizations which had received FY 1986 grants under the Indian Child Welfare Act from the BIA.

We limited Indian tribal eligibility in FY 1988 to those Indian Tribes and Tribal organizations which had received FY 1987 family violence grants. We again limited eligibility in FY 1989, because of funding limitations, to those Indian Tribes and Tribal organizations who received grants in FY 1987.

In FY 1990, we expanded the eligibility to solicit applications from those Indian Tribes and Tribal organizations that were FY 1989 grantees under Title IV–B, Child Welfare Services, of the Social Security Act, as well as the Indian Tribes and Tribal organizations who received family violence prevention grants in FY 1987. The Title IV–B tribal grantees were

included because their recent grant awards indicated an operational social services infrastructure and delivery system.

In FY 1991, we invited applications for family violence prevention grants from all previously funded grantees irrespective of the award year, and from those Tribes that were listed as eligible for family violence prevention grants in the **Federal Register** of May 6, 1987.

For FY 1992, we again are inviting all previously funded grantees and those tribes that were listed as eligible as of May 6, 1987 to apply. As in previous years, Indian Tribes may apply singly or as a consortium. A list of the eligible Indian Tribes and Tribal organizations is found at the end of this Notice. (Please note that the eligible Tribes and Tribal organizations are the same as those published in the **Federal Register** of January 18, 1991.)

Any Tribe or Tribal organization that believes it has met the eligibility criteria and should be included in the list of eligible Tribes should provide supportive documentation and a request for inclusion addressed to the contact person at the above address.

Because section 304(a) specifies a minimum base amount for State allocations, we have set a base amount for Indian Tribal allotments. Since FY 1986, we have found in practice, that the establishment of such an allocation, based on population, has facilitated our efforts to make a fair and equitable distribution of limited grant funds.

Tribes which meet the application requirements and whose reservation and surrounding tribal trust lands population is less than 3,000 will receive a minimum of $3,000; Tribes which meet the application requirements and whose reservation and surrounding tribal trust lands population exceeds 3,000 will receive a minimum of $8,000, except for the Navajo Tribe which will receive a minimum of $24,000 because of its population. We have used these population and grant award figures since the beginning of the program.

In computing Indian Tribal allocations, we will use the best available population figures from the Census Bureau. Where Census Bureau data are unavailable, we will use figures from the BIA Indian Population and Labor Force Report.

If not all eligible Tribes apply, the available funds will be divided proportionally among the Tribes which apply and meet the requirements.

G. State Application Requirements

We have cited each requirement to the specific section of the law.

Please note the new paragraph (3) that requires the State to describe how it plans to use the grant funds to prevent incidents of family violence and to provide immediate shelter and related assistance to family violence victims.

The assurance in paragraph (4)(e) below continues to limit the funds an entity may receive from the State in any one fiscal year to $50,000 and provides that no entity will receive more than a total of $150,000 under this Act (section 303(c)).

Please note also that in order to apply for these FY 1992 funds, a State must have or have under consideration a procedure for the eviction of an abusing spouse from a shared residence. (See the assurance in paragraph (3)(1) below.)

The Secretary will approve any application that meets the requirements of the Act and this Notice, and will not disapprove an application unless the State has been given reasonable notice of the Department's intention to disapprove and an opportunity to correct any deficiencies (section 303(a)(3)).

All applications must meet the following requirements:

The State's application must be signed by the Chief Executive of the State or the Chief Program Official designated as responsible for the administration of the Act.

The application must contain the following information:

(1) The name of the State agency, and the name of the Chief Program Official designated as responsible for the administration of State programs and activities related to family violence carried out under the Act, and the name of a contact person if different from the Chief Program Official (section 303(a)(2)(D)).

(2) The procedures designed to involve knowledgeable individuals and interested organizations and assure an equitable distribution of grants and grant funds within the State and between rural and urban areas in the State (section 303(a)(2)(C)). (For example, knowledgeable individuals and interested organizations may include but are not limited to: State Advisory Committees on Family Violence, law enforcement officials, or Coalitions of Directors of Family Violence Shelters.)

(3) A brief description of how the State plans to use the grant funds to prevent incidents of family violence and to provide immediate shelter and related assistance to victims of family violence and their dependents (section 303(a)(2)(G)).

(4) The application must contain the following assurances:

(a) That funds under the Act will be distributed as demonstration grants to local public agencies and non-profit private organizations for programs and projects within the State to prevent incidents of family violence and to provide immediate shelter and related assistance for victims and their dependents (section 303(a)(2)(A)).

(b) That not less than 60 percent of the funds distributed shall be used for immediate shelter and related assistance (section 303(g)).

(c) That not more than 5 percent of the funds will be used for State administrative costs (section 303(a)(2)(B)(i)).

(d) That in distributing the funds, the States will give special emphasis to the support of community-based projects of demonstrated effectiveness carried out by non-profit private organizations (particularly those projects the primary purpose of which is to operate shelters for victims of family violence and their dependents and those which provide counseling, alcohol and drug abuse treatment, and self-help services to abusers and victims) (section 303(a)(2)(B)(ii)).

(e) That no entity funded by the State will receive more than $50,000 in any one fiscal year, and no entity will receive more than a total of $150,000 under this Act (section 303(c)).

(f) That demonstration grants funded by the State will meet the matching requirements in section 303(f), i.e., 35 percent of the total funds provided under this title in the first year, 55 percent in the second year, and 65 percent in the third or subsequent year(s); that except in the case of a public entity, not less than 50 percent of the local matching share shall be raised from private sources; that the local share may be cash or in-kind; and that the local share may not include any Federal funds provided under any authority other than this title (section 303(f)).

(g) That demonstration grants funded by the State may not be used as direct payment to any victim or dependent of a victim of family violence (section 303(d)).

(h) That no income eligibility standard will be imposed on individuals receiving assistance or services supported with funds appropriated to carry out the Act (section 303(e)).

(i) That procedures will be developed to assure the confidentiality of records pertaining to persons receiving assistance or services from any program assisted under the Act as specified in section 303(a)(2)(E).

(j) That the address or location of any shelter-facility assisted under the Act will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter (section 303(a)(2)(E)).

(k) That all demonstration grants made by the State under the Act must prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion (section 307).

(l) That the State has, or has under consideration, a procedure for the eviction of an abusing spouse from a shared residence (section 303(a)(2)(F)).

(m) That States will comply with Departmental recordkeeping and reporting requirements and general requirements for the administration of grants under 45 CFR part 92.

H. Indian Tribe and Tribal Organization Application Requirements

We have cited each requirement to the specific section of the law.

The Secretary will approve any application that meets the requirements of the Act and this Notice, and will not disapprove an application unless the Indian Tribe or Tribal organization has been given reasonable notice of the Department's intention to disapprove and an opportunity to correct any deficiencies (section 303(a)(3)).

The application from the Indian Tribe or Tribal organization must be signed by the Chief Executive Officer of the Indian Tribe or Tribal organization and must contain the following information:

(1) The name of the organization or agency designated as responsible for the administration of this program (section 303(a)(D)), and the name of a contact person in the designated organization or agency.

(2) A copy of a current resolution stating that the designated organization or agency has the authority to submit an application on behalf of the Indian individuals in the Tribe(s) (section 303(a)(2)(G)).

(3) A description of the procedures designed to involve knowledgeable individuals and interested organizations in providing services under the Act (section 303(a)(2)(C)). (For example, knowledgeable individuals and interested organizations may include: Tribal officials or social services staff involved in child abuse or family violence prevention, Tribal law enforcement officials, State Coalitions Against Domestic Violence, and Directors of Family Violence Shelters.)

(4) A brief description of how the Indian Tribe or Tribal organization plans to use the grant funds to prevent incidents of family violence and to provide immediate shelter and related assistance to victims of family violence and their dependents (section 303(a)(2)(G)).

(5) Each application must contain the following assurances:

(a) That not less than 60 percent of the funds shall be used for immediate shelter and related assistance (section 303(g)).

(b) That no funds under the Act will be used as direct payment to any victim or dependent of a victim of family violence (section 303(d)).

(c) That no income eligibility standard will be applied to individuals receiving assistance or services supported with funds appropriated to carry out the Act (section 303(e)).

(d) That procedures will be developed to assure the confidentiality of records pertaining to persons receiving assistance or services from any program assisted under the Act as specified in section 303(a)(2)(E).

(e) That the address or location of any shelter-facility assisted under the Act will not be made public, except with written authorization of the person or persons responsible for the operation of such shelter (section 303(a)(2)(E)).

(f) That Indian grantees under this Act will prohibit discrimination on the basis of age, handicaps, sex, race, color, national origin, or religion.

(g) That Indian grantees will comply with Departmental recordkeeping and reporting requirements and general grant administration requirements of 45 CFR part 92.

I. Notification Under Executive Order 12372

For States, this program is covered under Executive Order 12372, "Intergovernmental Review of Federal Programs" for State plan consolidation and simplification only—45 CFR 100.12. The review and comment provisions of the Executive Order and Part 100 do not apply. Federally-recognized Indian Tribes are exempt from all provisions and requirements of E.O. 12372.

J. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96–511), the application requirements contained in this notice have been approved by the Office of Management and Budget under control number 0980–0175.

K. Certifications

Applicants must comply with the required certifications found at appendix C, regarding Drug Free Workplace, Debarment, and Lobbying which are self-explanatory. Please note that the certification regarding Lobbying must be signed and returned with your application.

(Catalog of Federal Domestic Assistance number 93.671, Family Violence Prevention and Services)

Dated: February 7, 1992.

Eunice S. Thomas,

Director, Office of Community Services.

Appendix A

Appropriation available—$20,000,000

Total appropriation—States and Territories—$17,000,000

Grantee		
Alabama	$263,752	$263,752
Alaska	85,000	85,000
American Samoa	21,250	21,250
Arizona	239,211	239,211
Arkansas	153,447	153,447
California	1,942,429	1,942,429
Colorado	214,996	214,996
Connecticut	214,539	214,539
Delaware	85,000	85,000
District of Columbia	85,000	85,000
Florida	844,451	844,451
Georgia	422,813	422,813
Guam	21,250	21,250
Hawaii	85,000	85,000
Idaho	85,000	85,000
Illinois	746,091	746,090
Indiana	361,851	361,851
Iowa	181,252	181,252
Kansas	161,736	161,736
Kentucky	240,516	240,516
Louisiana	275,435	275,435
Maine	85,000	85,000
Maryland	312,051	312,051
Massachusetts	392,659	392,659
Michigan	606,676	606,676
Minnesota	285,552	285,552
Mississippi	167,937	167,937
Missouri	333,982	333,982
Montana	85,000	85,000
Nebraska	102,994	102,994
Nevada	85,000	85,000
New Hampshire	85,000	85,000
New Jersey	504,530	504,530
New Mexico	98,882	98,882
New York	1,174,191	1,174,191
North Carolina	432,668	432,668
North Dakota	85,000	85,000
Northern Mariana Islands	21,250	21,250
Ohio	707,974	707,974
Oklahoma	205,336	205,336
Oregon	185,494	185,494
Palau	21,250	21,250
Pennsylvania	775,527	775,527
Puerto Rico	229,877	299,877
Rhode Island	85,000	85,000
South Carolina	227,593	227,593
South Dakota	85,000	85,000
Tennessee	318,317	318,317
Texas	1,108,726	1,108,726
Utah	112,458	112,458
Vermont	85,000	85,000
Virgin Islands	21,250	21,250
Virginia	403,820	403,820
Washington	317,664	317,664
West Virginia	117,027	117,027
Wisconsin	319,296	319,296
Wyoming	85,000	85,000
Total	17,000,000	17,000,000

Appendix B

Indian Tribal Eligibility

Below is the list of Indian Tribes which are eligible for fiscal year 1991 Family Violence Prevention and Services grants. Tribes are listed by BIA Area Office based on Census Bureau population data or, where that is not available, BIA data.

Tribes Under 3,000 Population

Eastern Area Office

Houlton Band of Maliseet Indians of Maine
Indian Township Passamaquoddy Reservation of Maine
Miccosukee Tribe of Indians of Florida
Narragansett Indian Tribe of Rhode Island
Penobscot Tribe of Maine
Pleasant Point Passamaquoddy Reservation of Maine
Seminole Tribe of Florida

Aberdeen Area Office

Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Devil's Lake Sioux Tribe of the Devil's Lake Sioux Reservation, North Dakota
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
Yankton Sioux Tribe of South Dakota Winnebago Reservation of Nebraska
Winnebago Reservation of Nebraska

Minneapolis Area Office

Grand Traverse Bank of Ottawa and Chippewa Indians of Michigan
Lac Vieux Desert Band of Chippewa Indians
Menominee Indian Tribe of Wisconsin
Michigan Inter-Tribal Council on behalf of: Bay Mills Indian Community, Hannahville Indian Community, Keweenah Bay Indian Community
Saginaw Chippewa Indian Tribe of Isabella Reservation, Michigan
Sault Saint Marie Tribe of Chippewa Indians of Michigan
Prairie Island Community of Minnesota
Onieda Tribe of Indians of Wisconsin
Forest County Potawatomi of Wisconsin
Lac du Flambeau Reservation of Wisconsin
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Bad River Tribal Council, Wisconsin
Lower Sioux Tribe of Minnesota
Upper Sioux Tribe of Minnesota
Shakopee Community of Minnesota
Minnesota Chippewa: Nett Lake Reservation (Bois Fort), Fond du Lac Reservation, Grand Portage Reservation, Mille Lac Reservation, St. Croix Chippewa, Wisconsin

Anadarko Area Office

Apache Tribe of Oklahoma
Cheyenne-Arapaho Tribes of Oklahoma
Comanche Indian Tribe of Oklahoma
Four Tribes of Kansas: Iowa Tribe of Kansas and Nebraska, Kickapoo Tribe of Kansas, Sac and Fox Tribe of Kansas and Nebraska, Prairie Band of Potawatomi of Kansas
Absentee Shawnee Tribe of Oklahoma
Sac and Fox Tribe of Oklahoma
Pawnee Tribe of Oklahoma
Kiowa Indian Tribe of Oklahoma
Kickapoo Tribe of Oklahoma
Otoe-Missouria Tribes Oklahoma
Citizen Band of Potawatomi of Oklahoma
Fort Sill Apache Tribe of Oklahoma
Tonkawa Tribe of Oklahoma
Wichita Indian Tribe of Oklahoma

Billings Area Office

Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana
Fort Belknap Indian Tribe of Montana

Phoenix Area Office

Cocopah Tribe of Arizona
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada
Elko Band Council
Ft. McDermitt Paiute and Shoshone Tribes of the Ft. McDermitt Indian Reservation, Nevada
Ft. McDowell Mohave-Apache Indian Community, Arizona
Ft. Mojave Indian Tribe of Arizona
Hualapai Tribe of the Hualapai Reservation, Arizona
Kaibab Band of the Paiute Indians of the Kaibab Indian Reservation, Arizona
Las Vegas Tribe of the Paiute Indians of the Las Vegas Indian Colony, Nevada
Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada
Paiute Indian Tribe of Utah
Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada
Pasqua Yaqui Tribe of Arizona
Pyramid Lake Paiute Tribe of the Pyramid Lake Reservation, Nevada
Quechan Tribe of the Ft. Yuma Indian Reservation, California
Reno-Sparks Indian Colony, Nevada
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
Shoshone Paiute Tribes of the Duck Valley Reservation, Nevada
Te-Moak Bands of the Western Shoshone Indians, Nevada
Havasupai Tribe of Arizona
Ute Indian Tribe of the Unitah and Ouray Reservation, Utah
Yavapai-Prescott Tribe, Arizona
Yavapai-Apache Indian Community of the Camp Verde Reservation, Arizona
Yerington Paiute Tribe of the Yerington Colony and Campbell Rancy, Nevada
Walker River Paiute Tribe of the Walker River Reservation, Nevada
Washoe Tribe of Nevada and California

Albuquerque Area Office

Jicarilla Apache Tribe, New Mexico
Pueblo of Acoma, New Mexico
Pueblo of Isleta, New Mexico
Pueblo of Jemez, New Mexico
Pueblo of Picuris, New Mexico
Pueblo of San Felipe, New Mexico
Pueblo of San Juan, New Mexico
Pueblo of Santa Clara, New Mexico
Pueblo of Santo Domingo, New Mexico
Pueblo of Taos, New Mexico
Pueblo of Zia, New Mexico
Pueblo of San Ildefonso, New Mexico
Pueblo of Tesuque, New Mexico
Ramah Navajo Community
Southern Ute Indian Tribe of the Southern Ute Indian Reservation, Colorado
Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico and Utah

Portland Area Office

Burns Paiute Indian Colony, Oregon
Confederated Tribes of the Siletz Reservation, Oregon
Confederated Tribes of the Warm Springs Reservation, Oregon
Confederated Tribes of the Grand Ronde, Oregon
Confederated Tribes of the Umatilla Reservation, Oregon
Klamath Tribes
Hootenai Tribe of Idaho
Makah Tribe of Washington
Metlakatla Indian Community, Alaska
Muckleshoot Tribe of Washington
Nez Perce Tribe of Idaho
Nooksak Tribe of Washington
Nisqually Tribe of Washington
Puyallup Tribe of Washington
Quileute Tribe of Washington
Quinault Tribe of the Quinault Reservation, Washington
Sauk-Suiattle Tribe of Washington
Skokomish Tribe of Washington
Squaxin Island Tribe of Washington
Stillquamish Tribe of Washington
Swinomish Tribe of Washington
Suquamish Tribe of Washington
Tulalip Tribes of Washington
Upper Skagit Indian Tribes of Washington

Juneau Area Office

Aleutian Pribiloff Islands, Alaska
Copper River Association, Alaska
Orutsaramuit Native Council, Alaska
Kawerak, Inc., Alaska

Ketchikan Indian Corporation, Alaska
Kenaitze Inc., Alaska
Kotezbue Native Association, Alaska
Kuskokwim Native Association, Alaska
Kodiak Native Association, Alaska
Northern Pacific Rim Association, Alaska
Sitka Community Association, Alaska
Tanana Indian Reorganization Act Council
Tyonek, Alaska
United Crow Band, Alaska

Sacramento Area Office

Big Lagoon Rancheria, California
Cahuilla Band of Mission Indians
Coastal Indian Community of the Resighina Rancheria
La Jolla Indian Band of Mission Indians
Jamul Indian Village
Morongo Band of Cahuilla Mission Indians
Soboba Band of Mission Indians
Trinidad Rancheria
Torres Martinez Band of Mission Indians

Tribes Over 3,000 Population

Eastern Area Office

Eastern Band of Cherokee Indians of North Carolina
Mississippi Band of Choctaw Indians, Mississippi

Aberdeen Area Office

Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Standing Rock Sioux Tribe of the Standing Rock Reservation, North and South Dakota
Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, South Dakota
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Turtle Mountain Bank of Chippewa Indians
Turtle Mountain Indian Reservation North Dakota

Billings Area Office

North Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana
Shoshone-Arapaho Tribes of Wyoming (Wind River Reservation)

Phoenix Area Office

Gila River Pima-Maricopa Indian Community of the Gila River Reservation, Arizona
Hopi Tribe of Arizona
Papago Tribe of the Sells, Gila Bend, and San Xavier Reservations, Arizona
San Carlos Apache Tribe of the San Carlos Reservation, Arizona
Tohono O'Odham Nation, Arizona
White Mountain Apache Tribe of the Fort Apache Indian Reservation, Arizona

Navajo Area Office

Navajo Tribe of Arizona, New Mexico and Utah

Albuquerque Area Office

Pueblo of Laguna, New Mexico
Zuni Tribe of the Zuni Reservation, New Mexico

Portland Area Office

Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana
Confederated Tribes of the Colville Reservation, Washington
Shoshone Bannok Tribes of the Fort Hall Reservation, Idaho
Yakima Indian Nation, Washington

Juneau Area Office

Cook Inlet Corporation, Alaska
Association of Village Council Presidents, Alaska
Central Council of the Tlingit and Haida Indians of Alaska
Tanana Chiefs Conference, Alaska
Sitka Community Association, Alaska
Bristol Bay Native Association of Alaska
Fairbanks Native Association, Alaska

Muskogee Area Office

Cherokee Nation of Oklahoma
Choctaw Nation of Oklahoma
Muskogee Creek Nation of Oklahoma

Minneapolis Area Office

Minnesota Chippewa: Leech Lake Reservation, White Earth Reservation

Appendix C—Certifications

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: Director for Formula, Entitlement, and Block Grants, Office of Financial Management, Administration for Children and Families, 470 L'Enfant Promenade, SW., 6th Floor, Washington, DC 20447.

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, or 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 Tier 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.

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 workplace 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 knows 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 is 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, SW., Washington, DC 20201.

Signature _____

Date _____

Title _____

Organization _____

DGMO Form #2 Revised May 1990

[FR Doc. 92–3519 Filed 2–14–92; 8:45 am]

BILLING CODE 4130–01–M

federal register

Tuesday
February 18, 1992

Part III

Department of Labor

Employment Standards Administration
Wage and Hour Division

29 CFR Part 500

Migrant and Seasonal Agricultural Worker Protection; Final Rule

DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

29 CFR Part 500

Migrant and Seasonal Agricultural Worker Protection

AGENCY: Wage and Hour Division, Employment Standards Administration, Labor.

ACTION: Final rule.

SUMMARY: The purpose of this document is to change the address listed in § 500.212 of Regulations 29 CFR part 500, which is used for administrative hearing requests. This revision is being made in order to streamline the process by which hearing requests are acknowledged by consolidating all aspects of processing hearing requests into the operations of the office which issued the administrative determination upon which the request for a hearing is based.

EFFECTIVE DATE: This rule is effective February 18, 1992.

FOR FURTHER INFORMATION CONTACT: Solomon Sugarman, Chief, Branch of Farm Labor Programs, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor. Telephone 1–800–800–0235. This is a toll-free number.

SUPPLEMENTARY INFORMATION:

I. Paperwork Reduction Act

This rule imposes no reporting or recordkeeping requirements on the public.

II. Background

Section 500.212 of the regulations requires that any person desiring to request an administrative hearing on a notice of determination issued by the Department of Labor (assessing civil money penalties, and/or revoking or denying a Farm Labor Contractor Certificate of Registration), must do so in writing within thirty (30) days after the date of issuance of the notice. Additionally, § 500.212 specifies that the written hearing request shall be made to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

This revision is being made in order to streamline the process by which hearing requests are acknowledged by consolidating all aspects of processing hearing requests into the operations of the office which issued the administrative determination upon which the request for a hearing is based. Accordingly, all such hearing requests are now to be made to the Wage and Hour official that issued the determination in care of the address of the official that originated the determination.

III. Summary of Rule

Section 500.212 of Regulations, 29 CFR part 500, is amended to provide for a new address for purposes of requesting administrative hearings. Hearing requests are now directed to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Under the amended regulation, these requests will be directed to the Wage and Hour Division official who issued the determination, at the address appearing on the determination notice.

Executive Order 12291

This rule is not classified as a "major rule" under Executive Order 12291 on Federal Regulations, because it will not result in: (1) An annual effect on the economy of $100 million or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. Accordingly, no regulatory impact analysis is required.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for the rule under 5 U.S.C. 553(b), the requirements of the Regulatory Flexibility Act, Public Law 96–354, 94 Stat. 1165, 5 U.S.C. 601 *et seq.* pertaining to regulatory flexibility analysis, do not apply to this rule. See 5 U.S.C. 601(2). In any event, the rule will not have a significant economic impact on a substantial number of small entities.

Administrative Procedure Act

The Secretary has determined that the public interest requires the immediate issuance of these regulations in final form, without prior notice and comment, in order to reflect the address to which hearing requests are now to be sent. The amendment to the existing regulations is a minor clarifying revision, changing the address sent out in § 500.212 used for requesting administrative hearings under § 500.210 of Regulations, 29 CFR part 500.

Accordingly, the Secretary, for good cause, finds pursuant to 5 U.S.C. 553(b)(3)(A) and (B), that prior notice and public comment are unnecessary, impracticable, and contrary to the public interest.

The Secretary also for good cause finds, pursuant to 5 U.S.C. 553(d)(3), that this rule is merely a technical procedural change which does not effect any substantive rights.

Document Preparation

This document was prepared under the direction and control of John R. Fraser, Acting Administrator, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

List of Subjects in 29 CFR Part 500

Administrative practice and procedure, Agricultural, Aliens, Carpools, Farmer, Farm labor contractor, Housing standards, Immigration, Insurance, Investigation, Labor, Manpower training programs, Migrant labor, Motor carriers, Motor vehicle safety, Occupational safety and health, Penalties, Reporting requirements, Safety, Seasonal agricultural workers, Transportation, Wages.

For the reasons set forth above, 29 CFR part 500 is amended as set forth below.

Signed at Washington, DC, on this 7th day of February, 1992.

John R. Fraser,

Acting Administrator, Wage and Hour Division.

PART 500—MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION

1. The authority citation for part 500 continues to read as follows:

Authority: Pub. L. 97–470, 96 Stat. 2583 (29 U.S.C. 1801–1872); Secretary's Order No. 6–84, 49 FR 32473; Sec. 210A(f), Pub. L. 99–603, 100 Stat. 3359 (8 U.S.C. 1161 (f)).

2. Paragraphs (a) and (b) of § 500.212 are revised to read as follows:

§ 500.212 Request for hearing.

(a) Any person desiring to request an administrative hearing on a determination referred to in § 500.212 shall make such request in writing to the official who issued the determination, at the Wage and Hour Division address appearing on the determination notice. Such request must be made no later than thirty (30) days after the date of

issuance of the notice referred to in § 500.210.

(b) The request for such hearing shall be delivered in person or by mail to the Wage and Hour Division office at the address appearing on the determination notice upon which the request for a hearing is based, within the time set forth in paragraph (a) of this section. For the affected person's protection, if the request is by mail, it should be by certified mail.

* * * * *

[FR Doc. 92-3564 Filed 2-14-92; 8:45 am]
BILLING CODE 4510-27-M

federal register

Tuesday
February 18, 1992

Part IV

Department of the Interior

Bureau of Indian Affairs

Crow Irrigation Project; Operation and Maintenance Charges; Notice

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Crow Irrigation Project

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Final notice.

SUMMARY: The Bureau of Indian Affairs published in the **Federal Register** on December 26, 1991 (56 FR 66871), a proposed $1 increase to the Crow Irrigation Project's Operation and Maintenance (O&M) rate for the 1992 irrigation season. No adverse comments were received during the 30 day comment period. The Crow Irrigation Project's O&M assessment rate will be $11.60 per assessable acre until further notice.

The Crow Irrigation Project's annual O&M assessment rate is based on the estimated normal operating cost of the project for one Fiscal Year. A copy of the project's budget for Fiscal Year 1992 may be obtained by forwarding a stamped, self-addressed manila envelope to the Bureau of Indian Affairs, Crow Agency Superintendent, Crow Agency, Montana 59002.

The due date for all O&M charges will be May 1 of each calendar year.

This notice will be published and posted at the following locations:

U.S. Post Offices
Crow Agency, Montana 59022
Hardin, Montana 59034

Newspaper
Big Horn County News
Hardin, Montana 59034

Bureau of Indian Affairs
Crow Agency
Crow Agency, Montana 59022

DATES: Effective February 18, 1992.

APPEAL PROCESS: Chapter 25, part 2 of the Code of Federal Regulations outlines the appeal process for this administrative action. Appeals must be received by the Bureau of Indian Affairs, Billings Area Director, 316 North 26th Street, Billings, Montana 59101 within 30 days after publication in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Crow Agency Superintendent, Bureau of Indian Affairs, Crow Agency, Montana 59022, at (406) 638–2672.

Authority: The authority to issue this notice is vested in the Secretary of the Interior by 5 U.S.C. 301 and the Act of August 14, 1914 (38 Stat. 583, 25 U.S.C. 385).

This notice of O&M rates and related information is published under the authority delegated to the Assistant Secretary—Indian Affairs by the Secretary of the Interior in 209 DM 8 and re-delegated by the Assistant Secretary—Indian Affairs to the Area Director IM 230 DM.

SUPPLEMENTARY INFORMATION: This notice is issued pursuant to the Code of Federal Regulations, title 25, chapter II, part 171 and under the authority delegated to the Area Director, by the Assistant Secretary of Indian Affairs and the Deputy Assistant Secretary of the Interior (Departmental Manual, chapter 3, part 230, (3.1 & 3.2)).

Carol Bacon,

Billings Area Director.

[FR Doc. 92–3705 Filed 2–14–92; 8:45 am]

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Tuesday,
February 18, 1992

Part V

Department of Housing and Urban Development

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

Operating Assistance and Capital Improvement Loan Components Under the Flexible Subsidy Program; Fund Availability for Fiscal Year; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

[Docket No. N-92-3339; FR-3136-N-01]

NOFA for the Operating Assistance and Capital Improvement Loan Components Under the Flexible Subsidy Program

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of fund availability for Fiscal Year 1992.

SUMMARY: This notice announces HUD's funding for the Operating Assistance and Capital Improvement Loan components of the Flexible Subsidy Program for Fiscal Year 1992. This document includes information concerning the following:

(a) The purpose of the NOFA and information regarding eligibility, available amounts, and selection criteria;

(b) Application processing, including how to apply and how selections will be made; and

(c) A checklist of steps and exhibits involved in the application process.

DATES: The due date for submission of applications by project owners in response to this Notice of Fund Availability is April 3, 1991. Application kits may be obtained from the local HUD Field Office. Applications must be physically received by the local HUD Field Office Loan Management Branch by the Field Office's close of business on the due date. Applicants should consult with the appropriate local Field Office regarding the time that the office closes. Please see the Application Process section of this NOFA (section II) for further information on what constitutes proper submission of an application.

FOR FURTHER INFORMATION CONTACT: Questions concerning this NOFA should be directed to the Program Support Branch, Office of Multifamily Housing Management, 451 Seventh Street SW., Washington, DC 20410, telephone (202) 708–2654 (voice) or (202) 708–3938 (TDD for hearing-impaired). (These are not toll-free telephone numbers.)

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Statement

The Office of Management and Budget has approved the use of the Flexible Subsidy forms under OMB control number 2502–0395, through September 30, 1992.

I. Purpose and Substantive Description

A. Statutory Background and Authority

Section 201 of the Housing and Community Development Amendments (HCDA) of 1978 created the Flexible Subsidy Program to provide Operating Assistance to eligible projects experiencing financial difficulty. Operating Assistance is provided in the form of a deferred loan and, in conjunction with other resources, is designed to restore or maintain the physical and financial soundness of eligible projects. The 1983 amendments to section 201 of the HCDA expanded the universe of eligible projects and clarified that a project need not have an FHA-insured mortgage to be eligible for Flexible Subsidy assistance (e.g., a non-insured section 236 project is eligible).

The 1987 amendments to section 201 of HCDA created a new category of assistance to be provided under the Flexible Subsidy Program for projects that needed capital improvements to achieve physical soundness that cannot be funded from project reserve funds without jeopardizing other major repairs or replacements that are reasonably expected to be required in the near future.

The 1987 amendments to the Flexible Subsidy statute (sections 185 and 186 of the Housing and Community Development Act of 1987) also recognized the need to coordinate assistance under the Flexible Subsidy Program with the preservation of low- and moderate-income housing initiative enacted in sections 221 through 235 of that Act. (In its comprehensive revision of the 1987 Act, section 601 of the Cranston-Gonzalez National Affordable Housing Act, at the new section 219, repeated the listing of incentives the Secretary could agree to provide an owner as part of a plan of action to prevent prepayment of a mortgage on a project serving low- and moderate-income tenants.) Section 219.330 of the rule governing the Capital Improvement Loan portion of the program contains a set-aside provision to assure maximum support for such preservation activities.

This notice assures support of preservation efforts by providing for a set-aside of $15 million for Flexible Subsidy Capital Improvement funding to projects that are eligible to receive incentives in exchange for extending the low- to moderate-income use of the projects under plans of action approved in accordance with 24 CFR part 248. The remainder of the Flexible Subsidy Fund is available for award to all eligible projects, in accordance with the priorities specified in this Notice.

B. Allocation Amounts

The Flexible Subsidy Fund is comprised of excess rental receipts paid to HUD from owners of section 236 projects, interest earned on the fund, repayment of Operating Assistance loans made by the Department in past fiscal years, and amounts appropriated by Congress, if any, to carry out the purposes of the Flexible Subsidy Program.

Funds are allocated separately for two types of projects: State-agency financed non-insured projects and all others, including projects with FHA-insured and HUD-held mortgages. Section 219.115 of the HUD regulations requires that the State Agency allocation be based on the number of units in potentially eligible non-insured projects as a percentage of the total number of units in all potentially eligible projects. In accordance with that section, the Department has determined that 9.3 percent of the available funding for Fiscal Year 1992 will be earmarked for eligible State Agency projects.

In addition, the Capital Improvement Loan portion of the program is required by statute to be funded at a minimum level of $30 million or 40 percent of the amount in the Flexible Subsidy fund, whichever is less. Any of that amount not used for loans under that program before the last 60 days of a fiscal year shall become available for Operating Assistance loans. This year, $30 million is less than 40 percent of the fund, and, therefore is the amount designated for Capital Improvement Loan.

Funding availability for Fiscal Year 1992 is estimated as follows:

Fiscal Year 1992 appropriation	$50,000,000
Plus: Estimated transfers for the Flexible Subsidy Fund through May 1992	48,000,000
Estimated available funds—Fiscal Year 1992	98,000,000
Less: Set-aside for capital improvements for projects with incentives under part 248 (estimated)	15,000,000
Net available funds to be allocated under NOFA	83,000,000
Net available funds—State agency projects (9.3%)	7,719,000
Net available funds—All other eligible (90.7%)	75,281,000

Amount of available funds segregated for the Capital Improvement Loan component..	30,000,000
State agency share (9.3%).....	2,790,000
All other eligible projects (90.7%).....	27,210,000
Amount of available funds set aside for the operating assistance component.....	53,000,000
State agency share (9.3%	4,929,000
All other eligible projects (90.7%)	48,071,000

The $15 million estimated set aside for capital improvement incentives under a plan of action may be increased or decreased during the fiscal year, as appropriate. Any adjustment to the estimate will affect the Net Available Funds shown above.

C. Eligibility

1. *Types of Projects.* The following types of rental or cooperative housing are eligible for Flexible Subsidy assistance:

a. A project assisted under the section 236 interest reduction program, including State Agency non-insured projects, the section 221(d)(5) program (commonly known as the 221(d)(3) Below Market Interest Rate Program), or the Rent Supplement Program.

b. A project that was constructed more than 15 years before assistance is to be provided under the Flexible Subsidy Program with a direct loan under the section 202 Program for Housing for the Elderly or Handicapped.

c. A project assisted under section 23 of the United States Housing Act of 1937 as in effect immediately before January 1, 1975, that is ineligible for assistance under the modernization program operated under the 1937 Act.

d. A project assisted under the Section 8 Housing Assistance Payments Program after conversion from assistance under the section 236 Rental Assistance Payments Program or the Rent Supplement Program.

e. A project that met the criteria in item a or b above before acquisition by the Secretary of HUD and that has been sold by the Secretary subject to a mortgage insured or held by the Secretary and subject to an agreement which provides that the low- and moderate-income character of the project will be maintained. An application for Flexible Subsidy assistance for a project in this category must be received by HUD within three years of the date of the sale of the project by the Secretary.

2. *Conditions.* Flexible Subsidy assistance will be made available, in accordance with 24 CFR 219.110, only if the following conditions are determined to exist

a. The assistance is necessary, when considered with other resources available to the project; it will restore or maintain the financial or physical soundness of the project; and it will preserve the low- and moderate-income character of the project.

b. The owner has agreed to maintain the low- and moderate-income character of the project for a period at least equal to the remaining term of the project mortgage.

c. The assistance will be less costly to the Federal Government over the useful life of the project than other reasonable alternatives of preserving the occupancy character of the project.

d. The project owner, and any mortgagee of a project that does not have an FHA-insured mortgage, has provided or agreed to provide the required owner contribution.

e. The project is or can reasonably be made structurally sound, as determined in accordance with an on-site inspection.

f. The project is operated competently, as determined by HUD in a management review.

g. Project management is in accordance with any management improvement and operating plan approved by HUD for the project.

h. In the case of an application for a Capital Improvement Loan, the owner must have funded the reserve for replacements in accordance with HUD requirements, and yet the reserve (and any other project funds available to fund the reserve) is insufficient to finance both the capital improvements for which assistance is being requested and other capital improvements that are reasonably expected to be required within the next 24 months. (See 24 CFR 219.305.)

3. *Owner Contribution*—a. *Limited dividend and profit-motivated.* These types of owners who seek Operating Assistance must make a minimum financial contribution of 25 percent of the amount needed to render the project financially sound. If seeking a Capital Improvement Loan, they must contribute 25 percent of the total estimated cost of the capital improvements involved. In addition, a profit-motivated owner or an owner of a limited-dividend project seeking Operating Assistance under the Flexible Subsidy Program must agree to waive its right to accrue and pay distributions while any portion of the Operating Assistance loan is outstanding.

b. *Non-profit.* The owner or sponsor of a non-profit project or cooperative project seeking Operating Assistance must make a contribution toward the total amount needed. However, if HUD determines that neither the owner (mortgagor) nor the sponsor has the financial capacity to make a cash contribution, HUD may permit the non-profit owner to contribute to the project in the form of services. If seeking a capital improvement loan, a non-profit owner is exempt from providing a contribution.

c. *Source of contribution.* This owner contribution may not be taken from project income but may be made from distributions of surplus cash as defined in and permitted under the Regulatory Agreement. Cash that already has been agreed to be contributed as a condition for approval of purchase of the project (TPA) may NOT be considered for this purpose. Cash contributions made by the owner within 24 months before the Flexible Subsidy application, from sources other than project income, may be considered. In addition to the required owner contribution, other possible sources of funding, such as assistance from State or local governments, should be pursued aggressively.

4. *Special Eligibility Limits.* A project owner *may* request and receive Operating Assistance more than once during the term of the mortgage. However, § 219.205(a)(1) of the regulation permits a repair or replacement item to be eligible for Operating Assistance *only if* no previous payment of HUD-related assistance has been made (e.g., previous Operating Assistance, Housing Development Grant or Community Development Block Grant) for that particular repair or replacement item.

A repair or replacement included as an action item in the management improvement and operating (MIO) plan and made by the owner on an emergency basis before execution of the Flexible Subsidy contract may be funded with Operating Assistance only if the owner received advance approval from the HUD Field Office to proceed with the emergency repair.

D. *Selection Criteria and Ranking Factors.* Each application for Operating Assistance and/or a Capital Improvement Loan will be reviewed by the HUD Field Office having jurisdiction over the project in question. Field Offices will recommend applications for funding to HUD Headquarters.

To implement the priorities for funding specified in §§ 219.230 and 219.330 and to support efforts to preserve housing for low- and moderate-income use, in accordance with section 224 of the Housing and Community Development Act of 1987 and subtitle A of title VI of the Cranston-Gonzalez National Affordable Housing Act (104 Stat. 4249–4278), funding will be awarded within each project type (State Agency financed non-insured and other) and within each component of the Flexible Subsidy Program (Operating Assistance and Capital Improvement Loans) to applications in the following category order:

Category 1. Projects designated as troubled by the HUD Field Office for which half or more of the MIO dollar amount (for Operating Assistance) or Capital Improvement amount is designated for emergency health and safety problems. This category applies to projects with insured, non-insured, or HUD-held mortgages that are current under the terms of the mortgage at the time of the application for assistance, but is limited to those projects with emergency problems that are of such a magnitude that:

(a) They could not be mitigated at a cost that could be in any way absorbed within the operating budget; and

(b) Their continuation could potentially result in tenant displacement.

Accounts payable included in the MIO plan for operating assistance may be considered "emergency" only to the extent that they directly relate to vital services provided to the project (e.g., utility payables). (Examples of emergency health and safety problems involving possible capital improvements that may be included in this category are broken heating systems, leaking gas stoves and falling balconies.)

Category 2. Insured, non-insured and HUD-held projects designated by the HUD Field Office as troubled that are current under the terms of the mortgage at the time of the application for assistance, with serious financial and physical problems, whose sponsors do not have the necessary funds available to cure the immediate problems and whose income stream cannot be sufficiently improved to meet the project's expenses without first correcting its physical problems.

Category 3. Projects designated by the HUD Field Office as troubled or potentially troubled that are delinquent under the terms of the HUD-insured or State Agency mortgage at the time of the application for assistance and State Agency-owned projects meeting programmatic eligibility requirements.

The above categories represent the order of priority to which HUD will fund eligible projects seeking assistance under the Operating Assistance and Capital Improvement Loan components of the Flexible Subsidy Program, e.g., eligible Category 1 projects will be funded before eligible Category 2 projects. (See example below).

Example

Assume total available funds equals $90.
Total of applications for categories equals:
Category 1 Projects: $60
Category 2 Projects: $40
Category 3 Projects: $45
Total All Categories $145

In this example, HUD would fund all projects determined to be eligible for Category 1 funding. Projects that were not eligible for Category 1 funding would be moved to Category 2. Projects in Category 2 would be scored, ranked, and selected, to the extent funds were available (or $30 in this case) in descending order of funding score. Category 3 projects would not be funded.

The financial distress of a project will be assessed to determine which projects within each funding category are most in need. The severity of a project's financial condition and its ability to meet short term operating needs and obligations, including debt service payments will be measured by HUD, using financial data contained in the project's most recently audited balance sheet and statement of profit and loss.

In assessing financial distress, HUD will use the following ratios, awarding a maximum of 15 points for each ratio. Projects with poor financial ratios (e.g., income/expense ratios with a negative value) will be assigned higher point scores than projects with break-even or positive income/expense ratios from operations.

1. Income/Expense Ratio defined as follows:

$$\frac{\text{Net Income/Loss before depreciation LESS annual debt service and reserve payments}}{\text{Total annual cost of operating the project}}$$

2. Mortgage Coverage Payment Ratio defined as follows:

$$\frac{\text{Current Assets LESS Current Liabilities}}{\text{Total monthly mortgage payment}}$$

Up to an additional 15 points per project will be assigned for applicants submitting evidence in the form of a contract, or other written commitment, to transfer title to the property to a resident organization, cooperative association, nonprofit entity, public body including an instrumentality thereof, public housing agency or Indian Housing Authority, for the purpose of resident ownership of the project.

E. Other Capital Improvement Loan Terms and Conditions

Capital improvements include any major repair or replacement of building components or other on-site improvements included in allowable costs when the project was built, e.g., sewer laterals, roof structures, ceilings, wall or floor structures, foundations, plumbing, heating, cooling, electrical systems and major equipment, as well as any major repair or replacement of any short-lived building equipment or componet before the expiration of its useful life.

Capital improvements may also include limited supplements or enhancements to mechanical equipment TO THE EXTENT THEY ARE NEEDED FOR THE HEALTH AND SAFETY OF THE RESIDENTS (e.g., air conditioning, heating equipment, and building sprinkler systems) where they do not exist. They may also include improvements necessary to comply with HUD's standards in 24 CFR part 8 for accessibility to individuals with handicaps. Capital improvements do not include maintenance of any building components or equipment.

Capital Improvement assistance, if provided, must be provided in the form of an amortizing loan. The interest rate on the loan may not be less than 3 percent (unless HUD determines that a lower rate is necessary to maintain reasonable rental rates) nor more than 6 percent. HUD will determine the rate when considering the project's ability to absorb the rent increase and the percentage of the tenants receiving rental assistance. Interest on the Capital Improvement Loan starts to accrue and the loan amortization period begins when the loan proceeds have been disbursed.

II. Application and Funding Award Process

A. Obtaining and Preparing Applications

Applicants may obtain application kits from the local HUD Field Office.

An owner must indicate in the application whether it is seeking Operating Assistance or a Capital Improvement Loan. An owner may apply for both simultaneously, but each application will be treated separately under the selection criteria and ranking factors cited in the Notice. In addition, if a limited-dividend project is selected for Operating Assistance, the owner must agree to waive its right to accrue and pay distributions so long as the Operating Assistance loan is outstanding.

The owner of any project eligible for Flexible Subsidy assistance must apply for assistance by submitting an application (through the State Agency in the case of an uninsured State Agency project) to the Loan Management Branch in the HUD Field Office that has jurisdiction over the project for which assistance is requested, no later than the deadline date specified in this notice. The Field Office will be available to provide technical assistance on the preparation of applications during the application period.

Any application for a capital improvement loan also must address the means by which all physical, management, and financial deficiencies noted by HUD will be corrected.

B. Submitting Applications

Items must be physically *received* by the HUD Field Office Loan Management Branch by the local close of business on the due date; it is not enough for an application to bear a postmark date within the submission time period. The HUD Field Office will date-stamp incoming applications to evidence (timely or late) receipt, and, on request, provide the applicant with an acknowledgement of receipt.

Applications received after the due date will be considered for funding in Fiscal Year 1992 only if the Secretary determines that assistance is needed immediately in response to emergency circumstances and only to the extent that contract authority is available to satisfy the request for assistance.

After HUD receives the application, it will perform a physical inspection to assure that the MIO plan addresses in a comprehensive fashion all the financial and physical deficiencies. HUD also will conduct a comprehensive management review to assure that all management issues are addressed as part of the MIO plan.

C. Funding Award Process: Compliance With HUD Reform Act

1. *Section 103.* In accordance with the requirements of section 103 of the Department of Housing and Urban Development Reform Act of 1989 (HUD Reform Act) and HUD's implementing regulations at 24 CFR part 4, no selection information will be made available to applicants or other persons not authorized to receive this information during the period of HUD review and evaluation of the applications. However, applicants that are declared ineligibile or late will be notified of their ineligibility at the time such determination is made.

The disclosure prohibition of section 103 applies to HUD assistance programs that entail a competition for the distribution of the assistance. Under the Flexible Subsidy Program, if HUD determines that competition is not necessary for the distribution of Category 1 funds, because there are sufficient funds to award all projects eligible for Category 1 assistance, then HUD will begin the process of awarding funds to each eligible project.

Noncompetitive individual funding allocations and announcements under Category 1 will be made, as funding determinations are completed, through the HUD Regional or Field Offices after notification to the Congressional delegation. No information regarding any unfunded application or any competition in any other category will be made available to the public. All awards will be disclosed publicly at the conclusion of the entire selection process.

2. *Section 102.* Section 102 contains a number of provisions that are designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. The following requirements concerning documentation and public access, disclosures, and subsidy layering determinations are applicable to assistance awarded under this NOFA.

a. *Documentation and public access.* HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a five-year period beginning not less than 30 days after the award of the assistance. Material will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in its quarterly **Federal Register** notice of all recipients of HUD assistance awarded on a competitive basis. (See 24 CFR 12.14(a) and 12.16(b), and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these requirements.)

b. *Disclosures.* HUD will make available to the public for five years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period generally less than three years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. (See 24 CFR subpart C, and the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942), for further information on these disclosure requirements.)

c. *Subsidy-layering determinations.* 24 CFR 12.52 requires HUD to certify that the amount of HUD assistance is not more than is necessary to make the assisted activity feasible after taking account of other government assistance. HUD will make the decision with respect to each certification available to the public free of charge, for a three-year period. (See the notice published in the **Federal Register** on January 16, 1992 (57 FR 1942) for further information on requesting these decisions.) Additional information about applications, HUD certifications, and assistance adjustments, both before assistance is provided or subsequently, are to be made under the Freedom of Information Act (24 CFR part 15).

III. Checklist of Application Submission Requirements:

A. Operating Assistance Under the Flexible Subsidy Program

1. Form HUD–9385, Management Improvement and Operating (MIO) plan. The MIO plan must be signed by both the owner and the management agent. The MIO plan must include documentation of eligibility and fully address ALL financial, management, and physical deficiencies of the project. To be included in every MIO plan are a detailed maintenance schedule; a schedule for correcting past deficiencies in maintenance, repairs, and replacements; a plan to upgrade the project to meet cost-efficiency energy efficiency standards approved by HUD; a plan to improve financial and management control systems; an updated annual operating budget if the last budget was submitted more than 90 days before; and a description of cost controls, procedures and savings.

Action Items on the MIO plan must be written in a manner which specifically describes the scope of the work and an estimate of the cost of the work to be performed. For example, if gutters and downspouts are to be replaced, the description of the Action Item must detail the number of linear feet, the type and quality of guttering and the cost per foot, and the total cost, including labor.

The MIO plan must clearly identify all emergency repair Action Items and provide a full and detailed justification as to the reasons the repair should be

considered "emergency" in nature, including supporting documentation as appropriate, e.g., fire or building code violations or inspections from local government authorities.

2. All documentation required by Notice H 90–17, Combining Low-Income Housing Tax Credits (LIHTC) with HUD Programs, and by the Notice of Administrative Guidelines to be applied to assistance programs of the Office of Housing, published on April 9, 1991 (56 FR 14436).

3. All documentation required by Notice H 90–27, OMB's Guidance on new Government-wide Restrictions on Lobbying, and 24 CFR part 87.

4. Form HUD–2530, Previous Participation Certificate, for all prinicipals requiring clearance under these procedures.

5. Certification of compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601–4655), and its implementing regulations at 49 CFR part 24.

6. A written certification of compliance with the Fair Housing Act, Executive Order 11063, title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and all regulations issued in accordance with these authorities.

7. Form HUD–2880, Applicant/Recipient Disclosure/Update Report, as required under subpart C of 24 CFR part 12, Accountability in the Provision of HUD Assistance.

B. Capital Improvement Loan Program

1. A work write-up and cost estimates listing the major project components that have failed, or are likely to fail or seriously deteriorate within the next 24 months; capital items that can be upgraded to meet cost-effective energy efficiency standards approved by HUD; supplements or enhancements to mechanical equipment and the extent they are needed for health or safety reasons; and amounts needed to comply with the Department's standards as set forth in 24 CFR part 8, dealing with accessibility to individuals with handicaps.

2. All documentation required by Notice H 90–17, Combining Low-Income Housing Tax Credits (LIHTC) with HUD Programs, and by the Notice of Administrative Guidelines to be applied to assistance programs of the Office of Housing, published on April 9, 1991 (56 FR 14436).

3. All documentation required by Notice 90–27, OMB's Guidance on New Government-wide Restrictions on Lobbying, and 24 CFR part 87.

4. A Comprehensive Technical Energy Audit, including an audit of all capital improvements for which assistance is requested, and related capital items whose improvement or upgrading will result in cost-effective energy efficiency improvements. The results of the audit will be a list of specified improvements, their costs and evidence of their cost effectiveness. An energy audit that is provided by a local utility company and that contains a measure of cost-effectiveness information may be acceptable in meeting this requirement.

5. A MIO plan.

6. A statement outlining the owner's contributions.

7. Form HUD–2530, Previous Participation Certificate, for all principals requiring clearance under these procedures.

8. Certification of compliance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601–4655), and its implementing regulations at 49 CFR part 24.

9. A written certification of compliance with the Fair Housing Act, Executive Order 11063, title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, and all regulations issued in accordance with these authorities.

10. Form HUD–2880, Applicant/Recipient Disclosure/Update Report, as required under subpart C of 24 CFR part 12, Accountability in the Provision of HUD Assistance.

IV. Corrections to Deficient Applications

HUD will notify an applicant, in writing, shortly after the expiration of the NOFA response deadline of any technical deficiencies in the application. In order to receive further consideration for assistance, the applicant must submit corrections to the Loan Management Branch within 14 calendar days from the postmark date of HUD's letter notifying the applicant of any such deficiencies. Corrections to technical deficiencies will be accepted within the 14 day time limit, but substantive changes or supplements to the application will not be accepted.

Applicants will only be permitted to correct those deficiencies determined to be technical, i.e., those that do not change the substance of the application, e.g., a missing certification, or missing signature. Applicants will be required to cure any such deficiency within 14 days from the date of HUD's written notice to the applicant of the problem(s). Deficiencies determined to be substantive may not be corrected.

V. Other Matters

Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants, or loans from using appropriated funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant, or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the recipient has made an acceptable certification regarding lobbying. Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding $100,000 must certify that no Federal funds have been or will be spent on lobbying activities in connection with the assistance.

Prohibition Against Lobbying of HUD Personnel

Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) contains two provisions dealing with efforts to influence HUD's decisions with respect to financial assistance. The first imposes disclosure requirements on those who are typically involved in these efforts—those who pay others to influence the award of assistance or the taking of a management action by the Department *and* those who are paid to provide the influence. The second restricts the payment of fees to those who are paid to influence the award of HUD assistance, if the fees are tied to the number of housing units received or are based on the amount of assistance received, or if they are contingent upon the receipt of assistance.

Section 13 was implemented by final rule published in the **Federal Register** on May 17, 1991 (56 FR 29912). If readers are involved in any efforts to influence the Department of these ways, they are urged to read the final rule, particularly the examples contained in appendix A of the rule.

Any questions concerning the rule should be directed to Arnold J. Haiman, Director, Office of Ethics, room 2158, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410–3000. Telephone: (202) 708–3815 or 708–1112 (TDD). (These are not toll-free numbers.) Forms necessary for compliance with the rule

may be obtained from the local HUD office.

Prohibition Against Advance Information on Funding Decisions

Section 103 of the Reform Act proscribes the communication of certain information by HUD employees to persons not authorized to receive that information during the selection process for the award of assistance that entails a competition for its distribution. HUD's regulations implementing section 103 are codified at 24 CFR part 4 (see 56 FR 22088, May 13, 1991). (See also Section II.C. of this NOFA.) In accordance with the requirements of section 103, HUD employees involved in the review of applications and in the making of funding decisions under a competitive funding process are restrained by 24 CFR part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted by 24 CFR part 4. Applicants who have questions should contact the HUD Office of Ethics (202) 708–3815. (This is not a toll-free number.)

Environmental Impact

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations 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 during business hours in 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.

Federalism Executive Order

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, *Federalism*, has determined that this Notice of Fund Availability 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.

Family Executive Order

The General Counsel, as the Designated Official under Executive Order 12606, the Family, has determined that this Notice of Fund Availability will not have a significant impact on family formation, maintenance or well being, and therefore, is not subject to review under the order. The NOFA, insofar as it funds emergency repairs to multifamily housing projects will assist in preserving decent housing stock for families residing there.

Catalog

The Catalog of Federal Domestic Assistance Program number is 14.164.

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Dated: February 4, 1992.

Arthur J. Hill,

Assistant Secretary for Housing-Federal Housing Commissioner.

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9 CFR Parts 317, 320, and 381

Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products; Proposed Rule

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Parts 317, 320, and 381

[Docket No. 91-006P]

RIN 0583-AB34

Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Proposed rule; supplement to the preliminary regulatory impact analysis.

SUMMARY: This document gives notice and seeks comments on the Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products. On November 27, 1991, the Food Safety and Inspection Service (FSIS) published a proposed rulemaking docket entitled, "Nutrition Labeling of Meat and Poultry Products" (56 FR 60302–60364). In that proposed rule, there was an appendix to the preamble which provided a Preliminary Regulatory Impact Analysis (PRIA). That preliminary analysis stated that the Agency would publish a supplement to the PRIA.

DATES: Comments must be received by February 25, 1992.

ADDRESSES: Written comments to: Policy Office, ATTN: Linda Carey, FSIS Hearing Clerk, room 3171, South Building, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250. Oral comments as provided by the Poultry Products Inspection Act should be directed to Mr. Charles Edwards at (202) 205–0080. (See also "Comments" under "**SUPPLEMENTARY INFORMATION.**")

FOR FURTHER INFORMATION CONTACT: Mr. Charles Edwards, Director, Product Assessment Division, Regulatory Programs, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 205–0080.

SUPPLEMENTARY INFORMATION:

Comments

Interested persons are invited to submit written comments concerning this Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products.

Written comments should be sent to the Policy Office at the address shown above and should refer to Docket Number 91–006N. Any person desiring an opportunity for an oral presentation of views as provided by the Poultry Products Inspection Act should make such request to Mr. Edwards so that arrangements can be made for such views to be presented. A transcript will be available for public inspection in the Policy Office from 9 a.m. to 12:30 p.m., and from 1:30 p.m. to 4 p.m., Monday through Friday.

Background

On November 27, 1991, the Food Safety and Inspection Service (FSIS) published a proposed rulemaking docket entitled, "Nutrition Labeling of Meat and Poultry Products" (56 FR 60302–60364). In that proposed rule, there was an appendix to the preamble which provided a Preliminary Regulatory Impact Analysis (PRIA). That preliminary analysis stated that the Agency would publish a supplement to the PRIA. The attached Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products expands the PRIA by taking into consideration additional information provided during the comment period and developed by FSIS. The issues analyzed are: (a) The participation rates to be expected under a voluntary option, taking into consideration changed requirements on laboratory testing for the nutrient content of products and also taking into consideration the possibility of replacing laboratory analysis with recipe analysis, (b) the value of voluntary nutrition labeling by manufacturers as a signal of product quality to consumers, and (c) the costs of prior label approval.

Dated: February 4, 1992.

Ronald J. Prucha,

Acting Administrator.

Supplemental to the Preliminary Regulatory Impact Analysis of Proposed Regulations for Nutrition Labeling of Meat and Poultry Products

I. Introduction

This supplemental to the preliminary regulatory impact analysis (PRIA) published November 27, 1991 (FR 56, No. 229, 60349) expands the PRIA by taking into consideration additional information provided during the comment period and developed by the Food Safety and Inspection Service (FSIS). The following issues are analyzed: (A) The participation rates to be expected under a voluntary option, taking into consideration changed requirements on laboratory testing for the nutrient content of products and also taking into consideration the possibility of replacing laboratory analysis with recipe analysis, (B) the value of voluntary nutrition labeling by manufacturers as a signal of product quality to consumers, and (C) the costs of prior label approval.

A. Participation Under Voluntary Labeling

To evaluate the participation rates under a voluntary program, FSIS focused on the costs of laboratory testing because fewer tests per product should be necessary under the proposed rule than under current procedures. FSIS examined a sample of labels submitted for approval late in 1991. Two-thirds of the labels currently submitted use an abbreviated label format, listing fewer nutrients than required by the longer version that is proposed. For those manufacturers now using an abbreviated label, the cost of testing for additional nutrients offsets the fewer number of tests per product under the proposed regulations. For a manufacturer considering entering the labeling program voluntarily, the cost of the current abbreviated label and the proposed longer, FDA-consistent label would be about the same. Thus, the reduced number of laboratory tests under the proposed rule probably would not have a significant effect on participation under a voluntary labeling program.

With respect to recipe analysis, which is comparison of ingredients in a product with a data base listing nutrient content of the ingredients, it is clear that costs would be considerably reduced compared with laboratory testing. USDA is continuing to review the potential for supporting nutrition labels with recipe analysis. The key question is the reliability of the procedure, and the resultant public health risk, rather than the cost. FSIS proposes to use laboratory testing to determine whether labels are consistent with the nutrient content of foods. Maintaining consistency with FDA's standards of compliance would require a 95 percent probability that products contain at least 80 percent of some nutrients and not more than 120 percent of others. It is uncertain whether recipe analysis can assure manufacturers of meeting these compliance standards. However, if data bases are constructed using multiple tests of nutrients and entries meet FDA compliance standards, recipe analysis might be feasible. USDA invites comments on these questions and will continue to consider recipe analysis.

B. The Value of Voluntary Nutrition Labeling as a Signal of Product Quality to Consumers

The issue analyzed is whether the existence of a nutrition label provides consumers with a signal of product quality, apart from the specific information on the label. USDA considered three questions with respect to this issue: (1) Are labeled versions of a product lower in nutrients—such as fat, calories, cholesterol, and sodium—that the consumers may want to avoid? (2) If so, are consumers aware of this difference, and is this signal likely to be useful to a high-risk population? (3) Is the signal likely to be useful to the rest of the population? USDA reviewed available research and surveys bearing on these questions and found that the evidence indicates: (1) Although there is some uncertainty whether labeled versions of products are lower in nutrients consumers want to avoid, consumers seem to believe labeled versions are "better," (2) The lower-income, less-educated "high-risk" population is unlikely to benefit from this signal, and (3) The average consumer is also unlikely to benefit from this signal. Lack of motivation prevents high-risk consumers from benefiting. Survey data indicate that 44 percent of consumers always read labels the first time they purchase a product; another 37 percent of consumers sometimes read labels. These purchases are heavily influenced by nutrition information. Twelve percent of consumers rarely read labels and only 7 percent of consumers never read labels when first purchasing a product. Presumably, consumers who rarely or never read labels the first time they purchase products and are influenced by nutrition information would be the beneficiaries of the signal under voluntary labeling. They are estimated to be less than 10 percent of the population.

C. Prior Label Approval

The cost of prior label approval consists of the costs of applying for label approval, administrative costs, and costs of delays while products cannot be produced until labels are approved. Approximately 85 percent of labels are handled by expediters. Administrative costs were incorporated in the estimates that were included in the preliminary analysis. Some additional trade association data is supplied.

The costs of prior label approval are attributable to the proposed nutrition labeling rule only to the extent that the proposal would increase the number of label applications. This analysis considers the cost of prior labor approval as a separate issue, but one which could be combined with the proposed rule. The issue would exist even if the rule had not been proposed and USDA is considering alternative methods of improving the labeling process.

Trade association data indicates that the time from the decision to market a new or modified product until actual market placement averages over 28 weeks for FSIS-regulated processed foods, but only 18 weeks for FDA-regulated processed foods. If total consumer expenditures on processed meat and poultry remain the same, delays redistribute revenues among firms. This creates a market inefficiency because market shares are not as closely aligned with consumer demand as they could be. Therefore, FSIS invites further comments on all aspects of prior label approval, but particularly on the costs of delay to individual manufacturers.

II. The Value of Voluntary Nutrition Labeling as a Signal of Product Quality to Consumers

It has been suggested that consumers may use the mere presence of a nutrition label as a signal of "quality" when determining which brand of a product to purchase. Because much research has found that consumers use labels largely to limit consumption of such nutrients as fat, calories, cholesterol, and sodium, "quality" would mean that labeled brands would contain less of these nutrients than unlabeled brands.

There is some concern that if all products were to contain nutrition labels, this signaling effect might be lost. There is further concern that this loss might be particularly important for low-income, less-educated consumers, considered high-risk because they have higher rates of disease and death than the general population.

These hypotheses and concerns lead to several questions: (1) Are labeled versions of a product lower in nutrients consumers want to avoid? (2) If so, are consumers aware of this difference, and is this signal likely to be useful to a high-risk population? (3) Is the signal likely to be useful to the rest of the population?

At the moment, it is not known whether labeled versions of a product are lower in nutrients consumers want to avoid. Public Voice recently surveyed meat and poultry products in 10 supermarkets in the Washington, DC area, and concluded that products lower in fat were more likely to have a nutrition label (Morris, 1991). However, there are some problems with this conclusion. First, although it may be true within narrow product definitions, the conclusion does not hold across product classes. For example, 90% of poultry and turkey franks were found to have nutrition labels, compared to only 30% of beef hot dogs. But among frozen multi-serving entrees, 25% of the meat/poultry entrees had nutrition labels, compared to 3.5% of pizzas, and none of the pasta entrees. Are we to conclude from this that frozen multi-serving pasta entrees are higher in fat than meat/poultry entrees? And is the difference in fat significant?

Second, the study compared only the fat content of labeled and unlabeled products. Yet consumers are interested in limiting their intake of other nutrients, also. It is not known whether a labeled product, lower in fat than an unlabeled product, is also lower in cholesterol, calories, and sodium. If so, are the differences significant?

The hypothesis that unlabeled products are higher in nutrients consumers wish to avoid does not seem to hold for sodium. Results from the 1986 FDA Food Label and Packaging Survey (FLAPS) (DSC, 1987) indicate that the average value for all sampled products declaring sodium increased from 1978 to 1982, as sodium labeling began to appear in relatively high sodium-containing categories such as cereals, baking mixes, prepared foods, soups, sandwich spreads, and meat extenders.

There is also some evidence that nutrition labeling decisions are being made on a corporate-wide basis and not on a product-by-product basis. Corporate-wide decision making would tend to reduce any value of a signal.

Thus, it is uncertain whether the mere presence of a label represents an appropriate signal regarding the nutrition quality of a product. However, if we accept for the sake of discussion that the absence of a label for a narrowly defined product may signal higher content of certain nutrients consumers wish to avoid, the next question to be addressed is whether consumers are aware of this potential signal, and is this signal likely to be used by high-risk groups? We address the question by considering evidence on the behavior and attitudes of this group.

It seems likely that high-risk consumers have difficulties processing nutrition label information. The Department of Education estimates that nearly 13 percent of American adults were functionally illiterate in 1982, defined as unable to match key words and phrases with fixed-choice alternatives on more than 20 of 26 questions of the Measure of Adult English Proficiency. Approximately a third of the functionally illiterate spoke

another language at home (Department of Education, 1986).

An FDA study (FDA, 1991b) on consumers' ability to use labels found that 9.5 percent of a sample selected were disqualified from the study by a literacy test. This supports the view that many high-risk consumers may not be able to process nutrition label information. Even among the literate, respondents with less education had lower accuracy, took longer to compare labels, and made more false positives (found differences between products where none existed).

Even if consumers with less education cannot process nutrition label information, and thus can only note a label's presence or absence, it is not certain that the presence of a nutrition label on a food product constitutes a useful signal of nutrition quality to them. Effective use of the signal would require the unsophisticated consumer to (i) be aware of the diet/health link, (ii) take action designed to improve health through diet.

Information on the characteristics of this high-risk population, however, raises doubt about the usefulness of the label signal in their purchasing decisions. Although consumers with less education more frequently report being told they have high or borderline cholesterol levels and high blood pressure, they are also less aware of and less knowledgeable about diet-disease relationships than other consumers. They are more likely to agree with the statement "What I eat won't make that much difference in my chances of getting heart disease" (FDA, 1991a), probably because they feel chronic diseases result from heredity and fate, and thus, are outside their personal control (DHHS, in press). Individuals with lower educational levels and lower incomes are less likely to follow practices to improve their health. Blacks report fewer habits intended to improve health than whites (DHHS, in press).

These findings suggest that the label/no-label signal is not likely to be a major benefit to the lower income, less educated consumers.

What about the value of the label as a signal to the average consumer? Focus group discussions conducted for FSIS by the Research Triangle Institute indicate that consumers think the labeled product is nutritionally "better." The question remains of whether the existence of the label is used as a signal to purchase. The only known study—conducted over 20 years ago—that has addressed this question directly attempted to determine the effect of the presence of a nutrition label on brand market shares (Yankelovitch, 1971). The result of this experiment indicated the existence of two "quality" signals—the leading brand and the presence of a nutrition label. When the leading brand was unlabeled, it maintained its market share in competition with a labeled brand. On the other hand, when unlabeled second or third ranking brands competed with a labeled leading brand, and the former lost market share. Thus, the experiment suggests that factors other than nutrition labels are important, and that reliance on the label signaling effect might lead to mixed results. It should be noted, however, that the study was a simulation of a shopping situation, not an actual market test, and that consumers might behave differently in a real shopping trip, when faced with both a budget and a time constraint.

In real shopping situations, unless consumers are actively seeking comparative nutrition information, they may simply ignore it because they do not consider the necessary proceeding effort worthwhile (Chaffee and McLeod, 1973 and Haines, 1974, as cited in Muller, 1985). Further, because of habitual buying and brand loyalty, consumers are not likely to change their purchasing behavior (i.e., use the label signal effect) unless they are convinced that the labeled brand is significantly better than the unlabeled brand (Muller, 1985).

Balanced against the potential benefits of the signal effect, if it exists, are the benefits consumers might derive from mandatory nutrition labels on all processed meat and poultry products. In a study conducted by Opinion Research Corporation for the National Food Processors Association (1990), over 80 percent of the consumers surveyed reported reading the nutrition information on the first purchase of a product, and were heavily influenced in their purchase decisions by nutrition information. These would be the primary beneficiaries of mandatory nutrition labeling.

In addition to the direct benefits to the consumers who use the information on the nutrition labels, there are likely to be indirect benefits to society as a group. These indirect benefits result from the reformulation which is likely to occur when manufacturers have to actually list on the label the nutrition composition of their products (Padberg and Caswell, 1990). Only a small proportion of consumers—or a consumer advocacy group—need be aware of the nutrition profiles of these foods to exert pressure on manufacturers to improve their products. Thus, under mandatory nutrition labeling, even unaware consumers will benefit from the improved, reformulated products.

Contrast the potential beneficiaries of mandatory nutrition labeling with the potential beneficiaries of the signal effect. This latter group would be primarily those who rarely or never read labels when first purchasing a product but who are influenced in their purchase decisions by nutrition information. This group is estimated to be less than 10 percent of consumers (calculated from Opinion Research Corporation, 1990, page 9).

III. Extent of Nutrition Labeling Under Voluntary Alternatives

A. Introduction

In the original PRIA, FSIS requested early comment on the expected percent of meat and poultry products with nutrition labeling under different voluntary labeling alternatives. Presumably, there are many factors that determine the current level of voluntary nutrition labeling. Many factors would affect the level of nutrition labeling if USDA implemented a voluntary program in which the labeling format was consistent with regulations that FDA has proposed to implement the Nutrition Labeling and Education Act (NLEA), the second option from the preliminary analysis. For example, it has been suggested that voluntary participation will increase because firms that produce both USDA and FDA-regulated products will add nutrition labeling to all their products when the FDA rules become final.

This analysis focuses on required analytical costs, which are an important, if not the only, determinant of the level of voluntary labeling. This section addresses the issue of how required nutrient analyses either have or would affect the level of voluntary nutrition labeling.

The preliminary analysis estimated that there are approximately 520,000 labels for processed meat and poultry products and that approximately 40 percent (208,000 labels) currently have some level of nutrition labeling. The 520,000 labels are used on an estimated 338,000 products. Assuming that 40 percent of the products have nutrition labeling, an estimated 135,200 products are currently analyzed for their nutrient content. (USDA is aware that firms also analyze non-labeled products and make such nutrient information available to consumers upon request.)

The preliminary analysis was based on estimates of the number of products (unique formulations) and labels that apply to retail sales of consumer-sized

packages. The proposed rule would not require modification of labels on products intended for hotels, restaurants, and institutions (HRI), but would require that nutrition information accompany the product. In cases where an HRI product has a retail counterpart, the nutrition information would already be available and incremental costs for institutional products would be minimal. In cases where an institutional product is a unique or special formulation there would be separate analytical costs to generate nutrition information for these products. The preliminary cost estimates did not include such costs. On the other hand, the cost estimates assumed that all establishments that conduct processing operations produce an "average" number of processed products for retail sale. FSIS knows there are establishments that produce only institutional products, fresh products or products for further processing in other establishments. Building preliminary cost estimates on the total number of establishments has, therefore, overestimated costs. But excluding testing for unique institutional products underestimated costs. FSIS believes that these two factors tend to balance each other.

The following analysis examines the 20-year costs of nutrient analysis for 135,200 products under the current system and under a voluntary program of labels required to be consistent with the FDA proposal. The analysis concludes that analytical costs are not expected to be substantially lower even after current testing requirements are removed.

B. Current Analytical Costs

Under existing procedures, nutrition labels are approved in conjunction with the Nutrition Labeling Verification (NLV) program. Under the current program, to obtain approval of a nutrition label, firms must submit the results from three separate analyses. After approval they must analyze the product each quarter during the first year and annually thereafter, assuming that all test results are consistent with the approved nutrient content. Thus, over a 20-year period, a product remaining in compliance would be analyzed 26 times (three plus four plus nineteen).

Under the current program firms have two options for format and style. They can use the format and style provided by FDA regulations (21 CFR 101.9) or they can use an abbreviated format that includes the number of calories and the number of grams of protein, carbohydrates, and fat in a specified serving of the product. Analytical costs are substantially lower for the abbreviated format.

To estimate current analytical costs, FSIS examined a sample of nutrition labels presented for approval in late 1991. The findings, presented in Table 1 show that approximately two-thirds of the sampled labels used the abbreviated format and that many firms now add cholesterol and/or sodium to the abbreviated format.

TABLE 1.—CONTENT OF EXISTING NUTRITION LABELS

Type of format	Nutritional information on labels	
	(labels w/ info)	(percent)
Abbreviated Format:		
Fat, Protein, Carbohydrates and Calories	148	100.0
Cholesterol	63	42.6
Sodium	74	50.0
Subtotal Abbrev. Format	148	100.0/67/6
Full Format:		
Vitamin A and C	71	100.0
Cholesterol	56	78.9
Saturated Fat and Calories From Fat	32	45.1
Sodium, Iron, Calcium	28	39.04
Niacin, Thiamine and Riboflavin	28	39.4
Dietary Fiber	8	11.3
Subtotal, Full Format	71	100.0/32.4
Total, All Formats	219	N/A/100.0

A weighted average analytical cost of $167 for the abbreviated format was estimated using the following cost estimates and frequencies from Table 1.

TABLE 2.—ESTIMATED TESTING COSTS: ABBREVIATED FORMAT

	Cost per test	Proportion of labels w/info	Weight cost of test
Fat, Protein, Carbohydrates and Calories	$119	1.0	$119
Cholesterol	86	0.426	37
Sodium	22	0.5	11
Total Cost, Abbrev. Format	N/A	N/A	167

Using the average cost estimate of $167, the current 20-year, not discounted costs for a product using an abbreviated format would be $4,342 ($167 times 26).

A weighted average cost for the current full format was estimated using the following average costs and frequencies from Table 1.

TABLE 3.—ESTIMATED TESTING COSTS: FULL FORMAT

Test	Cost per test	Proportion of labels w/info	Weighted cost of test
Fat, protein, carbohydrates and calories	$119	1.0	$119
Cholesterol	86	0.789	68
Saturated Fat and Calories from Fat	82	0.451	37
Vitamin A and Vitamin C	110	1.0	110
Dietary Fiber	92	0.113	10
Thiamin, Riboflavin and Niacin (FDA, 1991C)	135	0.394	53
Sodium, Iron and Calcium	55	0.394	22
Total Cost Full Format	N/A	N/A	419

Using frequencies from Table 1 with the above costs results in an estimated weighted average cost of $419 per sample. Thus, 26 analyses for an average full format product would cost almost $11,000. The estimated current not discounted cost of 26 analyses for 135,200 products would be $874 million using an average weighted cost of $249 per analysis ($167 (.676)+$419 (.324)).

The above estimates could be viewed as the analytical costs associated with the NLV program. These costs raise two questions for comment. First, would firms test less if the NLV requirements were removed? Second, would removing the existing requirements lead to an increase in nutrition labeling, i.e., are the existing costs the reason that some firms do not particpate in the existing voluntary program?

C. Impact of a Revised Voluntary Program

The proposed rule does not specify any minimum testing requirement. The preliminary analysis was based on an assumption of one intial test for each product and 10 additional tests over a 20-year period. Thus, each product would be tested 11 times at an average cost of $368. The total costs, not discounted to present value, would be $4,048 per product. Thus, the projected 20-year costs under the 11 test assumption would be approximately the same as the existing NLV costs for the abbreviated format. If one accepts the 11 test scenario as a reasonable minimum amount of testing, then it would be difficult to argue that there would be any change in participation under a voluntary program with the proposed new format. Firms now using the full format would be able to reduce

their costs considerably, but the threshold cost of entering the program would remain about the same.

USDA does not have any information to answer the question of whether there would be more nutrition labeling today if the NLV program had not existed. Analytical costs are not the only issue. Comments received prior to the proposal indicate that some firms believe that their customers have little or no desire for nutrition information on their labels, especially if it is going to result in higher retail prices.

D. Comments on Preliminary Analysis

Some early comments received since publication of the proposed rule and PRIA on November 27, 1991 have suggested the USDA's estimates for laboratory analysis costs are extremely low. The analytical costs (except for thiamin, riboflavin and niacin) used for the above estimates are based on data the Research Triangle Institute collected from seven independent laboratories. It is recognized that these cost estimates are averages and the costs incurred by individual companies may vary widely. The averages are, however, consistent with other sources. For example, the cost estimates are consistent with data used in FDA's regulatory analysis which was based on pricing schedules from five independent testing laboratories. The FDA analysis used $595 for a complete analysis (including sugars). The preliminary FSIS analysis used $506 as a cost for the 13 nutrients/components most likely to be found in meat and poultry products (cost of sugar analysis not included).

E. Assessment of Recipe Analysis

The cost analysis and discussion thus far has been based on an assumption that nutrition labels will have to be supported by the results from laboratory analysis of product samples. Nutrient profiles can also be determined by "recipe analysis". Recipe analyses are accomplished by comparing a list of ingredients (formulation) with existing data bases that contain data on the nutrient content of the various ingredients.

USDA is continuing to review the potential for supporting nutrition labels with recipe analyses. Since the nutrient content of all products will vary from sample to sample, the key question is how a recipe analysis compares with the average result from two or three laboratory analyses as an estimate for average nutrient content. If recipe analyses can replace laboratory analyses for many products, then the overall costs of supporting nutrition labels can be dramatically reduced. A recipe analysis is a one-time expense that may be repeated over time as data bases are improved and methodology changes.

IV. Costs Associated With Prior Label Approval

A. Introduction

In the PRIA, FSIS also asked for early comments on the costs associated with the prior label approval process. Specifically, FSIS asked whether data exist on the length of time it takes to bring a product to market relative to a system where prior approval is not required.

As indicated in the preliminary analysis, an estimated 520,000 labels would have to be revised in order to comply with the proposed rule. This estimate assumes that all existing labels would be revised and all existing products would be continued. The Agency currently has established 12 positions at headquarters to review and approve labels. Under current procedures, this staff has been able to handle approximately 140,000 to 150,000 applications per year. The proposal thus raises an obvious question of how FSIS intends to handle the process of approving nutrition labels under the proposed rule. Since the proposal was published in November 1991, FSIS has issued a background publication on efforts to modernize the label review process. That publication is included as appendix A to this supplemental analysis.

Another change that simplifies the approval process is the decision not to request support data as part of the label application. This analysis includes a summary of existing cost data related to the approval process and a discussion of the broader regulatory policy issue raised by the presence of the prior label approval process.

B. Cost Data

The label approval process begins with an application that includes a sketch or final label, a completed form requesting approval, and any supplementary information included to support the accuracy of claims made by the label. The applications can be mailed to FSIS or hand carried by employees of independent firms referred to as expediters. Today, an estimated 85 percent of label applications are handled by expediters. Although fees are up to the discretion of each firm, the average fee for a label which is approved with no delay is $10. This covers an estimated 80 percent of the labels.

When labels require additional inquiry or additional time, expediters generally charge an estimated $50 per hour. Assuming that 20 percent of the labels average one hour each, the expediter costs for 520,000 labels would be $4.16 million for 80 percent at $10 each and $5.2 million for 20 percent at $50 each. There would also be some cost associated with forwarding and retrieving the label application.

The second type of cost is company time required to prepare and review the application. Since meat and poultry firms have incorporated obtaining label approval as part of normal operating procedures, the label appliation costs would presumably be incorporated in the estimates for administrative costs that were included in the preliminary analysis. The preliminary analysis estimated the following average administrative costs of bringing labels into compliance under the proposed rule, assuming a one-year period between promulgation of a final rule and the effective date:

Small Companies	$9,293
Medium Companies	$4,554
Large Companies	$86,333

Although not quantified, interviewed companies maintained that administrative costs would be higher for shorter compliance periods.

One trade association has provided some preliminary survey data that separates the prior label approval costs from other administrative costs. A small sample of processors estimate they devote 29.0 person hours per product per year to the prior label approval process. Larger companies require fewer person hours per product; while smaller companies require more time. The same processors estimate their direct costs per product to complete the USDA prior label approval process are nearly $1,000. This figure includes costs for alternate label designs, fees to label expediters, travel expenses, etc. Clearly, the costs attributable to the proposed rule on nutrition labeling should be much lower than this. More complete data will be submitted to FSIS with further comments on nutrition labeling of meat and poultry products.

The third type of cost is related to any delay caused by the process. Because the process takes time, there could be a delay in getting a new product on the market. The companies responding to the trade association survey estimated that the time from the decision to market a new or modified product until actual market placement, for a company's FSIS regulated processed foods, averages over 28 weeks. The reported time from

the decision to market a new or modified product until actual market placement, for a company's FDA-regulated processed foods, averages nearly 18 weeks. The reported time differential factor for FSIS-regulated processed foods is 1.6. This factor largely reflects the additional time required for USDA's prior label approval system. The marketing practices for processed foods regulated by the two agencies are in most cases identical, except for prior label approval.

At the present time, the Department does not have sufficient data to estimate an accurate overall cost or benefit attributable to the prior label approval system. The Department has initiated a study of the costs and benefits of alternative options. There are factors that would affect the costs and benefits of different options, such as necessary changes in inspection activities. There are also benefits of the existing system in that some firms may now avoid the costs of maintaining their own expertise on labeling policies and regulations.

C. Broader Policy Implications

When a label application raises a complex or controversial labeling policy issue, it may take weeks to obtain an approval. In these cases, however, the delay is related to regulatory policy decision making and rarely to the fact that a prior approval process exists. Firms establishing new products in controversial areas may want an advanced regulatory review, with or without a label approval process.

Prior label approval is one of several Federal regulatory actions that tend to minimize decision making risk or limit liability for the private sector. There are similarities to the issuance of safety standards for consumer products and similarities to pre-market clearance for drugs. To the extent that the process improves compliance the process also provides public health benefits.

In the case of consumer products, firms may believe that compliance with a Federal safety standard is insurance against potential product liability lawsuits. The pre-market clearance for drugs is similar in that Federal approval would appear to limit private liability. The regulatory actions help assure a strategy of minimizing maximum regret. For labels, the maximum regret would be to develop a new product, invest in label and advertising and then have the product removed from the market because of something wrong with the formulation or the label. Prior label approval is not just a clearance for the label, it is also an assurance that the product complies with any applicable standards of identity, standards of composition, minimum meat content requirements and a variety of labeling policy decisions.

Requests for label approval may include a request for a new process or a new procedure and may involve the approval of a new piece of equipment. FSIS functions of label approval, equipment or blueprint approval, and processing regulations are all separate but interrelated extensions of the inplant inspection process. If label approval is contingent on another type of approval, delays in marketing a new product should not be attributed to the prior label approval process. Further comments should recognize that the term prior label approval is frequently used to include requests that involve new processes and new technology and to raise regulatory issues related to existing process requirements and product standards.

V. Other Impact Issues Raised

A. Introduction

This section addresses concerns expressed in some of the initial comments on the preliminary regulatory impact analysis. The purpose is to provide clarification and focus issues for additional comment. This discussion is not a comprehensive discussion of all comments received to date.

B. Impact on Small Business

Several commenters have mentioned the impact that nutrition labeling rules will have on small firms, especially those firms that produce relatively small quantities of many different products. The preliminary analysis provided estimates on the increased cost of production per pound to help illustrate the economic situation that small firms will face. Estimating impacts such as business closure was beyond the scope of the PRIA.

This is not an area where there is disagreement. The proposed rule would create difficulties for small businesses. USDA has been requesting comments on how to address or solve the problem. USDA has not provided a small business exemption. Without an exemption, USDA will continue to examine the issues of data bases, recipe analysis and implementation time as options for easing the burden on small business.

Two trade associations are collecting economic data on small businesses from their members. These findings support the assumption in the PRIA that the 3,376 State-inspected plants would be the smallest companies. One effort has assembled responses on annual sales from 49 State-inspected plants. Forty-eight of these plants had annual sales less than $5 million. Over 60 percent had annual sales below one million dollars. The 49 State plants averaged 40 products per plant. The PRIA was based on estimates of 43 active labels and 39 products per small plant. Fourteen State plants reported production of less than 20,000 pounds of their best selling product.

The early comments tend to support the analysis but suggest that many small companies would go out of business given the cost assumptions used in the PRIA. This is a serious issue. The final regulatory impact statement will reassess the cost estimates. It will also include analysis of alternative regulatory options including the possibility of small business exemptions.

C. Loss of Brand Names

A trade association pointed out that the PRIA failed to consider the loss of market share when a well established brand name is no longer permitted to be used. Such costs redistribute revenue among firms, if consumer expenditures on processed meat and poultry products are unchanged. Thus, they would not affect this aggregate analysis. Nevertheless, USDA recognizes that the costs could impose a burden on individual firms, a burden that should not be imposed capriciously.

USDA is aware that some of the descriptors defined by the proposal are currently part of product names. For each case there are three potential outcomes. These are:

(1) The product meets the descriptor definition and the product name can continue to be used without change.

(2) The product can be reformulated so that the product name meets the proposed definition.

(3) The product is unchanged but the name must be changed.

The overall impact will vary on a case-by-case basis. Some reformulated products will result in increases in market share, but other products will have less. However, consistent terminology serves the consumer and should bring market share more in line with consumer demands.

D. Market Changes

The PRIA requested comments on expected shifts in consumption patterns and changes in market shares of different foods. USDA has not received sufficient information to address these issues, although some firms will drop products such as specialty items to reduce costs. Another comment suggested that firms will discontinue

product lines that will no longer be allowed to bear descriptors about moderate reductions in unwanted nutrients.

E. Benefits Methodology

Comments have questioned the overall methodology used to estimate benefits. As is true for other health and safety regulations, it is usually easier to quantify costs than benefits. The benefits analysis is less objective and does depend on assumptions with greater uncertainty. Regulatory decisions always include a level of uncertainty. USDA believes that including the analysis will help stimulate more meaningful comments and thus facilitate the decision making process.

Some commenters have incorrectly concluded that the benefit estimates are based on a totally arbitrary assumption that there is a relationship between label changes and dietary modification. The benefits are based on extrapolations from measured dietary changes that resulted from shelf labeling conducted during the FDA-sponsored Special Dietary Alert program.

VI. Summary of Costs and Benefits

FSIS has proposed mandatory nutrition labeling for processed meat and poultry products, and voluntary nutrition labeling for raw, single-ingredient meat and poultry products. This analysis also considers the consequences, costs, and benefits that might be associated with a voluntary program for nutrition labeling, consistent with FDA's proposed regulations, under two sets of conditions. These alternatives are compared with the proposed rule.

FSIS proposes to use laboratory testing to determine whether labels are consistent with the nutrient content of foods. Such testing might be an incentive for manufacturers to conduct laboratory analyses on their products. The alternative is referred to as "voluntary program with laboratory tests". This is equivalent to option 2 in the original regulatory impact analysis (voluntary program consistent with FDA), and is presented here with additional explanations and clarifications.

The second set of conditions assumes manufacturers base their nutrition labeling on "recipe analysis", using approved data bases. This alternative is referred to as "voluntary program with recipe analysis".

In addition, this section analyzes an alternative of mandatory nutrition labeling for processed meat and poultry products, with a voluntary program for raw, single-ingredient, meat and poultry products, assuming use of recipe analysis for support of the nutrition data presented on the label. This alternative is referred to as "mandatory/voluntary program with recipe analysis."

Lastly, this section introduces a new option, the proposed voluntary/mandatory option without prior label approval. The issue of regulatory and/or statutory changes that could be necessary to modify existing prior label approval procedures is not addressed.

A summary of the expected advantages and disadvantages of each alternative follows, and benefits and costs are compared to the proposed voluntary/mandatory option.

1. Voluntary Program With Laboratory Tests

In the original PRIA, it was assumed that compliance with the new nutrition label requirements (which basically requires information on a larger number of nutrients) would increase costs to firms. This was expected to reduce the proportion of products exhibiting nutrition labeling on a voluntary basis to below the estimated current 40 percent.

The original assumption and the accompanying analysis changes little. As described above, it is estimated that approximately two-thirds of the meat and poultry products which currently provide voluntary nutrition labeling use the abbreviated format, which requires information only on calories, fat, carbohydrates, and protein. Some also included information on cholesterol and/or sodium to the abbreviated format. Average analytical costs are estimated to be $167 per test per product. Considering current requirements under the Nutrition Labeling Verification (NLV) program, which requires 26 analyses over a period of 20 years, it is estimated that the costs, not discounted, for each product using an abbreviated format would be $4,342. For products using the full format, the estimated cost, not discounted, of 26 analyses over 20 years would be close to $11,000 per product.

Under the voluntary program with laboratory tests, there are no specified number of analyses that must be completed. Rather, manufacturers of processed meat and poultry products are required only to maintain records and make them available upon request. It is assumed that, in order to maintain appropriate records, manufacturers will conduct one initial analytical test for each product, and update the analysis once every two years. Under this conservation assumption, each product would be tested on average of 11 times over a period of 20 years. However, the conditions permitting use of the abbreviated format would be more stringent, and nearly all labels would have to provide information for at least the following ten nutrient/components: calories, fat, carbohydrates, protein, sodium, saturated fat, cholesterol, iron, calcium, and calories from fat. Some products would also have to be tested for one or more of the following: Vitamin A, Vitamin C, and fiber. Using a weighted-average cost of $368 as estimated in the PRIA, the estimated cost, not discounted, of 11 analyses over 20 years would be $4,048.

If one accepts the 11 test scenario as a reasonable minimum amount of testing, products now using the full format would see their analytical costs considerably reduced under the proposed new format. However, nearly two-thirds of products currently carrying voluntary nutrition labeling are estimated to use the abbreviated format. For these products, the difference in analytical costs is smaller, and may not even be significant. Moreover, these comparisons are based on the assumption that manufacturers will conduct only one initial test, and will retest only once every two years. Should manufacturers feel it is necessary to conduct even one more additional analysis, estimated analytical costs under the proposed new program would become greater than for the abreviated format under the current program.

We conclude that the threshold cost of entering the program would remain about the same. If analytical costs were the only factor in the manufacturer's decision of whether to use a voluntary nutrition label, this analysis suggests that there would be few new entrants into the program. These would be unlikely to significantly exceed the current 40 percent of products carrying voluntary nutrition labeling.

Total costs under a voluntary labeling program, with laboratory tests, with an expected 40 percent of products participating in the program, include administrative costs, market testing costs, printing costs, and inventory transition costs, in addition to analytical costs. Since no increase in the proportion of products participating in the program from the current 40 percent is expected, total costs are estimated to be approximately 40 percent of the total cost estimated under the voluntary/mandatory program.

Benefits are expected to be minimal, since no increase in the proportion of labeled products is expected. Benefits would be associated only with the increase in nutrition information made available on the labels of labeled

products. These benefits are estimated to represent 10 percent of the total benefits under the voluntary/mandatory program.

PRO

- Products would carry consistent nutrition information, regardless of whether they are regulated by USDA or FDA, thereby reinforcing information received by consumers and improving ability to compare.
- More nutrition information would be available to consumers on those products that continue to be labeled.
- Firms, including small businesses, would have the option to avoid labeling costs by choosing not to label their products.

CON

- Under this voluntary program, many meat and poultry products would remain unlabeled. It seems unlikely that more than 40 percent of meat and poultry products would carry voluntary nutrition labeling. With incomplete information, consumers will continue to make choices they might not make under full information.
- Consumers could lose confidence in USDA's interest in providing nutrition information.
- Estimated quantifiable benefits are smaller than the costs of this option.

2. Voluntary Program With Recipe Analysis

Under this alternative, manufacturers would support the nutrition content on their labels by recipe analysis. Such an approach depends on the adequacy of existing data bases of the nutrient contents of foods, such as the National Nutrient Data Bank maintained by the Human Nutrition Information Service of USDA. Current data bases are not complete so much depends on how quickly adequate data bases become available.

If recipe analysis can replace laboratory analyses for many products, the overall costs of supporting nutrition labels can be dramatically reduced. One example of such an approach is available; the National Restaurant Association provides a computerized analysis of recipes to members at $10 a recipe (National Academy of Science, 1990, p. 147).

A potential problem with recipe analysis is the wide variation in the nutrient content of foods due to two types of variations. First, variations in production conditions, such as soils, weather, etc. for crops and feed, breed, etc. for animal products, are known to be responsible for wide variations in the nutrient content of foods. Nutrient content in data bases likely reflect averages of a large number of samples. Second, the variation in the amounts of ingredients in a recipe may also lead to wide variations in the nutrient content of the particular food product. However, these problems may be manageable if manufacturers are cautious in their estimated nutrient content on the label, and if data bases constructed to account for variability become available. Without further information, USDA must continue to assume that there will be some reduction in benefits resulting from the use of recipe analysis.

Unfortunately, there are no estimates available on the proportion of products that would use recipe analysis to support their nutrition label. Some manufacturers might still choose to perform analytical tests on their products for their own protection and liability. Others might decide to conduct analytical tests since it is often difficult to determine the exact effect that processing will have on the raw ingredients. No estimates are available from FDA-regulated food products, either, since FDA has traditionally emphasized that they would check for compliance using analytical methods. It is assumed that smaller companies are more likely to opt for recipe analysis, whereas larger companies will continue to conduct analytical tests.

Since recipe analysis is expected to be so much cheaper than analytical testing, one would expect to see new products entering the labeling program. However, once again, it should be emphasized that analytical costs are not the only factor involved in a manufacturer's decision of whether to include nutrition information on a product's label. Therefore under a voluntary program with recipe analysis, more than the current 40 percent but less than 100 percent of all processed meat and poultry products will have nutrition labeling. For this analysis, we assume that between 50 and 70 percent of the products will have voluntary nutrition labeling. We further assume that all of the new entrants will use recipe analysis, whereas products already in the program will continue to use analytical tests to determine the nutrient composition of the food product.

Total costs of labeling will include administrative costs, market testing costs, printing costs, and inventory transition costs, in addition to analytical costs. Analytical costs represent close to half of total manufacturers' costs in the analysis detailed in the PRIA. Therefore the analysis assumes that, for the products using recipe analysis, total costs are reduced to one-half of the total costs using analytical tests.

If each 10-percentage-point increase in the proportion of labeled products above the current 40 percent is associated with a health benefit of $0.3 billion, benefits from a voluntary program using recipe analysis would range from $0.5 to $1.1 billion. However, this may overestimate the benefits. If recipe analyses prove less accurate, there could be a reduction is benefits.

PRO

- The proportion of products providing voluntary nutrition labeling is expected to be greater than the current 40 percent.
- Products would carry consistent nutrition information, regardless of whether they are regulated by USDA or FDA, thereby reinforcing information received by consumers and improving ability to compare.
- More nutrition information would be available to consumers on those products that continue to be labeled.
- Firms, including small businesses, would have the option to avoid labeling costs by choosing not to label their product.
- Firms would face lower costs under recipe analysis compared with laboratory tests.

CON

- Under this voluntary program, not all processed meat and poultry products are likely to provide nutrition labeling on a voluntary basis. A number of meat and poultry products will remain unlabeled.
- It is possible that products containing large amounts of nutrients consumers wish to avoid will not provide nutrition labeling, leading consumers to make choices they might not make under a complete labeling program.
- Consumers could lose confidence in USDA's interest in providing nutrition information.
- There would be initial costs to establish reliable data bases.
- Estimated quantifiable benefits would be reduced, compared with laboratory testing, since recipe analyses are probably less accurate than laboratory testing.

3. Voluntary/Mandatory Program With Receipe Analysis

Costs of compliance are expected to be much lower using recipe analysis than using analytical tests. If feasible, this would present less of a financial burden for smaller businesses.

Since the program would remain voluntary for raw, single-ingredient meat and poultry products, and

mandatory for all processed meat and poultry products, 100 percent of all processed meat and poultry products would provide nutrition labeling, and the benefits would remain the same as under the proposed voluntary/mandatory program.

Costs incurred by the manufacturers, however, should be greatly reduced, due to the lower cost of using recipe analysis compared to doing analytical tests for nutrient composition. Once again, however, it is difficult to estimate costs, since there are no estimates as to what proportion of the products bearing nutrition labeling would use recipe analysis. Some manufacturers might still choose to use analytical tests on their products to support the nutrition information on the product's label, either for their own protection and liability, or because it is sometimes difficult to determine the exact effect that processing will have on the raw ingredients. It does not seem reasonable, under a mandatory nutrition labeling program, that all new entrants will choose to use recipe analysis. Therefore, for this option, it is assumed that half of the new entrants will use recipe analysis to support their nutrition label, and that total costs for these products are then half of the costs incurred by products supported by analytical tests. The remaining half of new entrants will choose to use analytical tests.

PRO

- Consumers would face uniform labels on all processed food products. Widespread, uniform labels would allow motivated consumers to reduce excess consumption of nutrients associated with coronary heart disease, high blood pressure, and several forms of cancer, and consequently avoid early deaths from these diseases.
- Mandatory labeling would probably lead to product reformulation, with additional benefits even among consumers who might not read labels.
- Lower costs to manufacturers, compared with laboratory testing, would reduce the financial burden imposed on manufacturers, and reduce the costs that might be passed on to consumers.
- Estimated quantifiable benefits exceed costs.

CON

- All manufacturers would face the costs of relabeling their products.
- The large number of new labels required under this option would make prior label approval severely restraining, unless it were significantly streamlined.
- There would be initial costs to establish reliable data bases.
- Benefits would be reduced, compared with laboratory testing, because recipe analysis may be less accurate.

4. Voluntary/Mandatory Labeling Without Prior Approval

This option analyzes a voluntary/mandatory labeling program with laboratory testing, as proposed. However, in order to reduce manufacturers' compliance costs, prior label approval is eliminated. Removal of prior label approval would reduce the Department's administrative costs of maintaining a full staff (currently of 12 people) for approving all labels, although this would be offset by higher verification and analytical costs related to the Department's compliance program.

Prior label approval may represent a bottleneck at the beginning of the program, when in excess of 500,000 labels for all processed meat and poultry products would be coming in at the same time. However, these costs need to be compared with the costs involved under the alternative option of no prior approval. For those labels found to be in non-compliance, manufacturers would face the loss of costs involved in label and advertising, plus removal of the product from the market, and perhaps loss of consumer confidence.

PRO

- Removal of prior label approval would remove the bottleneck at the beginning of the program, when a large number of labels will be changing at once.
- Removal of prior label approval reduces manufacturers' administrative costs.
- Removal of prior label approval gives manufacturers more flexibility in deciding how to comply with labeling regulations.

CON

- Removal of prior label approval eliminates the assurance that the product complies with all applicable standards of identity, standards of composition, minimum meat content requirements, and a variety of labeling policy decisions. FSIS statutes may require some change in inspection activities at the plant level to replace the prior label approval system.
- Removal of prior label approval places manufacturers at risk of significant loss if labels are found in non-compliance.
- Removal of prior label approval might affect the level of compliance. Inaccurate labels could reduce health benefits.

The final discussion of benefits and costs is based on information summarized in the following table:

BENEFITS AND COSTS OF ALTERNATIVE OPTIONS

	Voluntary labeling		Voluntary/mandatory labeling		
	Laboratory testing	Recipe analysis	Recipe analysis	No Prior approval [1]	Proposed regulation
Percent of Processed Products Labeled on Final Implementation Date	40	50–70	100	100	100
Manufacturers' Costs (billion dollars)	[2] .5	[3] .6–.7	[4] 1.1		1.3
Data base development costs for recipe analysis (billion dollars)		.1–.2	.1–.2		
Health Benefits (billion dollars)	[5] .2	[6] .47–1.0	[7] 1.8		2.0
Benefit/Cost Ratio	.40	.59–1.25	1.38–1.50		1.54

[1] No adjustment has been made at this time in costs and benefits of this option compared with the proposed regulation because the Department has initiated a study of the costs and benefits of prior label approval.

[2] (.40*1.3)

[3] [(.40*1.3)+(.10*.65)], [(.40*1.3)+(.30*.65)] (assumes 10–30 percent of these products use recipe analysis).

[4] (.40*1.3)+(.30*1.3)+(.30*.65) (assumes 30 percent of these products use recipe analysis).

[5] (.10*2.0) (assumes minimal health benefits equal 10 percent of estimated benefits from proposed rule).

[6] 0.2+[(1.0*0.3)−(.10*0.3)], 0.2+[(3.0*0.3)−(.10*0.9)] (assumes health benefits are reduced due to higher inaccuracy of labels using recipe analysis).

[7] [2.0−(.1*2.0)] (assumes health benefits under recipe analysis are 10 percent lower than estimates under proposed rule due to higher inaccuracy of labels using recipe analysis).

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federal register

Tuesday
February 18, 1992

Part VII

Office of Management and Budget

Budget Rescissions and Deferrals; Cumulative Report; Notice

OFFICE OF MANAGEMENT AND BUDGET

Cumulative Report on Rescissions and Deferrals

February 1, 1992.

This report is submitted in fulfillment of the requirement of section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (Pub. L. 93–344). Section 1014(e) requires a monthly report listing all budget authority for this fiscal year for which, as of the first day of the month, a special message has been transmitted to Congress.

This report gives the status, as of February 1, 1992, of 10 deferrals contained in the two special messages for FY 1992. These messages were transmitted to Congress on September 30, and December 19, 1991.

Rescissions

As of the date of this report, no rescission proposals are pending before the Congress. However, a rescission proposal for the Department of Housing and Urban Development is included in the President's Budget. This rescission proposal is part of the Third Special Message, which will be transmitted later this month.

Deferrals (Table A and Attachment A)

As of February 1, 1992, $2,481.2 million in budget authority was being deferred from obligation. Attachment A shows the history and status of each deferral reported during FY 1992.

Information from Special Messages

The special messages containing information on deferrals that are covered by this cumulative report are printed in the **Federal Registers** cited below:

56 FR 50620, Monday, October 7, 1991.
56 FR 67402, Monday, December 30, 1991.

Richard Darman,

Director.

BILLING CODE 3110–01–M

TABLE A

STATUS OF FY 1992 DEFERRALS

	Amounts (In millions of dollars)
Deferrals proposed by the President.....	5,487.1
Routine Executive releases through February 1, 1992.	-3,005.9
Overturned by the Congress.....	---
Currently before the Congress.....	2,481.2

Attachments

ATTACHMENT A
Status of FY 1992 Deferrals – As of February 1, 1992
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted: Original Request	Amounts Transmitted: Subsequent Change (+)	Date of Message	Releases(–): Cumulative OMB/ Agency	Releases(–): Congressionally Required	Congressional Action	Cumulative Adjustments (+)	Amount Deferred as of 2–1–92
FUNDS APPROPRIATED TO THE PRESIDENT									
International Security Assistance									
Economic support fund	D92–1	244,777		09–30–91					
	D92–1A		1,623,312	12–19–91	1,075,773				792,316
Foreign military financing	D92–8	1,908,000		12–19–91	777,300				1,130,700
Agency for International Development									
International disaster assistance, Executive	D92–2	40,704		09–30–91					40,704
Demobilization and transition fund	D92–9	13,000		12–19–91					13,000
DEPARTMENT OF AGRICULTURE									
Forest Service									
Cooperative work	D92–3	482,378		09–30–91	135,434				346,944
Expenses, brush disposal	D92–10	101,006		12–19–91					101,006
DEPARTMENT OF DEFENSE – CIVIL									
Wildlife Conservation, Military Reservations									
Wildlife conservation, Defense	D92–4	1,416		09–30–91					1,416

ATTACHMENT A
Status of FY 1992 Deferrals – As of February 1, 1992
(Amounts in thousands of dollars)

Agency/Bureau/Account	Deferral Number	Amounts Transmitted: Original Request	Amounts Transmitted: Subsequent Change (+)	Date of Message	Releases(–): Cumulative OMB/ Agency	Releases(–): Congressionally Required	Releases(–): Congressional Action	Cumulative Adjustments (+)	Amount Deferred as of 2–1–92
DEPARTMENT OF HEALTH AND HUMAN SERVICES									
Social Security Administration									
Limitation on administrative expenses	D92–5	7,317		09–30–91					7,317
DEPARTMENT OF STATE									
Bureau for Refugee Programs									
United States emergency refugee and migration assistance fund, executive	D92–6	30,053		09–30–91					
	D92–6A		24,750	12–19–91	7,000				47,803
DEPARTMENT OF TRANSPORTATION									
Federal Aviation Administration									
Facilities and equipment (Airport and airway trust fund)	D92–7	1,010,375		09–30–91	1,010,375				0
TOTAL, DEFERRALS		3,839,026	1,648,062		3,005,882	0		0	2,481,206

[FR Doc. 92–3670 Filed 2–14–92; 8:45 am]
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Title	Stock Number	Price	Revision Date
*1, 2 (2 Reserved)	(869-017-00001-9)	$13.00	Jan. 1, 1992
3 (1990 Compilation and Parts 100 and 101)	(869-013-00002-1)	14.00	[1] Jan. 1, 1991
4	(869-013-00003-0)	15.00	Jan. 1, 1991
5 Parts:			
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1200-End, 6 (6 Reserved)	(869-013-00006-4)	18.00	Jan. 1, 1991
7 Parts:			
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27-45	(869-013-00008-1)	12.00	Jan. 1, 1991
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[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[4] No amendments to this volume were promulgated during the period Jan. 1, 1987 to Dec. 31, 1990. The CFR volume issued January 1, 1987, should be retained.

[5] No amendments to this volume were promulgated during the period Apr. 1, 1990 to Mar. 31, 1991. The CFR volume issued April 1, 1990, should be retained.

[6] No amendments to this volume were promulgated during the period July 1, 1989 to June 30, 1991. The CFR volume issued July 1, 1989, should be retained.

[7] No amendments to this volume were promulgated during the period July 1, 1990 to June 30, 1991. The CFR volume issued July 1, 1990, should be retained.