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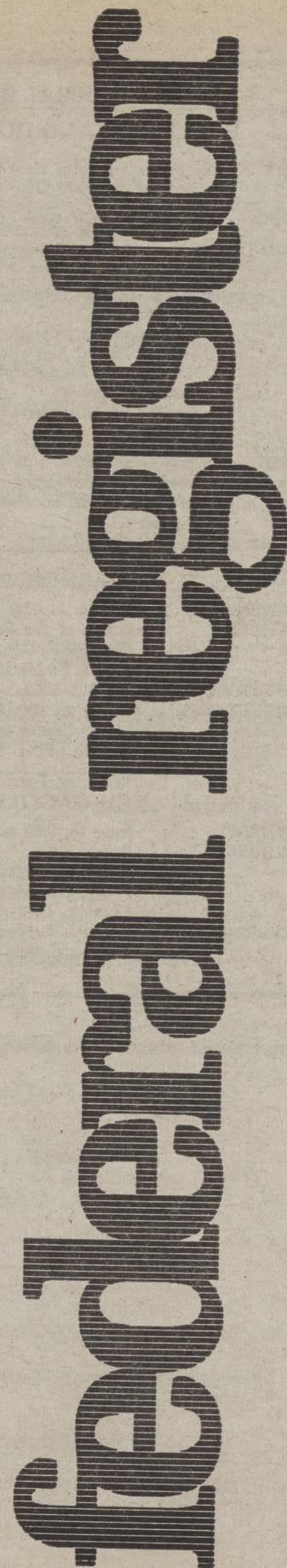
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Rules and Regulations

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 430, 432, and 540

RIN 3206-AE76

Performance Management and Recognition System

AGENCY: Office of Personnel Management.

ACTION: Interim Rulemaking, with comments invited.

SUMMARY: The Office of Personnel Management (OPM) is revising its regulations on the Performance Management and Recognition System (PMRS) as a result of the "Performance Management and Recognition System Amendments of 1991," Public Law 102-22, dated March 28, 1991. This law extends PMRS to September 30, 1993, with the following changes: (1) The required performance award of 2 percent of base pay for employees rated at level 5 has been deleted, and (2) agencies may use statements of work objectives for an employee's position to evaluate job performance instead of, or in addition to, critical elements and standards. These regulations will enable agencies to implement these changes as soon as their performance management plans are revised.

DATES: Effective Date: April 1, 1991.

Comment date: To be considered, comments must be received by July 1, 1992.

ADDRESSES: Send or deliver written comments to Doris Hauser, Chief, Performance Management Division, Office of Labor Relations and Workforce Performance, Personnel Systems and Oversight Group, Office of Personnel Management, 1900 E Street NW, Room 7454, Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Rachel Steed (202) 606-2720, concerning

questions about the changes in 5 CFR 430 and 540; and Sharon C. Snellings (202) 606-1259, concerning questions about the changes in 5 CFR 432.

SUPPLEMENTARY INFORMATION: In addition to extending the PMRS to September 30, 1993, the law allows agencies to use statements of work objectives for an employee's position to evaluate job performance instead of, or in addition to, critical elements and standards. Work objectives mean the same as critical elements and standards as specified in 5 CFR 430.405(i) and 432.105, performance improvement plans (PIP); and 5 CFR 430.405(j) and 432.107, removal or reduction in grade upon failure to improve performance to the fully successful level after a PIP. The law also deletes the mandatory performance award for employees rated at level 5.

In this regulation, OPM is also proposing seven other changes to 5 CFR 540 that relate to the PMRS. First, consistent with the deletion of the required 2 percent performance award for a level 5 performance rating and in an effort to provide agencies with greater flexibility, we are proposing to delete the requirement in 5 CFR 540.109(d) that stipulates higher awards for higher performance ratings with respect to employees in the same grade. However, we expect that agencies will, in most cases, continue to give higher awards to employees in the same grade level receiving higher performance ratings. Second, we are also proposing to delete the related requirement of 5 CFR 540.109(f), which states that, in relation to the requirements of paragraph (d), agencies may consider recent promotions in making performance award amount determinations, as long as employees rated at level 5 receive a minimum 2 percent of basic pay award. Since there is no longer a required award for employees rated at level 5, and for consistency with the proposed revision to 5 CFR 540.109(d), we propose to delete this paragraph.

Third, a paragraph is being added to 5 CFR 540.103 to clarify that in calculating general increases, merit increases, performance awards, and performance award pool amounts, basic pay does not include any locality-based comparability payment or interim geographic adjustment. This revision is consistent with recent changes resulting

from the Federal Employees Pay Comparability Act of 1990 (FEPCA). Fourth, a new paragraph is being added to 5 CFR 540.109 which states that the decisions to grant performance awards and the amounts of the awards are subject to the requirement for higher level review contained in 5 CFR 540.105(b). This change is consistent with new regulations for performance awards, as stated in 5 CFR 430.504, implementing FEPCA provisions for performance appraisal. Fifth, 5 CFR 540.109 is also being revised to delete the reference to a specific fiscal year in establishing that agencies must pay a minimum percent of the estimated aggregate PMRS salaries for performance awards. Sixth, we are changing the reference in 5 CFR 540.107(d)(2) to reflect that the previous Part 351, subpart J, is now located in part 330, subpart B. Finally, we are revising 5 CFR 540.105(b) for an editorial correction.

Waiver of Notice of Proposed Rulemaking and Delay in Effective Date

Pursuant to section 553(b)(3)(B) of title 5 of the United States Code, I find that good cause exists for waiving the general notice of proposed rulemaking. This notice is being waived because Congress has provided that Public Law 102-22 is effective April 1, 1991, and accordingly, these regulations must go into effect on that date. Also, pursuant to section 553(d)(3) of title 5 of the United States Code, I find that good cause exists to make this amendment effective in less than 30 days. These regulations are being made effective immediately because agencies must have rules in effect to continue implementation of the Performance Management and Recognition System.

E.O. 12291, Federal Regulation

I have determined that this is not a major rule as defined under section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because the regulations will only affect Government employees and agencies.

List of Subjects**5 CFR Parts 430 and 432**

Administrative practice and procedure; Government employees.

5 CFR Part 540

Government employees; Wages.

Office of Personnel Management.

Constance Berry Newman,
Director.

Accordingly, the Office of Personnel Management amends Title 5, chapter I, Code of Federal Regulations, as follows:

PART 430—PERFORMANCE MANAGEMENT

1. The authority citation for part 430 continues to read as follows:

Authority: 5 U.S.C. chapters 43, 45, 53, and 54.

2. In § 430.404, the following definitions, appraisal, appraisal system, performance, performance plan, progress review, rating and summary rating, are revised and three new definitions (work objective, performance objective, and performance requirement) are added alphabetically to read as follows:

§ 430.404 Definitions.

Appraisal means the act or process of reviewing and evaluating the performance of an employee against the described performance standard(s) and/or work objective(s).

Appraisal system means a performance appraisal system established by an agency or component of an agency under subchapter I of chapter 43 of title 5, U.S.C., and this subpart which provides for identification of critical elements, non-critical elements, and/or work objectives; establishment of performance standards; communication of elements, standards, and/or work objectives to employees; establishment of methods and procedures to appraise performance against established standards and/or work objectives; and appropriate use of appraisal information in making personnel decisions.

Performance means an employee's accomplishment of assigned work as specified in the critical and non-critical elements and/or work objectives of the employee's position.

Performance objective means that part of a work objective that states the expectations established by management used to evaluate job

performance against the performance requirements of an employee's position.

Performance plan means the aggregation of all of an employee's written critical elements, non-critical elements, performance standards, and/or work objectives.

Performance requirement means that part of a work objective that states the significant duties and responsibilities of an employee's position that contribute toward accomplishing organizational goals and objectives.

Progress review means a review of the employee's progress toward achieving the performance standards and/or performance objectives and is not in itself a rating.

Rating (See *Summary rating*).

Summary rating means the written record of the appraisal of each critical element, non-critical element, and/or work objective and the assignment of a summary rating level (as specified in § 430.405(h) of this subpart).

Work objective means a written statement containing both:

(a) One or more performance requirements of a PMRS employee's position, and

(b) The performance objectives used to evaluate job performance against such requirements.

3. In § 430.405, paragraphs (b), (d)(1), (e), (g), (i) introductory text, (i)(1), (j)(1), and (j)(2) are revised as follows:

§ 430.405 Agency performance appraisal systems.

(b) Under each appraisal system, critical elements and/or work objectives must be included, and non-critical elements may be included, in individual performance plans. An employee must be appraised on each critical element, non-critical element, and work objective in the employee's performance plan, unless the employee has had insufficient opportunity to demonstrate performance on the element/work objective. A summary rating level, as specified in § 430.405(h), must be assigned.

(d)(1) Each appraisal system shall provide for establishing performance elements and standards and/or work objectives based on the requirements of the employees' positions, providing written performance plans to employees at the beginning of each appraisal period (normally within 30 days), and appraising employees based on a comparison of performance with the

standards or performance objectives established for the appraisal period.

(e) Each appraisal system shall provide for a minimum of three rating levels for each critical element or work objective. Performance standards must be written at the "Fully Successful" level for all critical and non-critical elements and may be written at other levels. Performance objectives must be written at the "Fully Successful" level for each performance requirement of each work objective and may be written at other levels. The absence of a written standard or performance objective at a given rating level should not preclude the assignment of a rating at that level.

(g) Each appraisal system shall include a method for deriving a summary rating level from performance appraisals of critical elements and/or work objectives and, at agency discretion, appraisals of non-critical elements. If appraisals of non-critical elements are considered in deriving summary rating levels, the derivation method must show that more weight will be given to critical elements and work objectives than to non-critical elements.

(i) Each appraisal system shall provide for a performance improvement plan (PIP) for each employee whose performance has been determined to be below fully successful on one or more critical elements or work objectives. The PIP must:

(1) Notify the employee of the critical element(s) and/or work objective(s) in which he or she is performing below the fully successful level;

(j) *

(1) Each appraisal system shall provide for reassigning, reducing in grade, or removing any employee who fails to attain at least the fully successful level, but only after affording the employee a reasonable period to improve performance to at least the fully successful level on the critical element(s) and/or work objective(s) determined to be below fully successful, as required in 5 U.S.C. 4302a(b)(6).

(2) Once the employee has been afforded the reasonable period referred to in paragraph (j)(1) of this section, the agency may reassign, reduce in grade, or remove the employee as provided by 5 U.S.C. 4302a(b)(6) if the employee fails to attain fully successful performance.

4. Section 430.406 is amended by revising paragraphs (c), (d)(1), and (e) as follows:

§ 430.406 Appraisal of performance.

(c) *Appraisal of each element/work objective.* An employee must be appraised on each critical element, non-critical element, and work objective in the employee's performance plan, unless the employee has had insufficient opportunity to demonstrate performance on the element or work objective.

(d) * * *

(1) When employees are detailed or temporarily promoted within the same agency, and the detail or temporary promotion is expected to last 120 days or longer, agencies shall provide written critical elements and performance standards and/or work objectives to the employees as soon as possible but no later than 30 calendar days after the beginning of a detail or temporary promotion. Ratings on critical elements and/or work objectives must be prepared for these details and temporary promotions and must be considered in deriving an employee's next rating of record.

(e) *Progress review.* A progress review shall be held for each employee at least once during the appraisal period. At a minimum, employees shall be informed of their level of performance by comparison with the elements and standards and/or work objectives established for their positions.

5. Section 430.407 is amended by revising paragraph (b) to read as follows:

§ 430.407 Ratings.

(b) *Appraisal of each critical element, non-critical element, and/or each work objective.* Employees must be appraised on each critical element, non-critical element, and/or work objective of the performance plan(s) on which the employee has had a chance to perform.

PART 432—PERFORMANCE BASED REDUCTION IN GRADE AND REMOVAL ACTIONS

6. The authority citation for part 432 continues to read as follows:

Authority: 5 U.S.C. 4302a, 4303, and 4305.

7. In § 432.103, paragraphs (a), (d), (e), and (i) are revised and a new paragraph (j) is added to read as follows:

§ 432.103 Definitions.

(a) *Acceptable performance* means performance that meets an employee's

performance requirement(s) or standard(s) at a level of performance above "unacceptable" in the critical element(s) at issue where the employee is not covered by the Performance Management and Recognition System (PMRS). For those employees covered by the PMRS, acceptable performance is performance determined to be at the fully successful level or above in the critical element(s) and/or work objective(s) at issue.

(d) *Opportunity to demonstrate acceptable performance* means a reasonable chance for the employee whose performance has been determined to be unacceptable in one or more critical elements or in one or more work objectives to demonstrate acceptable performance in the critical element(s) and/or work objective(s) at issue.

(e) *Performance improvement plan* means the plan agencies are required to provide to a PMRS employee whose performance in one or more critical elements or in one or more work objectives has been determined to be below the fully successful level. As part of the plan, agencies shall notify the employee of the critical element(s) and/or work objective(s) in which he or she is performing below the fully successful level; describe the types of improvements that the employee must demonstrate to attain fully successful performance; offer assistance to the employee in attaining fully successful performance; and provide the employee with a reasonable period of time, commensurate with the duties and responsibilities of the employee's position, to demonstrate fully successful performance. The agency may include, as part of the performance improvement plan, other information and matters that the agency considers appropriate.

(i) *Unacceptable performance* means performance of an employee that fails to meet established performance standards in one or more critical elements or fails to meet the performance objectives in one or more work objectives of such employee's position.

(j) *Work objective* means a written statement containing both:

(1) One or more performance requirements of a PMRS employee's position, and

(2) The performance objectives used to evaluate job performance against such requirements.

8. Section 432.105 is revised to read as follows:

§ 432.105 Addressing below fully successful performance by PMRS employees.

At any time during the performance appraisal cycle that a PMRS employee's performance is determined to be below fully successful in one or more critical elements or in one or more work objectives, the agency shall afford the employee an opportunity to improve through a performance improvement plan. As part of the plan, the agency shall notify the employee of the critical element(s) and/or work objective(s) in which he or she is performing below the fully successful level; describe the types of improvements that the employee must demonstrate to attain fully successful performance; offer assistance to the employee in attaining fully successful performance; and provide the employee with a reasonable period of time, commensurate with the duties and responsibilities of the employee's position, to demonstrate fully successful performance. The agency may include, as part of the performance improvement plan, other information and matters that the agency considers appropriate. The agency should also inform the employee that, unless his or her performance in the critical element(s) and/or work objective(s) improves to and is sustained at a fully successful level, the employee may be reduced in grade or removed.

9. In § 432.107, paragraphs (a)(1), (a)(2), and (a)(4)(i)(A), are revised to read as follows:

§ 432.107 Proposing and taking action based on performance below the fully successful level for PMRS employees.

(a) * * *

(1) Once an employee has been afforded an opportunity to improve performance to the fully successful level through a performance improvement plan pursuant to § 432.105, an agency may propose a reduction in grade or removal action if the employee's performance during or following the performance improvement plan is below fully successful in one or more critical elements or one or more work objectives for which the employee was afforded an opportunity to improve through a performance improvement plan.

(2) If an employee has performed at the fully successful level for one year from the beginning of a performance improvement plan in the critical element(s) and/or work objective(s) for which the employee was afforded a performance improvement plan and the employee's performance again is determined to be below fully successful, the agency shall afford the employee an

additional performance improvement plan before determining whether to propose a reduction in grade or removal under this part.

* * *

(4) (i) Advance notice. (A) The agency shall afford the employee a 30-day advance notice of the proposed action that identifies both the specific instances of below fully successful performance by the employee on which the proposed action is based and the critical element(s) and/or work objective(s) of the employee's position involved in each instance of below fully successful performance.

* * *

PART 540—PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM

10. The authority citation for Part 540 continues to read as follows:

Authority: 5 U.S.C. chapters 43 and 54.

11. In § 540.102, the following definitions, rating and summary rating, are revised:

§ 540.102 Definitions.

Rating (See Summary rating).

Summary rating means the written record of the appraisal of each critical and non-critical element and each work objective and the assignment of a summary rating level (as specified in § 430.405(h) of this chapter).

12. In § 540.103, paragraph (a)(3) is added to read as follows:

§ 540.103 Ranges of basic pay and employee coverage.

* * *

(3) For the purpose of computing general increases, merit increases, performance awards, and performance award pool amounts, the rate of basic pay used shall be determined without taking into account any locality-based comparability payment under 5 U.S.C. 5304 or interim geographic adjustment under section 302 of the Federal Employees Pay Comparability Act of 1990 (Pub. L. 101-509).

* * *

§ 540.105 [Amended]

13. In § 540.105, paragraph (b) is amended by removing the word "which" and replacing it with the word "with."

14. In § 540.107, paragraph (d)(2) is revised to read as follows:

§ 540.107 Merit Increases.

* * *

(d) * * *

(2) An employee reemployed under part 330, subpart B, of this chapter, is not considered to be a newly appointed employee; and

* * * * *

15. Section 540.109 is amended as follows:

- a. Paragraphs (b)(1)(i), (d)(2), (d)(3), and (f) are removed;
- b. Paragraphs (b)(1)(ii) and (b)(1)(iii) are redesignated respectively (b)(1)(i) and (b)(1)(ii); paragraph (d)(1) is redesignated (d); and paragraphs (g) through (i) are redesignated (f) through (h) respectively;
- c. Paragraphs (b)(1)(i) is added and newly redesignated (d) is revised; and
- d. Paragraph (i) is added.

§ 540.109 Performance awards.

* * * * *

(b)(1) * * *

(i) In accordance with 5 U.S.C. chapter 54, each agency is required to pay a minimum of 1.15 percent of the estimated aggregate amount of PMRS employees' basic pay for each fiscal year during which this section is in effect for performance awards.

* * * * *

(d) Performance awards must be based on an employee's rating of record for the current appraisal period for which performance pay decisions are being made. An employee rated Fully Successful (level 3) or higher may be paid a performance award. The amount of a performance award under this section may not exceed 10 percent of the employee's annual rate of basic pay, unless the agency head determines that a higher amount is warranted by unusually outstanding performance, in which case an award not to exceed 20 percent of the employee's annual rate of basic pay may be paid. However, within each organizational element of an agency having responsibility for managing a performance award budget, employees receiving performance ratings at higher levels should normally receive larger performance awards than other employees at the same grade level who receive performance ratings at lower levels.

* * * * *

(i) The decisions to grant performance awards and the amounts of the awards are subject to the requirement for higher review contained in § 540.105(b) of this part.

* * * * *

[FR Doc. 92-12663 Filed 5-29-92; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 91

[Docket No. 88-183]

Inspection and Handling of Livestock for Exportation

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning inspection and handling of livestock for exportation by removing all references to "Deputy Administrator" and replacing them with references to "Administrator." We are also removing certain references to "Veterinary Services" and replacing them with references to "Animal and Plant Health Inspection Service." These changes are warranted so that the regulations will accurately reflect that the Administrator of the agency holds the primary authority and responsibility for various decisions under the regulations.

EFFECTIVE DATE: June 1, 1992.

FOR FURTHER INFORMATION CONTACT:

Dr. Najam Faizi, Senior Staff Veterinarian, VS, APHIS, USDA, room 762, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-7511.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 91 concern the inspection and handling of livestock for exportation. Prior to the effective date of this document, these regulations indicated that the Deputy Administrator, Veterinary Services, of the Animal and Plant Health Inspection Service (APHIS) was the official responsible for various decisions under these regulations. We are revising 9 CFR part 91 to indicate that the primary authority and responsibility for various decisions under these regulations belongs to the Administrator of the agency. We are making similar revisions in all other APHIS regulations. Those revisions will be published in separate *Federal Register* documents. Delegations of authority within the agency are contained in 7 CFR part 371.

We are removing all references to "Deputy Administrator" and replacing them with references to "Administrator," and are removing certain references to "Veterinary Services" and "Veterinary Services representative" and replacing them with

references to "Animal and Plant Health Inspection Service" and "APHIS representative," respectively. We are also adding definitions of "Administrator," "Animal and Plant Health Inspection Service," and "APHIS representative," and we are deleting the definition of "Deputy Administrator." In addition, we are revising the definition of "Accredited veterinarian" to make it consistent with other parts of 9 CFR, and we are revising the APHIS mailing address to reflect the current addresses.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment are not required, and this rule may be made effective less than 30 days after publication in the *Federal Register*. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order 12291. Finally, this action is not a rule as defined by Public Law 96-354, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

Executive Order 12372

These programs/activities under 9 CFR Part 91 are listed in the Catalog of Federal Domestic Assistance under No. 10.025 and are subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR Part 3015, Subpart V.)

Executive Order 12778

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging its provisions.

Paperwork Reduction Act

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

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Transportation.

Accordingly, we are amending 9 CFR Part 91 as follows:

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 continues to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 612, 613, 614, 618; 46 U.S.C. 460a, 460b; 49 U.S.C. 1509(d); 7 CFR 2.17, 2.51, and 371.2(d).

§ 91.1 [Amended]

2. In § 91.1, the definition of "Deputy Administrator" is removed and the definition of "Accredited veterinarian" is revised to read as follows:

* * * * *

Accredited veterinarian. A veterinarian approved by the Administrator in accordance with the provisions of part 161 of this title to perform functions specified in parts 1, 2, 3, and 11 of subchapter A, and subchapters B, C, and D of this chapter, and to perform functions required by cooperative State-Federal disease control and eradication programs.

* * * * *

§ 91.1 [Amended]

3. In § 91.1, definitions of "Administrator," "Animal and Plant Health Inspection Service," and "APHIS representative" are added, in alphabetical order, to read as follows:

* * * * *

Administrator. The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

Animal and Plant Health Inspection Service. The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS or Service).

APHIS representative. An individual employed by APHIS who is authorized to perform the function involved.

* * * * *

§ 91.3 [Amended]

4. In § 91.3, footnote 1 of paragraph (c) is revised to read as follows:

¹ A list of cooperating State-Federal laboratories may be obtained from the Administrator, c/o Import-Export Animals Staff, APHIS, USDA, room 764, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

§ 91.4 [Amended]

5. In § 91.4, remove the words "Deputy Administrator, Veterinary Services," and add the word "Administrator" in their place.

§ 91.5 [Amended]

6. In § 91.5, footnote 2 of paragraph (a) is revised to read as follows:

² Copies of this publication may be obtained from the Administrator, c/o Import-Export Animals Staff, APHIS, USDA, Room 764, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

§ 91.8 [Amended]

7. In § 91.8, footnote 5 of paragraph (a)(2) is revised to read as follows:

⁵ Information concerning eartags or tattoos approved by the Administrator may be obtained, upon request, from the Administrator, c/o Import-Export Animals Staff, APHIS, USDA, room 764, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

§ 91.14 [Amended]

8. In § 91.14, paragraph (c)(6), first sentence, remove the words "a Veterinary Services" and add the word "an" in their place.

9. In § 91.14, paragraph (c)(7), lowercase the word "Veterinarian" the first time it appears.

10. In § 91.14, paragraph (c)(8), remove the words "Veterinary Services."

§ 91.19 [Amended]

11. In § 91.19, remove the words "of Veterinary Services."

§ 91.24 [Amended]

12. In § 91.24, remove the words "Veterinary Services" both times they appear and add, in their place, the word "APHIS."

§ 91.26 [Amended]

13. In § 91.26, paragraph (b)(1), third sentence, change the word "limber" to read "lumber."

§§ 91.3, 91.14, 91.16, 91.17, 91.19, 91.25, and 91.28 [Amended]

14. In addition to the amendments set forth above, in 9 CFR part 91, remove the words "Veterinary Services" and add, in their place, the word "APHIS" in the following places:

(a) Section 91.3, paragraph (a), fourth sentence, each of the three times the term appears;

(b) Section 91.14, paragraph (c)(7), second sentence;

(c) Section 91.16, ninth line;

(d) Section 91.17, paragraph (a), fourth sentence; and paragraph (b), first and third sentences;

(e) Section 91.25, paragraph (a), fourth sentence; paragraph (c), fifth sentence; paragraph (e), second sentence; and paragraph (f)(3); and

(f) Section 91.28, paragraph (d)(1), third sentence.

§§ 91.1, 91.14, 91.15, 91.16 [Amended]

15. In addition to the amendments set forth above, in 9 CFR part 91, remove the words "a Veterinary Services" and add, in their place, the words "an APHIS" in the following places:

(a) Section 91.1, definition of "Origin health certificate";

- (b) Section 91.14, paragraph (c)(7), first sentence;
- (c) Section 91.15, paragraphs (a), (b), and (c); and
- (d) Section 91.16, first line.

§§ 91.3, 91.6, 91.8, 91.14, 91.15, and 91.19 [Amended]

16. In addition to the amendments set forth above, in 9 CFR part 91, remove the word "Deputy" from the following places:

- (a) Section 91.3, paragraph (b), third sentence; and paragraph (c), second sentence;
- (b) Section 91.6, paragraph (a)(5);
- (c) Section 91.8, paragraph (a)(2);
- (d) Section 91.14, paragraph (b), both times the word appears; and paragraph (d), first and fifth sentences;
- (e) Section 91.15, paragraph (a); and
- (f) Section 91.19, first and third sentences.

Done in Washington, DC, this 27th day of May 1992.

Robert Melland,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92-12720 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-34-M

9 CFR Part 93

[Docket No. 89-056]

Importation of Elephants, Hippopotami, Rhinoceroses, and Tapirs

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning the importation of elephants, hippopotami, rhinoceroses, and tapirs by removing all references to "Deputy Administrator" and replacing them with references to "Administrator." We are also removing certain references to "Veterinary Services" and replacing them with references to "Animal and Plant Health Inspection Service." These changes are warranted so that the regulations will accurately reflect that the Administrator of the agency holds the primary authority and responsibility for various decisions under the regulations.

EFFECTIVE DATE: June 1, 1992.

FOR FURTHER INFORMATION CONTACT: Dr. Samuel Richeson, Import-Export Animals Staff, VS, APHIS, USDA, room 764, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782; 301-436-8170.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 93 (referred to below as the regulations) concern the importation of elephants, hippopotami, rhinoceroses, and tapirs. Prior to the effective date of this document, these regulations indicated that the Deputy Administrator, Veterinary Services, of the Animal and Plant Health Inspection Service (APHIS) was the official responsible for various decisions under these regulations. We are revising 9 CFR part 93 to indicate that the primary authority and responsibility for various decisions under these regulations belongs to the Administrator of the agency. We are making similar revisions in all other APHIS regulations. Those revisions will be published in separate *Federal Register* documents. Delegations of authority within the agency are contained in 7 CFR part 371.

We are removing all references to "Deputy Administrator" and replacing them with references to "Administrator." We are also removing all references to "Veterinary Services," except in addresses and in the title of a reporting form, and are replacing them with references to "Animal and Plant Health Inspection Service." With these changes, the terms "Deputy Administrator" and "Veterinary Services representative" no longer appear in the regulations. Therefore, we are deleting the definitions of those terms. We are also adding definitions of "Administrator," "Animal and Plant Health Inspection Service," and "APHIS representative." Additionally, we are revising APHIS mailing addresses to reflect the current addresses.

This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity to comment are not required, and this rule may be made effective less than 30 days after publication in the *Federal Register*. Further, since this rule relates to internal agency management, it is exempt from the provisions of Executive Order 12291. Finally, this action is not a rule as defined by Public Law 96-354, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

Executive Order 12372

These programs/activities under 9 CFR part 93 are listed in the Catalog of Federal Domestic Assistance under No. 10.025 and are subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parts may file suit in court challenging its provisions.

Paperwork Reduction Act

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

List of Subjects in 9 CFR Part 93

Animal diseases, Ectoparasites, Elephants, Hippopotami, Imports, Rhinoceroses, Tapirs.

Accordingly, we are amending 9 CFR part 93 as follows:

PART 93—IMPORTATION OF ELEPHANTS, HIPPOPOTAMI, RHINOCEROSES, AND TAPIRS

1. The authority citation for part 93 continues to read as follows:

Authority: 21 U.S.C. 111, 134a, 134b, 134c, 134d, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 93.1 [Amended]

2. In § 93.1, the definitions of "Deputy Administrator" and "Veterinary Services representative" are removed, and definitions of "Administrator," "Animal and Plant Health Inspection Service," and "APHIS representative" are added, in alphabetical order, to read as follows:

§ 93.1 Definitions.

Administrator. The Administrator, Animal and Plant Health Inspection Service, or any person authorized to act for the Administrator.

Animal and Plant Health Inspection Service. The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS).

APHIS representative. A veterinarian or other person employed by APHIS in animal health activities, who is authorized to perform the function involved.

§ 93.1 [Amended]

3. In § 93.1, definition of "United States health certificate," remove the words "a Veterinary Services" and add, in their place, the words "an APHIS".

§§ 93.1, 93.6, 93.7, and 93.8 [Amended]

4. In addition to the amendments set forth above, in 9 CFR part 93, remove the word "Deputy" in the following places:

- (a) Section 93.1, definition of "Accredited veterinarian";
- (b) Section 93.6 (a)(2)(ii), (iii), and (iv);
- (c) Section 93.7, both sentences; and
- (d) Section 93.8(b), both times the word appears.

§§ 93.1, 93.3, and 93.5 [Amended]

5. In addition to the amendments set forth above, in 9 CFR part 93, remove the words "Veterinary Services" and add, in their place, the word "APHIS" in the following places:

- (a) Section 93.1, definition of "Inspector";
- (b) Section 93.3 (a) and (d); and
- (c) Section 93.5, introductory text, first sentence.

§§ 93.3, 93.4, and 93.5 [Amended]

6. In addition to the amendments set forth above, in 9 CFR part 93, remove the words "Import-Export Operations Staff" and add, in their place, the words "Administrator, c/o Import-Export Animals Staff" in the following places:

- (a) Section 93.3(b);
- (b) Section 93.4(a)(4); and
- (c) Section 93.5, introductory text.

Done in Washington, DC, this 27th day of May 1992.

Robert Melland,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92-12721 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-34-M.

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 91-NM-245-AD; Amendment 39-8118; AD 91-26-07]

Airworthiness Directives; British Aerospace Model BAe 146-100A, -200A, and -300A Series Airplanes Equipped With G.E.C. Plessey Generator Control Units

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to all British Aerospace Model BAe 146-100A, -200A, and -300A series airplanes equipped with G.E.C. Plessey generator control units (GCU).

This action requires replacement of certain GCU's. This amendment is prompted by a recent report indicating that a GCU could fail to detect a single phase feeder line open circuit. The actions specified in this AD are intended to prevent inaccurate flight instrument readings.

DATES: Effective June 18, 1992.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 18, 1992.

Comments for inclusion in the Rules Docket must be received on or before July 31, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 91-NM-245-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC. 20041-0414. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman Martenson, Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; telephone (206) 227-2113; fax (206) 227-1320.

SUPPLEMENTARY INFORMATION: The United Kingdom Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on all British Aerospace Model BAe 146-100A, -200A, and -300A series airplanes that are equipped with G.E.C. Plessey generator control units (GCU). The CAA advises that results of recent in-factory tests conducted by the manufacturer have revealed that certain G.E.C. Plessey GCU's could fail to detect a single phase feeder line open circuit. This condition, if not corrected, could result in inaccurate flight instrument readings.

British Aerospace has issued Alert Service Bulletin 24-A97, dated November 12, 1991, which describes procedures for replacement of certain G.E.C. Plessey GCU's. The CAA classified this service bulletin as mandatory.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent inaccurate flight instrument readings. This AD requires replacement of certain G.E.C. Plessey GCU's. The actions are required to be accomplished in accordance with the service bulletin described previously.

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

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption "ADDRESSES." All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rule Docket for examination by interested persons. A report that

summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 91-NM-245-AD." The postcard will be date stamped and returned to the commenter.

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

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

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

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

91-26-07. BRITISH AEROSPACE:

Amendment 39-8118. Docket 91-NM-245-AD.

Applicability: Model 146-100A, -200A, and -300A series airplanes equipped with G.E.C. Plessey generator control units (GCU); as listed in British Aerospace Alert Service Bulletin 24-A97, dated November 12, 1991; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent inaccurate flight instrument readings, accomplish the following:

(a) Within 10 days after the effective date of this AD, replace G.E.C. Plessey GCU's having part number 700-1-22490-410 or 700-1-22490-510, with G.E.C. Plessey GCU's having part number 700-1-22490-400 or 700-1-22490-500, in accordance with British Aerospace Alert Service Bulletin 24-A97, dated November 12, 1991.

(b) An alternative method of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. The request shall be forwarded through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Standardization Branch, ANM-113.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The replacement shall be done in accordance with British Aerospace Alert Service Bulletin 24-A97, dated November 12, 1991. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC. 20041-0414. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW, Renton, Washington; or at the Office of the Federal Register, 1100 L Street NW, room 8401, Washington, DC.

(e) This amendment becomes effective June 16, 1992.

Issued in Renton, Washington, on May 8, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-12745 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 92-ANE-03; Amendment 39-8239; AD 92-10-05]

Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Pratt & Whitney (PW) JT8D series turbofan engines. This action requires initial and repetitive inspections of installed third and fourth stage low pressure turbine (LPT) blade sets for blade shroud crossnotch wear, and removal of blade sets found with excessively worn blade shroud crossnotches. This amendment is prompted by reports of ten uncontained LPT blade fracture events. The actions specified in this AD are intended to prevent inflight engine shutdown, engine cowl release, or uncontained engine debris penetrating the aircraft.

DATES: Effective June 16, 1992.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 16, 1992.

Comments for inclusion in the Rules Docket must be received on or before July 1, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 92-ANE-03, 12 New England Executive Park, Burlington, Massachusetts 01803-5299.

The service information referenced in this AD may be obtained from Pratt & Whitney, Publications Department, P.O. Box 611, Middletown, Connecticut 06457. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, Room 311, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; or at the Office of the Federal Register, 1100 L Street NW, room 8401, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

John E. Golinski, Engine Certification Office, ANE-140, FAA, New England Region, Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803-

5299, telephone (617) 273-7121; fax (617) 270-2412.

SUPPLEMENTARY INFORMATION: The Federal Aviation Administration (FAA) has received reports of ten uncontained third and fourth stage low pressure turbine (LPT) blade fractures that have occurred in Pratt & Whitney (PW) JT8D-15A, -17A, and -17AR engines. Five were attributed to fractures of the third stage LPT blade and five to fractures of the fourth stage LPT blade. In one LPT blade fracture event, uncontained engine debris penetrated the airframe causing the failure of an aircraft hydraulic system.

The FAA has determined that PW JT8D-15A, -17A and -17AR engines are susceptible to third and fourth stage LPT blade fractures due to excessively worn blade shroud crossnotches. Blade shroud crossnotches are also known as blade shroud contact surfaces. Excessively worn blade shroud crossnotches significantly increase the operating stresses in the blade which can result in a blade fracture. This condition, if not corrected, could result in an inflight engine shutdown, engine cowl release, or uncontained engine debris penetrating the aircraft.

This AD requires inspections of the third and fourth stage LPT blade shroud crossnotches on blades assembled in a blade set and installed in an engine. A blade set is a complete assembly of LPT blades installed in a rotor stage. Immediate corrective action must be taken because of the failure rate of third and fourth stage LPT blades due to fractures as a result of excessive blade shroud crossnotch wear. In addition, there is high risk of additional uncontained blade fractures occurring in PW JT8D-15A, -17A, and -17AR engines that do not contain the improved third and fourth stage containment hardware. The containment hardware has been shown to be effective in containing third and fourth stage LPT blade fractures due to excessive blade shroud crossnotch wear.

This high risk determination is based on an FAA assessment that a large population of PW JT8D-15A, -17A, and -17AR engines are currently in service with third and fourth stage LPT blade sets that have excessive blade shroud crossnotch wear. Furthermore, the FAA has determined that additional uncontained engine failures will continue to occur unless this inspection program is initiated. Therefore, this immediately adopted final rule requires initial and repetitive inspections of installed third and fourth stage LPT blade sets for excessively worn blade shroud crossnotches. If the inspections

indicate the blade sets have excessively worn blade shroud crossnotches, the blade set must be removed and replaced with a serviceable blade set.

This AD is not applicable to PW JT8D-15A, -17A, and -17AR engines that contain the improved third and fourth stage LPT containment hardware.

This AD also requires that initial and repetitive inspection results be forwarded to the FAA. This information will be evaluated to verify that the inspection intervals and criteria of this AD for the JT8D-15A, -17A, and -17AR engines are adequate in detecting excessive third and fourth stage LPT blade shroud crossnotch wear. This information will be evaluated and, if necessary, further rulemaking will be addressed.

The FAA has reviewed and approved the technical contents of Pratt & Whitney Alert Service Bulletin (ASB) No. 5913, Revision 4, dated February 20, 1992, that describes the third and fourth stage LPT blade set inspection procedures and replacement requirements.

Since an unsafe condition has been identified that is likely to exist or develop on other PW JT8D series engines of the same type design, this AD is being issued to prevent third and fourth stage LPT blade fractures caused by excessively worn blade shroud crossnotches. This AD requires initial and repetitive inspections of the third and fourth stage LPT blade sets for excessively worn blade shroud crossnotches, and the removal of blade sets found with excessively worn blade shroud crossnotches. This AD also requires that inspection results be submitted to the FAA for evaluation. The actions are required to be accomplished in accordance with the alert service bulletin previously described.

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

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified

under the caption "ADDRESSES." All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92-ANE-03." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12812, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 108(g) and 14 CFR 11.89.

§ 39.13 [Amended]

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

AD 92-10-05 Pratt & Whitney: Amendment 39-8239.

Docket No. 92-ANE-03.

Applicability: Pratt & Whitney (PW) Model JT8D-15A, -17A, and -17AR turbofan engines, except those engines containing PW honeycomb third stage outer airseal, Part Number (P/N) 801931, 802097, 797594, or 798279, or Parts Manufacturer Approval honeycomb third stage outer airseal P/N PI9336 or P/N M2433, and fan exhaust inner front duct segment assemblies that are installed in accordance with PW Alert Service Bulletin (ASB) No. 6039, Revision 1, dated February 20, 1992. These engines are installed on but not limited to Boeing 737 and 727 series aircraft, and McDonnell Douglas DC-9 series aircraft.

Compliance: Required as indicated, unless accomplished previously.

To prevent third and fourth stage low pressure turbine (LPT) blade fractures that can result in an inflight engine shutdown, engine cowl release, or uncontained engine debris penetrating the aircraft, accomplish the following:

(a) Conduct initial and repetitive inspections on installed third and fourth stage LPT blade sets, and remove and replace with serviceable blade sets, as necessary, in accordance with the requirements of Part 2 of the Accomplishment Instructions of PW ASB No. 5913, Revision 4, dated February 20, 1992, as follows:

(1) Initially inspect the blade shroud crossnotches of the third stage LPT blade set when specified in paragraph (a)(1)(i) or (a)(1)(ii) of this AD, whichever occurs later, as follows:

(i) Inspect within 3,000 cycles or 3,000 hours time in service, whichever occurs first, since new, since the last blade shroud crossnotch inspection specified in Section 72-53-12 of PW JT8D Engine Manual P/N 481672, or since the last blade shroud crossnotch repair that was accomplished per the requirements specified in Section 72-53-12 of PW JT8D Engine Manual P/N 481672; or

(ii) Inspect within 500 cycles or 500 hours time in service, whichever occurs first, after the effective date of this AD.

(2) Initially inspect the blade shroud crossnotches of the fourth stage LPT blade set when specified in paragraph (a)(2)(i) or (a)(2)(ii) of this AD, whichever occurs later, as follows:

(i) Inspect within 3,000 cycles or 3,000 hours time in service, whichever occurs first, since new, since the last blade shroud crossnotch inspection specified in Section 72-53-13 of PW JT8D Engine Manual P/N 481672, or since the last blade shroud crossnotch repair that was accomplished per the requirements specified in Section 72-53-13 of the PW JT8D Engine Manual P/N 481672; or

(ii) Inspect within 500 cycles or 500 hours time in service, whichever occurs first, after the effective date of this AD.

(3) Thereafter, reinspect the third and fourth stage LPT blade sets in accordance with the procedures and intervals specified in PW ASB 5913, Revision 4, dated February 20, 1992.

(b) Report the initial and repetitive inspection results required by paragraph (a) of this AD, in accordance with Appendices I and II of this AD, as applicable, within 30 days of the inspection to the Manager, Engine Certification Office, Engine and Propeller Directorate, Aircraft Certification Service, FAA, 12 New England Executive Park, Burlington, Massachusetts 01803-5299, Telex Number 949301 FAANE BURL; fax (617) 270-2412. The reporting requirements of this AD terminate on April 1, 1993. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 and have been assigned OMB Control Number 2120-0056.

Appendix I—JT8D Third Stage LPT Blade Shroud Crossnotch Wear Mechanical Inspection Results

Airline _____
 Aircrafts/N _____
 Engine Position _____
 Engine S/N _____
 Total Hours _____
 Total Cycles _____
 Blade P/N _____
 Hours since blade refurbishment _____
 Cycles since refurbishment _____

Inspection Report—Third Stage LPT Blade

Loca-tion	Torque Setting*		
	10 lb-in. (1.130 N.m)	5 lb-in. (0.565 N.m)	2 lb-in. (0.226 N.m)
1.....	_____	_____	_____
2.....	_____	_____	_____
3.....	_____	_____	_____
4.....	_____	_____	_____
5.....	_____	_____	_____
6.....	_____	_____	_____

*L for Loose (Blades spread apart).

*T for Tight (Handle ratchets, "T" does not rotate).

Appendix II—JT8D Fourth Stage LPT Blade Shroud Crossnotch Wear Mechanical Inspection Results

Airline _____

Aircraft S/N _____
 Engine Position _____
 Engine S/N _____
 Total Hours _____
 Total Cycles _____
 Blade P/N _____
 Hours since blade refurbishment _____
 Cycles since refurbishment _____

Inspection Report—Fourth Stage LPT Blade

Loca-tion	Torque Setting*		
	10 lb-in. (1.130 N.m)	5 lb-in. (0.565 N.m)	2 lb-in. (0.226 N.m)
1.....	_____	_____	_____
2.....	_____	_____	_____
3.....	_____	_____	_____
4.....	_____	_____	_____
5.....	_____	_____	_____
6.....	_____	_____	_____

*L for Loose (Blades spread apart).

*T for Tight (Handle ratchets, "T" does not rotate).

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office, ANE-140, Engine and Propeller Directorate. The request should be forwarded through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(d) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(e) The inspections, removal, and replacement of the third and fourth stage LPT blades shall be done in accordance with the following Pratt & Whitney service documents:

Document No.	Pages	Revision	Date
Alert Service.....	1-4	Rev. 4.....	2/20/92
Bulletin 5913.....	5-7	Rev. 3.....	11/1/91
	8-12	Rev. 4.....	2/20/92
Alert Service.....	1	Rev. 3.....	11/1/91
Bulletin 5913.....	2	Rev. 2.....	9/28/90
Appendix A.....	3	Rev. 3.....	11/1/90
	4, 5	Rev. 2.....	9/28/90
	6	Original.....	4/2/90
	7	Rev. 2.....	9/28/90
	8-12	Original.....	4/2/90
	13-14	(Deleted).....	
Total Pages.	24		

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Pratt & Whitney, Publications Department, P.O. Box 611, Middletown, Connecticut 06457. Copies may be inspected at the FAA, Office of

the Assistant Chief Counsel, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; or at the Office of the Federal Register, 1100 L Street NW., room 8401, Washington, DC.

(f) This amendment becomes effective on June 16, 1992.

Issued in Burlington, Massachusetts, on May 4, 1992.

Jay J. Pardee,

Assistant Manager, Engine and Propeller Directorate Aircraft Certification Service.
[FR Doc. 92-12746 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 92-CE-29-AD; Amendment 39-8266; AD 92-08-15]

Airworthiness Directives; Mooney Aircraft Corporation Model M20J Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This document publishes in the *Federal Register* an amendment adopting Airworthiness Directive (AD) 92-08-15, which was sent previously to all known U.S. owners and operators of certain Mooney Aircraft Corporation Model M20J airplanes. This AD requires an immediate reduction of the 2,900-pound gross weight limit until the rudder balance weight is checked and adjusted as applicable. Recent analysis by the Federal Aviation Administration (FAA) revealed that it is possible that the rudder static balance on the affected airplanes could be outside acceptable limits for the 2,900-pound gross weight limit. The actions specified by this AD are intended to prevent rudder imbalance, which could lead to aerodynamic problems and loss of control of the airplane.

DATES: Effective June 30, 1992, as to all persons except those to whom it was made immediately effective by priority letter AD 92-08-15, issued on April 9, 1992, which contained this amendment.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the *Federal Register* as of June 30, 1992.

Comments for inclusion in the Rules Docket must be received on or before August 4, 1992.

ADDRESSES: Submit comments in triplicate to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 92-CE-29-AD,

room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that is applicable to this AD may be obtained from the Mooney Aircraft Corporation, P.O. Box 72, Kerrville, Texas 78029-0072. This information may also be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Bob D. May, Aerospace Engineer, Airplane Certification Office, FAA, Southwest Region, 4400 Blue Mound Road, Fort Worth, Texas 76193-0150; Telephone (817) 624-5156.

SUPPLEMENTARY INFORMATION: As an on-going process, the FAA evaluates the design criteria and function of various components and systems of aircraft certificated for operation in the United States in order to continue to assure aviation safety. Recent evaluation and system testing of the Mooney M20 series aircraft established the 2,900-pound gross weight limit on certain Mooney Model M20J airplanes. Subsequent analysis of computer data shows that it is possible that the rudder static balance on the affected airplanes could be outside acceptable limits for this 2,900-pound gross weight limit. This condition, if not detected and corrected, could lead to aerodynamic problems and loss of control of the airplane.

Mooney Aircraft Corporation has issued Service Bulletin (SB) M20-252, dated April 6, 1992, which specifies procedures for inspecting the rudder balance weight and adjusting it if it is outside the specified limits.

After examining the circumstances and reviewing all information related to the analysis described above including the referenced service information, the FAA determined that AD action should be taken in order to continue to assure the airworthiness of the affected airplanes. Since the condition described is likely to exist or develop in Mooney Aircraft Corporation Model M20J airplanes that are certificated for a 2,900-pound gross weight limit, the FAA issued priority letter AD 92-08-15 to prevent rudder imbalance, which could lead to aerodynamic problems and loss of control of the airplane. The AD requires an immediate reduction of the 2,900-pound gross weight limit until the rudder balance weight is checked and adjusted as applicable. The check and possible adjustment would be accomplished in accordance with Mooney Aircraft Corporation SB M20-252, dated April 6, 1992.

Since it was found that immediate corrective action was required, notice and opportunity for prior public comment thereon were impracticable and contrary to the public interest, and

good cause existed to make the AD effective immediately by individual letters issued on April 9, 1992, to all known U.S. operators of certain Mooney Aircraft Corporation Model M20J airplanes. These conditions still exist, and the AD is hereby published in the *Federal Register* as an amendment to § 39.13 of part 39 of the Federal Aviation Regulations (FAR) to make it effective as to all persons.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting immediate flight safety and, thus, was not preceded by notice and opportunity to comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 92-CE-29-AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12812, it is determined that this final rule does not have sufficient federalism implications

to warrant the preparation of a Federalism Assessment.

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

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

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

92-08-15 Mooney Aircraft Corporation: Amendment 39-8266; Docket No. 92-CE-29-AD.

Applicability: Model M20J airplanes, serial numbers 24-3201, 24-3218 through 24-3238, 24-3240 through 24-3250, and 24-3252 through 24-3258, certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent rudder imbalance, which could lead to aerodynamic problems and loss of control of the airplane, accomplish the following:

(a) Prior to further flight after the effective date of this AD, accomplish the following:

(1) Fabricate a placard with the words "Maximum Gross Weight Reduced to 2,740 Pounds." Install this placard on the airplane instrument panel within the pilot's clear view.

(2) Insert a copy of this AD into the limitations section of the Airplane Flight Manual and operate the airplane accordingly.

(b) Within the next 15 hours time-in-service after the effective date of this AD, inspect the airplane to ensure that the rudder static balance is within the required limits in accordance with paragraphs 1. through 3. of the INSTRUCTIONS section of Mooney Aircraft Corporation Service Bulletin (SB) M20-252, dated April 6, 1992.

(c) If the rudder static balance falls outside the limits specified in Mooney Aircraft Corporation SB M20-252, prior to further flight, adjust the rudder balance weight in accordance with paragraphs 4. through 7. of the INSTRUCTIONS section of Mooney Aircraft Corporation SB M20-252, dated April 6, 1992.

(d) The placard and Airplane Flight Manual limitation required by paragraphs (a)(1) and (a)(2) of this AD are no longer required after compliance with paragraphs (b) and (c) of this AD as applicable.

(e) An alternative method of compliance or adjustment of the compliance times that provides an equivalent level of safety may be approved by the Manager, Airplane Certification Office, FAA, 4400 Blue Mound Road, Fort Worth, Texas 76193-0150. The request should be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth Airplane Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Fort Worth Airplane Certification Office.

(f) The inspection and possible modification required by this AD shall be done in accordance with Mooney Aircraft Corporation Service Bulletin M20-252, dated April 6, 1992. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR Part 51. Copies may be obtained from the Mooney Aircraft Corporation, P.O. Box 72, Kerrville, Texas 78029-0072. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 1100 L Street, NW; Room 8401, Washington, DC.

(g) This amendment (39-8266) becomes effective on June 30, 1992, to all persons except those persons to whom it was made immediately effective by priority letter AD 92-08-15, issued April 9, 1992, which contained the requirements of this amendment.

Issued in Kansas City, Missouri, on May 15, 1992.

Barry D. Clements,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92-12747 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

RIN 0960-AD43

Federal Old-Age, Survivors, and Disability Insurance and Supplemental Security Income for the Aged, Blind, and Disabled; Representative Payment Under Title II and Title XVI of the Social Security Act (the Act)—Compensation of Qualified Organizations Serving as Representative Payees

AGENCY: Social Security Administration, HHS.

ACTION: Final rules with request for comments.

SUMMARY: These final regulations reflect the provisions of section 5105(a)(3) of Public Law 101-508, the Omnibus Budget Reconciliation Act of 1990 (OBRA), effective on July 1, 1991. Section 5105(a)(3) amended sections 205(j) and 1631(a)(2) of the Act to allow a qualified organization to collect from an individual a monthly fee for expenses it incurs (including overhead expenses) in providing services it performs as the individual's representative payee. The amendments made to sections 205(j) and 1631(a)(2) of the Act by section 5105(a)(3) of OBRA cease to be effective on July 1, 1994.

Although these regulations are being published as final rules, we are asking for comments on the regulations from members of the public. After the end of the comment period, we will consider carefully any comments we receive to determine whether any changes to the rules are necessary.

EFFECTIVE DATE: These rules are effective on June 1, 1992. Comments must be received on or before July 31, 1992.

ADDRESSES: Comments should be submitted in writing to the Commissioner of Social Security, Department of Health and Human Services, P.O. Box 1585, Baltimore, MD 21203, or delivered to the Office of Regulations, Social Security Administration, 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, between 8 a.m. and 4:30 p.m. on regular business days. Comments received may be inspected during these same hours by making arrangements with the contact person shown below.

FOR FURTHER INFORMATION CONTACT:
Philip Berge, Legal Assistant, 3-B-1
Operations Building, 6401 Security
Boulevard, Baltimore, MD 21235, (301)
985-1769.

SUPPLEMENTARY INFORMATION:

Background

Subpart U of part 404 and subpart F of part 416 of our regulations explain the principles and procedures that we follow in determining whether to make a representative payment and in selecting a representative payee. Under the Act and these regulations, we will select a representative payee for a person receiving Social Security or Supplemental Security Income benefits under title II or title XVI of the Act if we believe that the interests of that person will be served by representative payment rather than direct payment of benefits.

While not specifically addressed in these regulations, when selecting a representative payee, we will select the person, agency, or organization we believe will best serve the interests of the beneficiary. An organization authorized to collect a fee for providing representative payee services under these regulations will be selected as representative payee only when a more suitable or equally suitable representative payee candidate is not available.

Further, whenever a payee is authorized to collect a fee, we will inform the beneficiary of this. As is the case with all representative payee decisions, the beneficiary can always present information that will help us find an alternate payee or request a new capability determination to receive payment directly.

Any person or agency or organization chosen as a representative payee must use the benefits and accept the responsibilities as required under the Act and our regulations.

Section 5105(a)(3) of OBRA amended sections 205(j) and 1631(a)(2) of the Act to allow a qualified organization to collect from an individual a monthly fee for expenses it incurred for providing services as the individual's representative payee. Prior to the enactment of section 5105(a)(3), there was no provision in the Act allowing representative payees to charge fees for their services. However, if a representative payee incurred actual out-of-pocket expenses on behalf of that beneficiary, the payee was able to use the benefit payment for reimbursement.

Section 5105(a)(3) contains the following provisions:

- A qualified organization may collect a monthly fee from the individual for

expenses (including overhead expenses) incurred by the organization in providing services performed as the individual's representative payee if the fee does not exceed the lesser of 10 percent of the monthly benefit involved, or \$25.00 per month.

- The term "qualified organization" means any community-based nonprofit social service agency which is bonded or licensed in each State in which it serves as a representative payee and which, in accordance with any applicable regulations of the Secretary—
 - Regularly provides services as the representative payee concurrently to 5 or more individuals;
 - Demonstrates to the satisfaction of the Secretary that it is not otherwise a creditor of any such individual; and
 - Was in existence on October 1, 1988.
- Requires the Secretary to publish regulations under which he may grant an exception on a case-by-case basis to the requirement that the organization may not be a creditor of the individual if the exception is in the best interests of the individual beneficiary.

- An agreement between a qualified organization and an individual providing for a fee in excess of the amount permitted under the Act will be void and treated as misuse by the organization of the individual's benefits.

Final Regulations

We are amending our regulations to reflect section 5105(a)(3) by adding new §§ 404.2040a and 416.640a to subpart U of part 404 and subpart F of part 416, respectively. Also, we are including in these regulations the following requirements which are not stated specifically in section 5105(a)(3).

- Monthly benefit amount, for purposes of this section, means the amount certified for payment to the payee.
- When determining whether an organization that is a creditor of a beneficiary may collect a fee for providing representative payee services, we will consider the following factors on a case-by-case basis:

- Whether the services provided by the organization help to meet the current needs of the beneficiary, and
- Whether the amount the organization charges the beneficiary for such services is commensurate with the beneficiary's ability to pay.

- An organization wishing to collect a fee must submit a written request to obtain our authorization to do so and provide the information we require under §§ 404.2025 or 416.625 of our regulations.

- We will notify the organizations as to whether they may collect fees for representative payee services. An authorization to collect a fee will apply to all beneficiaries for whom the organization is currently payee and all beneficiaries for whom the organization becomes payee while the authorization is in effect. The notice will contain an effective date based on our determination pursuant to new §§ 404.2040a (b) and (c) and 416.640a (b) and (c) which will not be earlier than the month in which the organization asked for authorization to collect a fee.

If we find that an organization may not collect a fee, the notice will explain the reasons why the organization's request was denied, and offer the organization an opportunity to request an informal review of our finding as provided for in §§ 404.903 and 416.1403. A finding that an organization may or may not collect a fee will not constitute an initial determination under §§ 404.902 or 416.1402.

- We will revoke an organization's authorization to collect a fee if we receive evidence that shows it no longer satisfies all of the requirements that must be met under the Act and our regulations. We will send the organization a written notice explaining the reasons for the revocation. We will offer the organization an opportunity to request an informal review of our finding. However, this finding will not constitute an initial determination under §§ 404.902 or 416.1402.

- We are amending our regulations at §§ 404.903 and 416.1403 to state that our actions in determining whether an organization may collect a fee for providing representative payee services pursuant to the Act is not an initial determination.

- An organization may cancel its authorization to collect a fee at any time upon written notice to us.

- Federally administered State supplementary payments made under Subpart T of Part 416 are included for purposes of calculating fees for payee services. Organizations will be allowed to collect a fee for representative payee services even if the only benefit payable is a federally administered State supplementary payment. Federally administered State supplementary payments are included under this provision because (1) the funds are administered through us; (2) the funds are not always distinguishable from federal benefits; (3) the representative payee is responsible to us for the use of and accounting of federally administered State supplementary payments; and (4) the administrative

costs associated with recording and distributing State supplementary payments are the same as with federal benefits only.

- An organization which has received our authorization to collect a fee for providing representative payee services, but is temporarily not a payee for at least five beneficiaries, may request our approval to continue to collect a fee.

- Federal, State, District of Columbia, county or city governmental entities are excluded from participation under the payment for services provision. The statutory definition of a "qualified organization" set out above does not include these facilities, and we have found no other authority that would allow government facilities to collect fees for payee services from beneficiaries.

- Generally, an organization may not collect a fee from an individual for months in which no benefit payments are received. However, an organization will be allowed to collect a fee for these months if benefits are later issued for that period and the organization:

- Received our approval to collect a fee for the months for which payment is made;
- Provided payee services in the months for which payment is made; and
- Is payee when the payment is made.

This regulatory provision is based on our recognition that although the primary responsibility of a payee is to receive and distribute funds, a payee also performs other services for a beneficiary which are critical to that individual's welfare. (See §§ 404.2035 and 416.635).

- Fees for services may not be taken from any funds conserved for the beneficiary by a payee in accordance with §§ 404.2045 or 416.645 of our regulations.

- Organizations which receive the majority of operating funds under a State plan approved under title XIX (i.e., Medicaid facilities) must set aside an amount of a beneficiary's funds for his/her personal needs. The personal needs allowance (the lesser of \$30 or the amount due) of an SSI recipient must be set aside accordingly. Benefits set aside for personal needs may be counted when determining the amount of the fee that may be collected, but cannot be used to collect the fee.

- An organization may not collect a fee under this provision for the expenses it incurred in providing payee services if these expenses are paid from another source.

Regulatory Procedures

We are publishing these regulations as final rules with a request for

comments instead of proposed rules. Even when not required to do so by statute, the Department of Health and Human Services as a matter of policy generally follows the Administrative Procedure Act (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and comment procedures when an agency finds that there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. In the case of these rules, we have determined that under 5 U.S.C. 553, good cause exists for waiving the notice of proposed rulemaking procedures. These rules implement a statutory provision that authorizes qualified organizations serving as a representative payee for five or more Social Security or Supplemental Security Income beneficiaries to collect a fee from these individuals for the services that are provided. Because of the congressional mandate that we must issue the initial regulations that are needed to carry out this statutory provision by no later than July 1, 1991, the effective date of the statutory provision, we believe that, under the APA, using the proposed rulemaking procedures would be impracticable and contrary to the public interest.

Moreover, since the Congressional language is clear that the Secretary "shall prescribe initial regulations" needed to implement this provision by July 1, 1991, issuance of a proposed rule would neither comport with the clear statutory mandate nor the legislative intent that this provision be implemented promptly since it only will be in effect for 3 years. Publication of final rules with a request for comments will enable us to provide the initial regulations mandated by Congress and also have the benefit of the comments of the public on our regulations.

Executive Order 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because it will result in negligible administrative costs and savings. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act

We certify that these regulations will not have a significant economic impact on a substantial number of small entities. These rules only affect licensed or bonded, community-based non-profit social service agencies that were in existence on October 1, 1988 and which regularly provide representative payee

services concurrently to five or more Social Security or SSI beneficiaries. As there are not a substantial number of small organizations that will be affected by these rules, a regulatory flexibility analysis as provided in Public Law 96-354, the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act

These final regulations contain information collection requirements. As required by section 2(a) of the Paperwork Reduction Act of 1980, 44 U.S.C. 3507, this was submitted to the Office of Management and Budget (OMB) and was approved under OMB #0960-0498. The public reporting burden for this collection of information is estimated to average 30 minutes per response. Other organizations and individuals desiring to submit comments on these information collection requirements should direct them to the agency official whose name appears in the preamble and to the Office of Information and Regulatory Affairs, OMB, New Executive Office Building, room 3208, Washington, DC 20503, Attention: Desk Officer for HHS.

(Catalog of Federal Domestic Assistance Program Nos. 93.802-93.805 Social Security; and 93.807 Supplemental Security Income.)

List of Subjects

20 CFR Part 404

Administrative Practice and Procedure; Death benefits; Disability benefits; Old-Age, Survivors, and Disability Insurance.

20 CFR Part 416

Administrative Practice and Procedure; Aged; Blind; Disability benefits; Public assistance programs; Supplemental Security Income (SSI).

Dated: June 26, 1991.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: December 30, 1991.

Louis W. Sullivan,

Secretary of Health and Human Services.

For the reasons set out in the preamble, subparts J and U of part 404 and subparts F and N of part 416 of 20 CFR chapter III are amended as follows:

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950—)

1. The authority citation for subpart J is revised to read as follows:

Authority: Secs. 201(j), 205(a), (b), (d)-(h), and (j), 221(d), and 1102 of the Social Security Act; 42 U.S.C. 401(j), 405(a), (b), (d)-(h), and (j), 421(d), and 1302.

2. Section 404.903 is amended by adding paragraph (q) to read as follows:

§ 404.903 Administrative actions that are not initial determinations.

(q) Determining whether an organization may collect a fee from you for expenses it incurred in serving as your representative payee. (See § 404.2040a).

3. The authority citation for subpart U of part 404 continues to read as follows:

Authority: Secs. 205 (a), (j), and (k), and 1102 of the Social Security Act; 42 U.S.C. 405 (a), (j), and (k), and 1302.

4. New § 404.2040a is added to read as follows:

§ 404.2040a Compensation for qualified organizations serving as representative payees.

(a) *General.* A community-based, nonprofit social service agency which meets the requirements set out in paragraph (b) of this section may request our authorization to collect a monthly fee from a beneficiary for providing representative payee services.

(b) *Organizations that may request compensation.* We will authorize an organization to collect a fee if all the following requirements are met.

(1) It is community-based, i.e., serves or represents one or more neighborhoods, city or county locales and is located within its service area.

(2) It is a nonprofit social service organization founded for religious, charitable or social welfare purposes and is tax exempt under section 501(c) of the Internal Revenue Code.

(3) It is bonded or licensed in the State in which it serves as representative payee.

(4) It regularly provides representative payee services concurrently to at least five beneficiaries. An organization which has received our authorization to collect a fee for representative payee services, but is temporarily not a payee for at least five beneficiaries, may request our approval to continue to collect fees.

(5) It was in existence on October 1, 1988.

(6) It is not a creditor of the beneficiary. See paragraph (c) of this section for exceptions to this requirement.

(c) *Creditor relationship.* If an organization has a creditor relationship with a beneficiary, we may, on a case-by-case basis, authorize the organization to collect a fee for payee services notwithstanding this relationship. To provide this authorization, we will review all of the

evidence submitted by the organization and authorize collection of a fee when:

(1) The services provided by the organization help to meet the current needs of the beneficiary; and

(2) The amount the organization charges the beneficiary for these services is commensurate with the beneficiary's ability to pay.

(d) *Authorization process.* (1) An organization must request in writing and receive an authorization from us before it may collect a fee.

(2) An organization seeking authorization to collect a fee must also give us evidence to show that it is qualified, pursuant to paragraphs (b) and (c) of this section, to collect a fee.

(3) If the evidence provided to us by the organization shows that the requirements of this section are met, we will notify the organization in writing that it is authorized to collect a fee. If we need more evidence, or if we are not able to authorize the collection of a fee, we will also notify the organization in writing that we have not authorized the collection of a fee.

(e) *Revocation, cancellation and expiration of the authorization.* (1) We will revoke an authorization to collect a fee if we have evidence which establishes that an organization no longer meets the requirements of this section. We will issue a written notice to the organization explaining the reason(s) for the revocation.

(2) An organization may cancel its authorization at any time upon written notice to us.

(f) *Notices.* The written notice we will send to an organization authorizing the collection of a fee will contain an effective date for the collection of a fee pursuant to paragraphs (b) and (c) of this section. The effective date will be no earlier than the month in which the organization asked for authorization to collect a fee. The notice will be applicable to all beneficiaries for whom the organization was payee at the time of our authorization and all beneficiaries for whom the organization becomes payee while the authorization is in effect.

(g) *Limitation on fees.* (1) An organization authorized to collect a fee pursuant to this section may collect from a beneficiary a monthly fee for expenses (including overhead) it has incurred in providing payee services to a beneficiary if the fee does not exceed the lesser of—

(i) 10 percent of the beneficiary's monthly benefit payments; or

(ii) \$25.00 per month.

(2) Any agreement providing for a fee in excess of the amount permitted under paragraph (g)(1) of this section shall be

void and treated as misuse of benefits by the organization of the individual's benefits under § 404.2041.

(3) A fee may be collected for any month during which the organization—

(i) Provides representative payee services;

(ii) Receives a benefit payment for the beneficiary; and

(iii) Is authorized to receive a fee for representative payee services.

(4) Fees for services may not be taken from any funds conserved for the beneficiary by a payee in accordance with § 404.2045.

(5) Generally, an organization may not collect a fee for months in which it does not receive a benefit payment. However, an organization will be allowed to collect a fee for months in which it did not receive a payment if we later issue payments for these months and the organization:

(i) Received our approval to collect a fee for the months for which payment is made;

(ii) Provided payee services in the months for which payment is made; and

(iii) Was the payee when the retroactive payment was paid by us.

(6) An authorized organization may not collect a fee for the expenses it incurred in providing representative payee services if these expenses are paid from another source.

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

1. The authority citation for subpart F of part 416 continues to read as follows:

Authority: Secs. 1102 and 1631(a)(2) and (d)(1) of the Social Security Act; 42 U.S.C. 1302 and 1383(a)(2) and (d)(1).

2. New § 416.640a is added to read as follows:

§ 416.640a Compensation for qualified organizations serving as representative payees.

(a) *General.* A community-based, nonprofit social service agency which meets the requirements set out in paragraph (b) of this section may request our authorization to collect a monthly fee from a beneficiary for providing representative payee services.

(b) *Organizations that may request compensation.* We will authorize an organization to collect a fee if all the following requirements are met.

(1) It is community-based, i.e., serves or represents one or more neighborhoods, city or county locales and is located within its service area.

(2) It is a nonprofit social service organization founded for religious,

charitable or social welfare purposes and is tax exempt under section 501(c) of the Internal Revenue Code.

(3) It is bonded or licensed in the State in which it serves as representative payee.

(4) It regularly provides representative payee services concurrently to at least five beneficiaries. An organization which has received our authorization to collect a fee for representative payee services, but is temporarily not a payee for at least five beneficiaries, may request our approval to continue to collect fees.

(5) It was in existence on October 1, 1988.

(6) It is not a creditor of the beneficiary. See paragraph (c) of this section for exceptions to this requirement.

(c) *Creditor relationship.* If an organization has a creditor relationship with a beneficiary we may, on a case-by-case basis, authorize the organization to collect a fee for payee services notwithstanding this relationship. To provide this authorization, we will review all of the evidence submitted by the organization and authorize collection of a fee when:

(1) The services provided by the organization help to meet the current needs of the beneficiary; and

(2) The amount the organization charges the beneficiary for these services is commensurate with the beneficiary's ability to pay.

(d) *Authorization process.* (1) An organization must request in writing and receive an authorization from us before it may collect a fee.

(2) An organization seeking authorization to collect a fee must also give us evidence to show that it is qualified, pursuant to paragraphs (b) and (c) of this section, to collect a fee.

(3) If the evidence provided to us by the organization shows that the requirements of this section are met, we will notify the organization in writing that it is authorized to collect a fee. If we need more evidence, or if we are not able to authorize the collection of a fee, we will also notify the organization in writing that we have not authorized the collection of a fee.

(e) *Revocation, cancellation and expiration of the authorization.* (1) We will revoke an authorization to collect a fee if we have evidence which establishes that an organization no longer meets the requirements of this section. We will issue a written notice to the organization explaining the reason(s) for the revocation.

(2) An organization may cancel its authorization at any time upon written notice to us.

(f) *Notices.* The written notice we will send to an organization authorizing the collection of a fee will contain an effective date for the collection of a fee pursuant to paragraphs (b) and (c) of this section. The effective date will be no earlier than the month in which the organization asked for authorization to collect a fee. The notice will be applicable to all beneficiaries for whom the organization was payee at the time of our authorization and all beneficiaries for whom the organization becomes payee while the authorization is in effect.

(g) *Limitation on fees.* (1) An organization authorized to collect a fee pursuant to this section may collect from a beneficiary a monthly fee for expenses (including overhead) it has incurred in providing payee services to a beneficiary if the fee does not exceed the lesser of—

(i) 10 percent of the beneficiary's monthly benefit payments; or

(ii) \$25.00 per month.

(2) Any agreement providing for a fee in excess of the amount permitted under paragraph (g)(1) of this section shall be void and treated as misuse of benefits by the organization of the individual's benefits under § 416.841.

(3) A fee may be collected for any month during which the organization—

(i) Provides representative payee services;

(ii) Receives a benefit payment for the beneficiary; and

(iii) Is authorized to receive a fee for representative payee services.

(4) Fees for services may not be taken from any funds conserved for the beneficiary by a payee in accordance with § 416.846.

(5) Generally, an organization may not collect a fee for months in which it does not receive a benefit payment. However, an organization will be allowed to collect a fee for months in which it did not receive a payment if we later issue payments for these months and the organization:

(i) Received our approval to collect a fee for the months for which payment is made;

(ii) Provided payee services in the months for which payment is made; and

(iii) Was the payee when the retroactive payment was paid by us.

(6) An authorized organization may not collect a fee for the expenses it incurred in providing representative payee services if these expenses are paid from another source.

(7) An authorized organization may collect a fee for representative payee services from the entire monthly benefit amount received, including any payment of a federally-administered State

supplementary payment under subpart T of this part.

(8) In the case of an institutionalized beneficiary a fee may not be withheld from benefits which must be set aside for the beneficiary's personal needs in accordance with § 416.840(c).

(3) The authority citation for subpart N is revised to read as follows:

Authority: Secs. 1102, 1831, and 1833 of the Social Security Act; 42 U.S.C. 1302, 1383, and 1383b.

4. Section 416.1403 is amended by adding paragraph (a)(11) to read as follows:

§ 416.1403 Administrative actions that are not initial determinations.

(a) * * *

(11) Determining whether an organization may collect a fee from you for expenses it incurs in serving as your representative payee. (See § 416.840a).

* * * * *

[FR Doc. 92-12553 Filed 5-29-92; 8:45 am]

BILLING CODE 4190-29-M

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Bambermycins and Tylosin

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to remove those portions reflecting approval of two new animal drug applications (NADA's); one held by Crownmark, Inc., for making a bambermycins Type C feed, and the other by Music City Supplement, Inc., for making a tylosin Type C feed. In a notice published elsewhere in this issue of the *Federal Register*, FDA is withdrawing approval of the NADA's.

EFFECTIVE DATE: June 11, 1992.

FOR FURTHER INFORMATION CONTACT: Mohammad I. Sharar, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-295-8749.

SUPPLEMENTARY INFORMATION: In a notice published elsewhere in this issue of the *Federal Register*, FDA is withdrawing approval of NADA 132-080 held by Growmark, Inc., P.O. Box 2500, Bloomington, IL 61702-2500, for making a bambermycins Type C swine feed, and NADA 107-958 held by Music City Supplement, Inc., P.O. Box 23286, 401 Cowan St., Nashville, TN 37202, for

making a tylosin Type C cattle, chicken, and swine feed. This final rule removes 21 CFR 558.95(a)(2) and 558.625(b) to reflect the withdrawal of approval of these NADA's.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR Part 558 continues to read as follows:

Authority: Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

§ 558.95 [Amended]

2. Section 558.95 Bambermycins is amended in paragraph (a)(2) by removing the phrase "and 020275".

§ 558.625 [Amended]

3. Section 558.625 Tylosin is amended by removing and reserving paragraph (b)(51).

Dated: May 21, 1992.

Gerald B. Guest,

Director, Center for Veterinary Medicine.

[FR Doc. 92-12753 Filed 5-29-92; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 807

[Docket No. 91N-0388]

Medical Devices; Substantial Equivalence; 510(k) Summaries and 510(k) Statements; Stay of Effective Date and Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Interim rule; notice of stay of effective date and extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is staying the effective date of an interim rule regarding those provisions of the Safe Medical Devices Act of 1990 (the SMDA) that impose certain requirements on persons who submit premarket notifications to FDA on medical devices. FDA also is extending to August 27, 1992, the comment period on the interim rule. Under the statutory provisions that are implemented by this rulemaking, persons who submit premarket notifications on medical

devices must include in their submissions either an adequate summary of any information respecting safety and effectiveness or a statement that such information will be made available upon request by any person. Among other things, the interim rule prescribed the content and format of these submissions. FDA is staying the effective date of the interim rule in response to a petition from a trade association requesting that the interim rule be stayed until FDA has received and reviewed comments and has published a final rule reflecting the review of the comments and any revisions in the interim rule that may be warranted.

After FDA has received and considered comments on the interim rule, FDA will publish a final rule incorporating any changes that may result from the agency's review of the comments.

DATES: FDA is staying the May 28, 1992, effective date of the interim rule published at 57 FR 18062 until 60 days after the date of publication of a final rule in the *Federal Register*, to allow time to review and respond to comments received.

Written comments by August 27, 1992.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Heather S. Rosecrans, Center for Devices and Radiological Health (HFZ-404), Food and Drug Administration, 1390 Piccard Dr., Rockville, MD 20850, 301-427-1190.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of April 28, 1992 (57 FR 18062), FDA issued an interim rule implementing the provisions of the SMDA (Pub. L. 101-629) that require persons who submit premarket notifications under section 510(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k)) to include an adequate summary of any information on safety and effectiveness (510(k) summary) or a statement (510(k) statement) that such information will be made available upon request by any person. The interim rule also implemented the requirement that 510(k) submitters, claiming substantial equivalence to a class III premarket device for which FDA has not yet called for premarket approval, submit a class III summary, and certify that they have conducted a search of safety and effectiveness data. In addition, the interim rule amended the medical device regulations governing the confidentiality of certain

premarket notification submissions and their summaries to conform to the SMDA. The interim rule also provided that persons who submit a premarket notification (510(k)) must certify that the data and information are truthful and accurate and that no material fact has been omitted. FDA stated that the interim rule would become effective on May 28, 1992. Interested persons were given until June 29, 1992, to comment on the rule.

On May 20, 1992, the Health Industry Manufacturers Association (HIMA) submitted to FDA a petition requesting that FDA stay the effective date of the rule until the agency received and reviewed comments on the interim rule and published a final rule reflecting FDA's analysis of those comments and any revisions that may be warranted. In its petition, HIMA argued generally that the information required to be submitted in a 510(k) should not include descriptive and other information about devices, but rather should be limited to the results of clinical and preclinical safety and effectiveness investigations.

Specifically, HIMA argued that the interim rule would require a 510(k) summary to include information, other than safety and effectiveness information, that would support a finding of substantial equivalence. HIMA was also concerned that trade secret and/or confidential commercial information regarding a device's design and function would have to be submitted, and that no provision had been made to protect such information from public disclosure. HIMA also objected that, as described in the interim rule, persons submitting a 510(k) statement would be required to disclose, in response to a request by any person, not only safety and effectiveness information, but also all other information pertaining to the substantial equivalence of the product to predicate devices, including trade secret and/or confidential commercial information. HIMA also objected to the requirement that a class III summary include data, not only on the device cited as the predicate device, but also on any other device of the same type. HIMA also complained that the required certification that the summary submitted be complete and accurate, would subject the certifier to new criminal liability based on factors not within its knowledge or control. Finally, HIMA objected generally to the new confidentiality provisions contained in the interim rule.

FDA has decided to grant HIMA's request to stay the effective date of the interim final rule until 60 days after the

date of publication of a final rule in the *Federal Register*, and to also extend the time for comments to August 27, 1992. FDA specifically invites comments on the stay of the effective date. FDA is announcing its intent to publish a final rule that will include whatever changes FDA's review of the comments indicates are warranted. FDA is proposing that the effective date of that final rule be 60 days after the date of publication in the *Federal Register*, but specifically invites comments about whether any of the provisions of the rule might require additional time for implementation. Comments suggesting that more than 60 days are needed for implementation must be accompanied by adequate support.

This action is being taken under FDA's regulations, 21 CFR 10.35(a), and the agency's enforcement discretion. See *Heckler v. Chaney*, 470 U.S. 821 (1985). This action does not affect any self-executing statutory responsibilities. Until FDA issues a final rule incorporating whatever changes in the rule FDA believes are justified based on its review of the comments received, only the statute will be operative as a legal requirement.

The petition and response are available for public examination in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Dates: May 27, 1992.

William K. Hubbard,

Acting Deputy Commissioner for Policy.

[FR Doc. 92-12714 Filed 5-27-92; 12:42 pm]

BILLING CODE 4160-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

[Docket S-026A]

RIN 1218-AB20

Process Safety Management of Highly Hazardous Chemicals; Explosives and Blasting Agents

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Final rule; administrative stay; request for comments.

SUMMARY: OSHA's final rule on Process Safety Management of Highly Hazardous Chemicals which was issued on February 24, 1992 (57 FR 6356) is scheduled to become effective May 26, 1992. OSHA is administratively staying the effective date of certain provisions

(operating procedures, contractors, mechanical integrity, and management of change) of the process safety management standard until August 26, 1992, in order to evaluate the merits of these petitions. In addition, OSHA is requesting comments on whether additional time is necessary to comply with these four paragraphs.

DATES: Effective May 27, 1992, paragraphs (f), (h), (i) and (l) of 29 CFR 1910.119 will be administratively stayed until August 26, 1992.

Comments must be postmarked by June 30, 1992.

ADDRESSES: All written submissions should be sent, in quadruplicate, to the Docket Office, Docket No. S-026A, U.S. Department of Labor, Occupational Safety and Health Administration, room N2625, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT:

Mr. James F. Foster, Occupational Safety and Health Administration, room N3649, U.S. Department of Labor, Washington, DC 20210, (202) 523-8148.

SUPPLEMENTARY INFORMATION: On February 24, 1992, OSHA issued its final rule on Process Safety Management of Highly Hazardous Chemicals, 29 CFR 1910.119 (57 FR 6356). The final rule is scheduled to become effective on May 26, 1992. Since the final rule was published, OSHA has received a number of requests asking OSHA to reconsider the 90-day effective date for certain provisions in the standard. Additionally, OSHA has received petitions requesting an administrative stay of certain provisions of the final rule.

A joint petition, from the Chemical Manufacturers Association (CMA), the American Petroleum Institute (API), and the National Petroleum Refiners Association (NPRA), requested an administrative stay of the following paragraphs for the following periods of time:

- (c), employee participation until August 26, 1992;
- (f), operating procedures until February 26, 1994;
- (h), contractors until February 26, 1993;
- (i), pre-startup safety review until August 26, 1992;
- (j), mechanical integrity until February 26, 1994;
- (l), management of change until February 26, 1993; and (n), emergency planning and response until August 26, 1992.

Additionally, a petition from Union Carbide Chemicals and Plastics Company Inc., requested an administrative stay of paragraphs: (f)(2) and (f)(4); (h)(2)(i) and (h)(2)(iv); and (j)(2) through (j)(5).

While supporting the standard, CMA, one of the petitioners, emphasized that they sincerely believed that the standard is necessary and "will enhance safety in the industry". Further CMA, the API and NPRA stated that they "intend to fully comply with the PSM final standard". However, petitioners assert that more time is needed because of the extensive written program requirements contained in the standard and urge that the regulated community should be allowed to implement compliance plans in an orderly but prompt manner or otherwise the compliance plan is likely to result in a poor quality product.

After review of the information submitted on the other provisions of the standard, OSHA has decided that no extension of time is warranted for paragraph (c) — employee participation, paragraph (i) — pre-startup safety review, or paragraph (n) — emergency planning and response. Therefore, the effective date for these three paragraphs remains May 26, 1992.

However, OSHA has decided that more time is necessary to evaluate the petitions regarding the compliance dates with respect to paragraph (f) — operating procedures, paragraph (h) — contractors, paragraph (j) — mechanical integrity, and paragraph (l) — management of change. Consequently, OSHA is granting an administrative stay of these provisions until August 26, 1992. To assist OSHA in evaluating the merits of these petitions, the Agency is seeking public comment and is providing a thirty day comment period to give the public an opportunity to comment on the need for OSHA to further stay the compliance dates of these provisions. The Agency is seeking detailed information on whether additional time is necessary for compliance with each of the stayed paragraphs and if so, how much additional time, with specific rationale to support such extension. In spite of the stay, OSHA expects that employers will continue to expedite their efforts to fully comply with all of the provisions of the standard.

By granting this administrative stay, OSHA is not expressing an opinion on the merits of the petitioners' claims. Moreover during the stay of paragraphs (f), (h), (j) and (l), OSHA will continue to protect employees exposed to highly hazardous chemicals in their workplace by using the general duty clause of the Occupational Safety and Health Act of 1970. Presently effective settlement agreements and pending enforcement actions are not affected by this action.

Public Participation

Interested persons are invited to submit written data, views, and arguments with respect to the need for OSHA to reconsider the compliance dates for paragraphs (f), (h), (j) and (l) of 29 CFR 1910.119. These comments must be postmarked by June 30, 1992, and submitted in quadruplicate to the Docket Office, Docket S-026A, room N2625, U.S. Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW., Washington, DC 20210. The telephone number of the Docket Office is (202) 523-7894, and its hours of operations are 8:15 a.m. to 4:45 p.m. Monday through Friday. Comments limited to 10 pages or less may also be transmitted by facsimile to (202) 523-5046, provided that the original and four copies of the comment are sent to the Docket Officer immediately thereafter.

The petitions and the data, views and arguments that are submitted will be available for public inspection and copying at the above address.

List of Subjects in 29 CFR Part 1910

Explosives, Flammable liquids and gases, Hazard analysis, Highly hazardous chemicals, Hazardous materials, Occupational safety and health, Safety, Process hazard analysis, Pyrotechnics.

Authority

This document was prepared under the direction of Dorothy L. Strunk, Acting Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. It is issued under the authority of sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); section 304, Clean Air Act Amendments of 1990 (Pub. L. 101-549, Nov. 15, 1990, reprinted at 29 U.S.C. 655 Note (Supp. 1991)); Secretary of Labor's Order No. 1-90 (55 FR 9033); and 29 CFR part 1911.

Accordingly, effective May 27, 1992, paragraph (f), paragraph (h), paragraph (j), and paragraph (l) of 29 CFR 1910.119 are stayed until August 26, 1992.

Signed at Washington, DC, this 27th day of May 1992.
Dorothy L. Strunk,
Acting Assistant Secretary.
 [FR Doc. 92-12724 Filed 5-27-92; 1:10 pm]
 BILLING CODE 4510-26-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 Large Harbor Tugs YTB 771, YTB 788 and YTB 801, are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with their special functions as naval vessels. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: May 5, 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 Large Harbor Tugs YTB 771, YTB 788 and YTB 801, are vessels of the Navy which, due to their 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)(i), 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 their special function as naval vessels. YTB 771, YTB 788 and YTB 801 are tugs of special construction and functions. They perform towing services for naval vessels.

In the case of each tug, the mast is hinged and is lowered only when the tug is actually engaged in towing alongside or pushing ships having radically flared bows or sponsored sides and sterns. When the mast is in the lowered position, the masthead lights, and task lights mounted on the 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 all 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 these vessels in a manner differently from that prescribed herein will adversely affect the vessels 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 vessels:

Vessel	No.	Masthead lights, arc of visibility; Rule 21(A)	Side lights, arc of visibility; Rule 21(B)	Stern light, arc of visibility; Rule 21(C)	Side lights, distance inboard of ship's sides in meters; § 3(b), Annex I	Stern light, distance forward of stern in meters; Rule 21(C)	Forward anchor light, height above hull in meters; § 2(K), Annex I	Anchor lights, relationship of aft light to forward light in meters; § 2(K), Annex I
Keokuk.....	YTB 771				3.11	13.00		
Wapato.....	YTB 788				3.10	12.88		
Palatka.....	YTB 801				2.80	13.00		

§ 706.2 [Amended]

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

Vessel No.	Distance in meters of aux. masthead light below minimum required height. Annex 1, sec. 2(a)(i)
YTB 771.....	3.89
YTB 788.....	3.76
YTB 801.....	3.89

Date: May 5, 1992.

Approved:

J.E. Gordon,

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

[FR Doc. 92-12490 Filed 5-29-92; 8:45 am]

BILLING CODE 3810-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[FRL-4136-8]

Hazardous Waste Management System; Definition of Hazardous Waste; "Mixture" and Derived-from" Rules

AGENCY: Environmental Protection Agency.

ACTION: Interim final rule; technical corrections.

SUMMARY: On March 3, 1992 (57 FR 7628), the Environmental Protection Agency (EPA) announced the interim final re promulgation of 40 CFR 261.3, including the "mixture" and "derived-from" rules. These rules are part of the definition of hazardous waste under Subtitle C of the Resource Conservation and Recovery Act (RCRA). The rules define "hazardous waste" to include mixtures of hazardous waste with other solid waste and the residue from

managing listed hazardous waste. Today's notice restores language to 40 CFR 261.3 that the Agency inadvertently omitted from the interim final rulemaking.

DATES: This rule is effective on June 1, 1992.

FOR FURTHER INFORMATION CONTACT:

Ms. Marilyn Goode, Office of Solid Waste (OS-332), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 260-8551.

SUPPLEMENTARY INFORMATION: On May 19, 1980, EPA promulgated regulations to govern the management of hazardous waste under RCRA, including the "mixture" and "derived-from" rules at 40 CFR 261.3. On December 6, 1991, the United States Court of Appeals for the District of Columbia ruled that the Agency had failed to give sufficient notice and opportunity for comment in promulgating the "mixture" and "derived-from" rules. The court therefore vacated the rules and remanded them to the Agency (*Shell Oil v. EPA*, No. 80-1532 *et al.* (D.C. Cir., December 6, 1991)). At the invitation of the court, EPA reinstated 40 CFR 261.3 on an interim basis under section 553(b)(3)(B) of the Administrative Procedure Act (APA). This interim final rule was published on March 3, 1992 (57 FR 7628).

In reinstating the "mixture" and "derived-from" rules, the Agency neglected to include certain changes to 40 CFR 261.3 that had been promulgated in 1991. The first change was an amendment to 40 CFR 261.3(d)(1) which EPA promulgated on January 31, 1991 (55 FR 3876). This amendment clarified that wastes exhibiting a hazardous characteristic at the point of generation may still be subject to the land disposal restrictions of 40 CFR part 268, even if the wastes no longer exhibit the characteristic at the point of land disposal.

The second change was an amendment to 40 CFR 261.3(c)(2)(ii)(B) which the Agency promulgated on July 17, 1991 (56 FR 32692). This amendment reflected the fact that on February 21, 1991, EPA has provided an exclusion from the definition of solid waste for

coke and coal tar from the iron and steel industry that is used as a fuel and that contains or is produced from decanter tank tar sludge, EPA Hazardous Waste K087. The process of producing coke and coal tar from such decanter tank tar sludge in a coke oven was likewise excluded from regulation in that notice (56 FR 7206-7207). The conforming amendment published on July 17, 1991 deleted the cross-reference in 40 CFR 261.3(c)(2)(ii)(B) to wastes from burning coke and coal tar from the iron and steel industry that contain EPA Hazardous Waste No. K087.

The third change was an amendment to 40 CFR 261.3(c)(2)(ii), promulgated by the Agency on August 19, 1991 (56 FR 41176-41177). This amendment provided an exclusion from the "derived-from" rule for certain residues resulting from treating EPA Hazardous Waste No. K061 by high temperature metal recovery (40 CFR 261.3(c)(2)(ii)(C)).

The omission of these amendments in the March 3, 1992 interim final rule was unintentional. Today's notice restores all of the regulatory amendments described above which were mistakenly excluded from the March 3, 1992 reinstatement of 40 CFR 261.3. In addition, EPA is today deleting an outdated reference in 40 CFR 261.3(a)(2)(i) to the Extraction Procedure Toxicity Characteristic, and replacing it with a reference to the Toxicity Characteristic, which has replaced the Extraction Procedure Toxicity Characteristic see (55 FR 11798, March 29, 1990).

Because this rulemaking action simply restores omitted text from a preexisting rule and makes other minor technical corrections, public comment is unnecessary (see 5 U.S.C. 553(b)(B)). For the same reasons, the Agency believes that there is good cause for making these changes effective immediately (see 5 U.S.C. 553(d)(3)).

List of Subjects in 40 CFR Part 261

Hazardous waste, Recycling, Reporting and recordkeeping requirements.

Dated: May 14, 1992.

Don R. Clay,

Assistant Administrator for Solid Waste and Emergency Response.

Technical Corrections

In rule document number 91-4255, beginning on page 7628 is the **Federal Register** published on Tuesday, March 3, 1992, make the following corrections:

Constituent	Maximum for any single composite sample (mg/l)
Silver.....	0.30
Thallium.....	0.013
Vanadium.....	1.26

For each shipment of K061 HTMR residues sent to Subtitle D unit that meets the generic exclusion levels for all constituents, and does not exhibit any characteristic, a notification and certification must be sent to the appropriate Regional Administrator (or delegated representative) or State authorized to implement part 268 requirements. The notification must include the following information: (1) The name and address of the subtitle D unit receiving the waste shipment; (2) the EPA hazardous waste number and treatability group at the initial point of generation; (3) treatment standards applicable to the waste at the initial point of generation. The certification must be signed by an authorized representative and must state as follows: "I certify under penalty of law that the generic exclusion levels for all constituents have been met without impermissible dilution and that no characteristic of hazardous waste is exhibited. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

§ 261.3 [Corrected]

4. On page 7633, third column, in § 261.3(d)(1), line 4, add the following at the end of the line:

(However, wastes that exhibit a characteristic at the point of generation may still be subject to the requirements of part 268, even if they no longer exhibit a characteristic at the point of land disposal.)

[FR Doc. 92-12740 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

Resource Conservation and Recovery Act (RCRA). Tennessee's revisions consist of the Toxicity Characteristic Leaching Procedure (TCLP) Rule, a component of HSWA Cluster II, 3006(f) Availability of Information (AOI), and Non-HSWA Cluster IV. The Environmental Protection Agency (EPA) has reviewed Tennessee's application and has made a decision, subject to public review and comment, that Tennessee's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Tennessee's hazardous waste program revisions. Tennessee's applications for the TCLP, 3006(f) AOI, and Non-HSWA Cluster IV program revisions are available for public review and comment.

DATES: Final authorization for Tennessee shall be effective July 31, 1992 unless EPA publishes a prior **Federal Register** action withdrawing this immediate final rule. All comments on Tennessee's program revision applications must be received by the close of business, July 1, 1992.

ADDRESSES: Copies of Tennessee's program revision applications are available during 8 am-4 pm at the following addresses for inspection and copying: Tennessee Department of Environment and Conservation, Solid Waste Management Division, 701 Broadway, Nashville, Tennessee 37219; (615) 741-3424 and U.S. EPA Region IV, Library, 345 Courtland Street, NE, Atlanta, Georgia 30365; (404) 347-4216. Written comments should be sent to Narindar Kumar at the address listed below.

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

SUPPLEMENTARY INFORMATION:

A. Background

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

Constituent	Maximum for any single composite sample (mg/l)
Antimony.....	0.063
Arsenic.....	0.055
Barium.....	6.3
Beryllium.....	0.0063
Cadmium.....	0.032
Chromium (total).....	0.33
Lead.....	0.095
Mercury.....	0.009
Nickel.....	0.63
Selenium.....	0.16

40 CFR Part 271

[FRL 4138-8]

Tennessee; Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Tennessee has applied for final authorization of revisions to its hazardous waste program under the

substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority.

States exercising the latter option receive "interim authorization" for the HSWA requirements under section 3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

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

B. Tennessee

Tennessee initially received final authorization for its base RCRA program effective on February 5, 1985. Tennessee received authorization for revisions to its program on August 11, 1987, (52 FR 22443). On October 1, 1991, and November 6, 1991, Tennessee submitted program revision applications for additional program approval. Today,

Tennessee is seeking approval of its program revisions in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Tennessee's applications and has made an immediate final decision that Tennessee's hazardous waste program satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Tennessee. The public may submit written comments on EPA's immediate final decision until July 1, 1992. Copies of Tennessee's application for program revisions are available for inspection and copying at the locations indicated in the "Addressees" section of this notice.

Approval of Tennessee's program revision shall become effective in 60 days unless an adverse comment pertaining to the State's revisions discussed in this notice is received by the end of the comment period.

If an adverse comment is received, EPA will publish either (1) a withdrawal of the immediate final decision or (2) a

notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

EPA shall administer any RCRA hazardous waste permits, or portions of permits that contain conditions based upon the Federal program provisions for which the State is applying for authorization and which were issued by EPA prior to the effective date of this authorization. EPA will suspend issuance of any further permits under the provisions for which the State is being authorized on the effective date of this authorization.

Tennessee is today seeking authority to administer the following Federal requirements promulgated on November 8, 1984, for the 3006(f) Availability of Information component of Non-HSWA Cluster I; on March 24, 1990 for the Toxicity Characteristic revision of HSWA Cluster II, and from July 1, 1987-June 30, 1988 for Non-HSWA Cluster IV.

Federal requirement	FR reference	Federal promulgation date	State authority
List (phase I) of hazardous constituents for groundwater monitoring	52 FR 25942	7/9/87	68-46-106(a)(1), 68-46-107(b)(2), 68-46-107(d), (1 and 3).
Identification and listing of hazardous waste	52 FR 26012	7/10/87	68-46-104(7), 68-46-106(a)(1), 68-46-107(d)(1).
Listing of spent pickle liquor; clarification	52 FR 28697	8/3/87	68-46-104(7), 68-46-106(a)(1), 68-46-107(d)(1).
Liability requirements for hazardous waste facilities; corporate guarantee	52 FR 44314	11/18/87	68-46-107(d).
Hazardous waste miscellaneous units	52 FR 46946	12/10/87	68-46-106(a), (1-3), 68-46-107(d), (3, 4, and 6).
Technical correction identification and listing of hazardous waste	53 FR 13382	4/22/88	68-46-104(7), 68-46-106(a)(1), 68-46-107(d)(1).
Toxicity characteristic	55 FR 11798	3/29/90	68-46-104(7), 68-46-106(a)(1), 68-46-107(a), 68-46-107(d), (1 and 3).
3006(f) Availability of information	HSWA § 3006(f)	11/8/84	68-46-109, 10-7-301(6), 10-7-503, 10-7-504, 10-7-505.

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

C. Decision

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

Tennessee now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision application and previously approved authorities.

Tennessee also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

Compliance with Executive Order 12291

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

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 4 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the

applicability of certain Federal regulations in favor of Tennessee's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

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

Authority: This notice is issued under the authority of sections 2002(a), 3006, and

7004(b) of the Solid Waste Disposal Act as amended 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: May 27, 1992.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 92-12744 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 920109-2009]

Pacific Coast Groundfish Fishery

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

ACTION: Notice of fishing restrictions, and request for comments.

SUMMARY: NMFS announces the end of the "regular" season for sablefish taken with nontrawl gear and reimposition of a daily trip limit of 250 pounds. This action is authorized by the regulations implementing the Pacific Coast Groundfish Fishery Management Plan (FMP). The 250-pound daily trip limit is necessary to keep landings within the nontrawl harvest guideline for this species while extending the fishery as long as possible during the year.

DATES: Effective from 0001 hours (local time) May 27, 1992, until modified, superseded, or rescinded. Comments will be accepted through June 16, 1992.

ADDRESSES: Submit comments to Rolland A. Schmitt, Director, Northwest Region, National Marine Fisheries Service, NOAA, 7600 Sand Point Way NE, BIN C15700-Bldg. 1, Seattle, Washington 98115-0070; or Charles E. Fullerton, Director, Southwest Region, National Marine Fisheries Service, NOAA, 501 West Ocean Blvd., suite 4200, Long Beach, California 90802-4213.

FOR FURTHER INFORMATION CONTACT: William L. Robinson at (206) 526-6140; or Rodney McInnis at (310) 980-4040.

SUPPLEMENTARY INFORMATION: The notice of 1992 groundfish fishery specifications and management measures (57 FR 1654, January 15, 1992) announced a two-tier scheme of trip landing limits for the nontrawl sablefish fishery that began in January and was intended to extend until the beginning of the regular nontrawl sablefish season. (During the regular season, the only trip

limit applies to sablefish smaller than 22 inches (total length.) The fishing year began with a 500-pound daily trip limit which was increased to 1,500 pounds on March 1, 1992, with the stipulation that if 440 metric tons (mt) of the 3,612 mt designated for the nontrawl sablefish fishery was taken prior to the beginning of the regular season, the 500-pound daily trip limit would be reimposed. On March 20, 1992, the 440 mt was projected to have been exceeded, and the daily trip limit was reduced to 500 pounds (57 FR 10429, March 26, 1992). Landings continued at an unexpectedly high rate, and, at its April 1992 meeting, the Pacific Fishery Management Council (Council) recommended further reduction of the daily trip limit to 250 pounds.

Accordingly, on April 17, 1992, the 500-pound daily trip limit was reduced to 250 pounds so that most of the remainder of the harvest guideline would be available for the regular season (57 FR 14666, April 22, 1992). The trip limits preceding the regular season were intended to allow small incidental catches to be landed and to allow small fisheries to operate year-round (57 FR 1654, January 15, 1992). At its April meeting, the Council also recommended that the 250-pound daily trip limit be reimposed at the end of the regular season, on the date necessary to extend the nontrawl sablefish fishery as long as possible during the year (57 FR 14666, April 22, 1992).

The regular season began on May 12, 1992 (57 FR 11271, April 2, 1992.) The best available data indicate that through May 12, 1992, 1,207 mt of sablefish were harvested, and at least 1,900 mt had been harvested from January 1, 1992, through May 17, 1992. At the rate of harvest during the regular season, the harvest guideline of 3,612 mt is projected to be reached by May 29, 1992, if landings are not further curtailed. For these reasons, NMFS is reimposing a 250-pound daily trip limit at 0001 hours (local time) May 27, 1992, ending the regular season. This regulatory action is intended to leave approximately 300 mt remaining from the 3,612-mt harvest guideline to be harvested under the 250-pound daily trip limit. All other provisions for sablefish caught with nontrawl gear remain in effect. All weights are in round weight or round weight equivalents.

Secretarial Action

The Secretary of Commerce (Secretary) having concurred with the

Council's recommendation to reimpose a 250-pound daily trip limit at the end of the regular season (57 FR 14666, April 22, 1992), hereby announces:

(1) Following the regular season, at 0001 hours (local time) May 27, 1992, the daily trip limit for sablefish caught with nontrawl gear is 250 pounds until modified, superseded, or rescinded. This trip limit applies to sablefish of any size.

(2) These restrictions apply to all sablefish caught with nontrawl gear between 3 and 200 nautical miles offshore of Washington, Oregon, and California. All sablefish caught with nontrawl gear and possessed 0-200 nautical miles offshore, or landed in Washington, Oregon, or California are presumed to have been taken and retained from the fishery management area (3-200 nautical miles offshore Washington, Oregon, and California) unless otherwise demonstrated by the person in possession of those fish.

Classification

The determination to reduce the limit for the nontrawl sablefish fishery is based on the most recent data available. The aggregate data upon which the determination is based are available for public inspection at the Office of the Director, Northwest Region (see **ADDRESSES**) during business hours until June 16, 1992.

This action is taken under the authority of 50 CFR 663.23(c) and sections III.B.1. and III.B.2. of the appendix to 50 CFR part 663, and is in compliance with Executive Order 12291. The public had opportunities to comment on this action at the time the notice of annual specifications was published on January 15, 1992, and after the subsequent notices adjusting the nontrawl sablefish trip limit, discussed above.

List of Subjects in 50 CFR Part 663

Administrative practice and procedure, Fisheries, Fishing, and Recordkeeping and reporting requirements.

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

Dated: May 26, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-12685 Filed 5-26-92; 4:54 pm]

BILLING CODE 3510-22-M

Proposed Rules

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

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 91

[Docket No. 91-035]

Ports Designated for Exportation of Animals; Minneapolis/St. Paul, MN

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We propose to amend the "Inspection and Handling of Livestock for Exportation" regulations by adding the Cannon Export Center to the list of export inspection facilities for the Minneapolis/St. Paul International Airport. This action would add an inspection facility through which animals may be processed for export. This facility appears to meet the requirements for inclusion in the list of export inspection facilities.

DATES: Consideration will be given only to comments received on or before July 1, 1991.

ADDRESSES: To help ensure that your written comments are considered, send an original and three copies to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 804, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket Number 92-035. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT:
Dr. Andrea Morgan, Senior Staff Veterinarian, Import-Export Animals Staff, VS, APHIS, USDA, room 784, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8383.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 91, "Inspection and Handling of Livestock for Exportation" (referred to below as the regulations), prescribe conditions for exporting animals from the United States. We propose to amend § 91.14 of the regulations by adding the Cannon Export Center to the list of export inspection facilities for the Minneapolis/St. Paul International Airport.

To receive approval as an export inspection facility, the regulations provide that a facility must meet specified standards in § 91.14(c) concerning materials, size, inspection implements, cleaning and disinfection, feed and water, access, testing and treatment, location, disposal of animal wastes, lighting, and office and rest room facilities.

It appears that the Cannon Export Center, 2870 Rochester Boulevard, Cannon Falls, MN 55009, (507) 263-3064, meets the requirements of § 91.14(c). Therefore, we propose to add the Cannon Export Center to the list of export inspection facilities for the Minneapolis/St. Paul International Airport. Executive Order 12291 and Regulatory Flexibility Act.

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

Currently, only one animal export facility serves the Minneapolis/St. Paul International Airport. This proposal would add a second animal export inspection facility, which would facilitate the export of animals from this part of the United States. We believe that adding a second facility would have little or no economic impact on animal

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exporters, the majority of which are small businesses, because it would not result in an increase in the cost of doing business. The primary impact on these animal exporters would be the increased convenience of having two animal export inspection facilities from which to choose.

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

Paperwork Reduction Act

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

Executive Order 12372

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

Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If this proposed rule is adopted: (1) all State and local laws, regulations, or policies that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) it will not require administrative proceedings before parties may file suit in court challenging its provisions.

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Humane animal handling, Livestock and livestock products, Reporting and recordkeeping requirements, Transportation.

Accordingly, we propose to amend 9 CFR part 91 as follows:

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 would continue to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 612, 613, 614, 618; 46 U.S.C. 466a, 466b; 49 U.S.C. 1509(d); 7 CFR 2.17, 2.51, and 371.2(d).

2. In § 91.14, a new paragraph (a)(7)(i)(B) would be added to read as follows:

§ 91.14 Ports of embarkation and export inspection facilities.

(a) * * *
(7) * * *
(i) * * *

(B) Cannon Export Center, 2870 Rochester Blvd., Cannon Falls, MN 55009, (507) 263-3064.

* * * * *
Done in Washington, DC, this 27th day of May 1992.

Robert Melland,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92-12722 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Chapter IX

Natural Resource Damage Assessments Under the Oil Pollution Act of 1990

AGENCY: National Oceanic and Atmospheric Administration (NOAA), of the Department of Commerce.

ACTION: Extension of comment period and announcement of public meeting.

SUMMARY: On March 13, 1992 (57 FR 8964), NOAA provided a status report of the proposed rulemaking concerning the natural resource damage assessment and restoration regulations required by the Oil Pollution Act of 1990 (OPA). On April 21, 1992 (57 FR 14524), NOAA extended the comment period through June 29, 1992. This notice extends only the comment period concerning the calculation of nonuse values to October 1, 1992, and announces a public meeting concerning this rulemaking process on August 12, 1992, in the Department of Commerce Auditorium in Washington, DC.

DATES: The time for receiving written comments concerning the calculation of nonuse values has been extended to October 1, 1992. Comments concerning all other aspects of the regulations must be received no later than June 29, 1992. The public meeting will be held on August 12, 1992, from 10:00 a.m. to 4:00 p.m. Requests to speak and present information during this public meeting must be received no later than July 24, 1992.

ADDRESSES: Requests to participate, accompanied by written comments, in

the public meeting are to be submitted to Bill Triplett, Office of General Counsel-DART, Room 422, 6001 Executive Boulevard, Rockville, Maryland 20852. The public meeting will be held in the Department of Commerce Auditorium, 14th and Constitution Ave., NW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Randall Luthi, telephone (202) 377-1400, or Linda Burlington, Office of General Counsel-DART, NOAA, 6001 Executive Boulevard, room 422, Rockville, Maryland 20852, telephone (301) 227-6332.

SUPPLEMENTARY INFORMATION:

I. Background

The Oil Pollution Act of 1990 (OPA), 33 U.S.C. 2701 *et seq.*, provides for the prevention of, liability for, removal of and compensation for the discharge, or substantial threat of discharge, of oil into or upon the navigable waters of the United States, adjoining shorelines, or the Exclusive Economic Zone. Section 1006(e) requires the President, acting through the Under Secretary of Commerce for Oceans and Atmosphere, to develop regulations establishing procedures for natural resource trustees in the assessment of damages for injury to, destruction of, loss of, or loss of use of natural resources covered by OPA. Section 1006(b) provides for the designation of Federal, State, Indian tribal and foreign natural resource trustees to determine resource injuries, assess natural resource damages (including the reasonable costs of assessing damages), present a claim, recover damages and develop and implement a plan for the restoration, rehabilitation, replacement, or acquisition of the equivalent of the natural resources under their trusteeship.

NOAA has published four Federal Register Notices, 55 FR 53478 (December 28, 1990), 56 FR 8307 (February 28, 1991), 57 FR 8964 (March 13, 1992) and 57 FR 14524 (April 21, 1992) requesting information and comments on approaches to developing damage assessment procedures. Throughout the comment period, NOAA has received numerous and often conflicting comments concerning the use of the contingent valuation methodology (CVM) in determining nonuse values of natural resources affected by a discharge of oil. To assure a thorough analysis of this issue, NOAA established a Contingent Valuation Panel to review the use of CVM to determine nonuse values. The panel members are: Kenneth Arrow (co-chair), Robert Solow (co-chair), Ed Leamer,

Paul Portney, Roy Radner and Howard Schuman. Following the review, this panel will submit comments to NOAA as part of the ongoing rulemaking process. To assist in their review, the Panel will conduct a meeting open to the public, with limited oral presentations, in the Department of Commerce Auditorium, at 14th and Constitution Ave., NW, in Washington, DC from 10:00 a.m. to 4:00 p.m. This meeting will be open to the public, however, representatives of organizations that have a direct interest in the assessment process are encouraged to attend. Such interested organizations can include, but not be limited to: Federal trustee agencies; States; foreign trustees; Indian Tribes; industries, or industry organizations; environmental organizations; natural scientists; and economists.

II. Meeting Agenda Items

Due to the necessary time constraints of meeting, it is suggested that commenters focus their oral remarks to the following issues.

(1) Can constructed market methodologies, including CVM, be implemented reliably (i.e., implemented in such a manner that would render the results trustworthy or worthy of confidence) to calculate nonuse values for natural resources? If so, under what circumstances and under what guidance (e.g., what are the characteristics of a reliable study)?

(2) If constructed market methodologies cannot be implemented to reliably calculate nonuse values, what additional work or studies should be conducted to refine constructed market methodologies so they can reliably determine nonuse values of natural resources.

(3) What are the alternatives, if any, to the use of constructed market methodologies to reliably calculate nonuse values?

Those wishing to address the panel must first submit their comments in writing no later than July 24, 1992, to Bill Triplett at the above address. The oral presentation will allow the commenter to elaborate on those written comments and be available to answer questions regarding the written comments from members of the Panel. All comments received, either written or oral, will be a part of the administrative record and will be fully considered during the rulemaking process.

NOAA and the Panel will set the agenda and schedules based upon the number of requests received and the interests represented. Speaking times may be rather brief depending upon the

number of people who wish to present information. Parties representing similar interests may be asked to combine information and to choose one member to present that information. Written presentations can be submitted in lieu of oral remarks. Participants will be contacted during the week of August 3 with times of presentations.

Authority: Sec. 1006(e), Pub. L. 101-380.

Dated: May 27, 1992.

Thomas A. Campbell,
General Counsel, National Oceanic and
Atmospheric Administration.

[FR Doc. 92-12709 Filed 5-29-92; 8:45 am]

BILLING CODE 3510-12-M

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 202

RIN 1010-AB57

Valuation of Gas Production Under Unitization or Communization Agreements

AGENCY: Minerals Management Service
(MMS), Interior.

ACTION: Advance notice of proposed
rulemaking.

SUMMARY: Pursuant to the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701), the Royalty Management Program (RMP) of the Minerals Management Service (MMS) is considering amendments to its regulations regarding the valuation of gas produced from federal and Indian leases that are committed to a federally approved unitization or communization agreement. The primary concern is the basis for royalty evaluation in cases where a lessee takes and sells less or in some cases more than its full entitled share of production. An associated issue involves the parties responsible for reporting and paying royalties on a lease, particularly in cases where lessees are taking and selling volumes different than their entitled share of agreement production.

This notice describes seven alternatives for rule changes in these areas and solicits comments on these and any other alternative approaches to valuation and reporting of gas production from unitization or communization agreements.

DATES: Comments must be received on or before July 16, 1992.

ADDRESSES: Written comments, suggestions, or objections regarding alternative valuation and reporting methods should be mailed to the

Minerals Management Service, Royalty Management Program, Rules and Procedures Branch, Mail Stop 3910, P.O. Box 25165, Denver, Colorado 80225-0165, Attention: Dennis C. Whitcomb.

FOR FURTHER INFORMATION CONTACT:
Dennis C. Whitcomb, Chief, Rules and Procedures Branch at (303) 231-3432 or (FTS) 328-3423.

SUPPLEMENTARY INFORMATION:

I. Background

Unitization and communization agreements are entered into for the purpose of exploring and developing oil and gas reservoirs in an orderly and unified manner. These agreements are normally entered into for the conservation of natural resources, the assurance of the maximum recovery of the resource, the prevention of the drilling of unnecessary wells, and the protection of correlative rights. Under these agreements, the costs and benefits of development and production are shared by the working-interest owners. The method of determining each working-interest owner's proportionate share of the costs and benefits is governed by an operating agreement. When Federal or Indian lands are involved, the Department of the Interior must approve the unitization or communization agreement. The Department does not, however, approve the operating agreement.

One of the most important aspects of the Department's approval of the agreement is the allocation of production for royalty purposes. Allocation of production to the leases committed to the agreement may be based upon surface acreage, net acre-feet of original gas in place, or other criteria. Depending upon the agreement, the allocation may be fixed for the life of the agreement or it may change as the productive area within the agreement expands or contracts. Production from any location in the agreement area is deemed to have been produced proportionally from all of the leases. Thus, each individual lease in the agreement area is allocated a proportionate share of the agreement area's total production regardless of whether production physically occurs on the lease. One reason for this condition is that some individual leases within the agreement may not contain any producing wells, therefore, the volume of production removed from the lease must be determined by a means other than production from wells physically located thereon.

In the early to mid-1980's, market imbalances created situations where many working-interest owners in an

agreement were unable or unwilling to sell their proportionate share of agreement production. Although the working-interest owners are generally able to agree among themselves how to balance their interests over the life of the reservoir, the interests of the lessors and other royalty interest owners are interpreted in various ways by the different working-interest owners. For example, some working-interest owners that do not take any production contend that their lessor is not entitled to any royalty for that month. Others that take no production contend that their lessor is entitled to royalty that month, but that the party actually taking the production is responsible for the royalty payment.

MMS has attempted to state clearly its position on reporting, paying, and valuation by addenda and revisions to its Payor Handbook and letters to payors. The MMS also establish specific requirements in gas valuation regulations that were published on January 15, 1988 (53 FR 1230).

The January 1988 regulations specified that when the lessee of any lease committed to a federally approved unitization or communization agreement does not actually take the proportionate share of the production attributable to its Federal or Indian lease under the terms of the agreement, the full share of production attributable to the lease under the terms of the agreement is still subject to the royalty payment and reporting requirements of the regulations. This rule is consistent with previous practice. The value for royalty purposes of this production must be determined in accordance with the standard valuation rules found at 30 CFR part 206. The circumstances involved in the actual disposition of that part of the production to which the lessee was entitled, whether or not taken, control the determination of the value for royalty purposes of that volume of production from the unit. For example, production taken and sold by parties other than the lessee would be valued on the basis of gross proceeds accruing to those other parties if the production was sold under an arm's-length contract (see 30 CFR 206.152(b)(1)(1)). The January 1988 regulations addressed only the issue of the value of the production for royalty purposes. The regulations did not address which party was responsible for paying and reporting royalties.

The January 1988 regulations also outlined which parties would be viewed as taking the part of production to which the federal or Indian lessee was entitled but did not take (30 CFR 202.150(e)(3)). A provision of these requirements

specified that the value determined by the value of the production sold by parties other than the lessee, and the royalties paid thereon, would not be affected if the lessee subsequently took more than its proportionate share to balance its account or was paid a sum of money by the other agreement participants to balance its account. The method of determining value based on the dispositions of the volume determined to be taken from Federal or Indian leases became known as the "tracing method."

In response to public comments on the proposed rulemaking for valuation of gas production (see 52 FR 4732, February 13, 1987), two provisions were included in the final rulemaking (see 53 FR 1230, January 15, 1988) to allow a lessee to request MMS approval of an alternative valuation method. One provision allows an individual lessee to request an alternate valuation method for that part of the production to which it was entitled but did not take (30 CFR 202.150(e)(2)). The other provision allows for alternate valuation methods for all production attributable to Federal or Indian lands in an agreement (30 CFR 202.150(f)). Approval of an alternate method under both of these provisions is subject to limitations.

II. Experience Under the Current Regulations

Since the issuance of the current valuation regulations in January 1988, many lessees have expressed concerns over the royalty valuation and reporting requirements for agreements which may contain many leases and involve hundreds of working-interest owners. One often-expressed view is that many lessees have difficulty complying with the "tracing method" because many sellers are reluctant to share pricing information claiming concern that they may thereby violate antitrust laws and/or damage their own competitive position. Another concern is that the time involved in following the tracing method prevents accurate and timely remittance of royalties.

It is common for agreement production to be sold under several contracts by several sellers with the volume of production sold under any given contract varying from month to month. The production sold under a given contract may or may not be identified in the contract as originating from any particular lease; therefore, it is difficult to determine from which lease(s) each selling party delivered gas until the final allocation to each seller is received from transporting pipeline(s) and the purchasers.

The provisions of the current rule which allow lessees to submit an alternative valuation proposal (30 CFR 202.150(e)(2) and (f)) have been satisfied only in isolated cases. The only alternative valuation proposals so far approved by MMS have involved Outer Continental Shelf leases with the same royalty rate and funds distribution and onshore leases within one field in Wyoming.

Most lessees are not able to comply with one or both of the provisions of these rules. Specifically, under 30 CFR 202.150 (e)(2), most proposals involve jointly held leases and do not assure that royalties for a lease will be paid based on a value that is not less than the gross proceeds accruing to the lessee. This stems from MMS viewing the term "lessee" as collectively including all working interest owners in the lease. Under 30 CFR 202.150 (f), the alternative proposal must: (1) Give all persons, to the extent practical, with an interest in the agreement the opportunity to comment on the proposal; and (2) have the consent of all persons, to the extent practical, with committed Federal or Indian lease interests in the agreement. The MMS has been advised by lessees that obtaining the cooperation of all pertinent interest owners is very burdensome for lessees where large or complicated agreements are involved.

A group of 13 major oil and gas companies with common concerns submitted an alternative valuation method to MMS in May 1989 for the valuation of all of their onshore and offshore agreement production. These companies proposed that each lessee would report and pay royalties on the basis of the full amount of production to which each was entitled. Each lessee would pay royalties for the part of production taken, up to its entitled share for the lease, and the value would be based on the actual disposition of that part. The proposal differs from the current rule for the part of production not taken by the lessee. In the proposal, the value of that part would be based on an option that "best represents comparable value at the lease." Using this method, the lessee would be able to choose any one of the following options: (1) The lessee's own weighted-average sales price based on gross proceeds received for sale of production from the same agreement; (2) the lessee's own weighted-average price based on gross proceeds received from sales under comparable contract(s) in the same field/area, adjusted for applicable allowances; or (3) representative published spot-market prices

(Clearinghouse, Natural Gas Week, etc.), adjusted for location and applicable allowances. Regardless of how or by whom the production was disposed, royalties would always be paid on the volume of production each lessee was entitled to take from the lease at one of these values.

This proposal could lead to an inconsistency with the current valuation regulations, which required that value for royalty purposes must at least be equal to the gross proceeds accruing to the lessee.

Assume that one Federal lease, with two interest owners, "A and B," was committed to an agreement. One of the interest owners in the Federal lease, "A," takes less than its entitled share of unit production and the other owner, "B," takes more than its share of unit production. However, the total taken by both equals the portion of unit production attributable to the lease based on the approved allocation schedule. Payment of royalties by "A" using its contract price could lead to royalties calculated on less than the gross proceeds accruing to the lessee if the value was less than the actual sales price of "B." Although this proposal would solve a number of the previously described problems for the lessees under current regulations, it is in violation of gross proceeds requirement of the current regulations. Industry's proposal did, however, suggest to MMS that regulatory changes should be considered.

III. Discussion

The MMS is considering proposing an amendment to the procedure for valuing all agreement production. The MMS believes that a preferred valuation methodology for agreement production must be: (1) Consistent in spirit with the long-standing principle that royalties are paid on not less than gross proceeds; (2) based upon criteria that apply in priority order; (3) reflective of market value; (4) able to produce a royalty payment stream consistent with the agreement terms; (5) based on information available to the lessee; and (6) flexible enough to accommodate unique situations or situations where the interest owners may agree to an alternative more appropriate to their circumstances. Lessees are mainly concerned that the methodology used is practical. Both lessees and lessors are concerned that the methodology results in a value that equals or closely reflects actual revenues received from the sale of agreement production.

Several alternatives for solving the above described problems with the

current rules have been considered by MMS. The MMS is providing a description of these alternatives in this notice for the purpose of inviting specific comments on the viability of each alternative. None of the alternative fully meet the above criteria which are desired for valuation purposes. The MMS wishes to emphasize, however, that the alternatives for consideration are not to be limited to the methods listed herein. Therefore, MMS solicits comments that include any other possible valuation and reporting methodologies.

In November 1989, the aforementioned industry group resubmitted a revised alternative valuation proposal to MMS. This revised proposal, which is now supported by 18 large oil and gas companies, has been incorporated, in part, into the alternatives described in this notice.

IV. Description of Alternatives

The MMS invites specific comments on the following seven alternatives that MMS is currently considering for regulation of valuation and reporting of gas produced and sold from federally approved unitization and communization agreements:

1. Benchmarked Entitlements

Under this method, each lessee's entitled share of monthly agreement production would be equal to its ownership interest in the tract times the tract allocation percentage under the agreement. The value of the lessee's entitled share would be determined in accordance with 30 CFR part 206 of that part, or all, of the lessee's entitled share actually disposed of by the lessee.

For any part to which the lessee was entitled but did not take, the value for royalty purposes would be determined in accordance with the first applicable of the following:

- If the lessee disposes of production from the same lease, the weighted average of the values determined under 30 CFR part 206 for those dispositions.
- If the lessee does not take any of its entitled share from the lease, but the lessee disposes of production attributable to other leases in the agreement, then the value would be the weighted average of values determined by applying 30 CFR part 206 valuation methods to each disposition of like-quality production sold by the lessee from the same agreement (including non-Federal/Indian lease production).
- If the lessee does not dispose of production attributable to other leases in the agreement, then the value

would be equivalent to the weighted-average value determined by applying the requirements of 30 CFR part 206 to each disposition of like-quality production by the lessee under comparable contracts in the same field or area; or

- A value determined by consideration of representative published spot-market prices, adjusted for location and applicable allowances.

The valuation provisions of this alternative are structured to allow the lessee(s) to determine royalties due without knowledge of other lessee's prices. Because the royalties are still due on actual unit volumes, the lessee must still know the volume taken by all members of the unit. The main disadvantage of this alternative is that it does not base royalties on gross proceeds actually accruing for the sale of the production.

With respect to the responsibility for royalty reporting/payment, MMS requests comments on whether the working interest owners in a Federal or Indian lease committed to an agreement should be required to designate one or, at most, two parties to be responsible for the payment of royalties on the proportionate share of the agreement production attributable to that lease.

2. Advanced Minimum Payments

Each lessee's entitled share of agreement production would be equal to its ownership interest in the tract times the tract allocation percentage under the agreement. The value of all of the lessee's entitled share would be determined in accordance with 30 CFR part 206, whether actually disposed of by the lessee or other party.

- Lessees that take more than their entitled share would report/pay royalties only on their entitled share.
- Lessees that do not take production or take less than their entitled share would be required to pay a minimum "advance" royalty based on the entitled amount. Value would either be estimated or be the lowest price of any of the lessee's contracts on the lease or unit or the lowest published comparable price in the region. When the gas is later taken (made up), or the lessee is otherwise compensated, that "advance" royalty payment would be credited to the lessee and, if the actual gross proceeds accruing to the lessee were greater than the amount of advance royalty paid, the lessee would be required to pay additional royalties on the difference. Late payment interest would not be required.

Similar to the "benchmarked entitlements" alternative, the valuation provisions of this alternative are structured to allow the lessee(s) to determine royalties due without knowledge of other lessee's prices. However, with respect to the responsibility of royalty reporting/payment, MMS requests comments on whether the working-interest owners in a Federal or Indian lease committed to an agreement should be required to designate one or, at most, two parties to be responsible for the payment of royalties on the proportionate share of the agreement production attributable to the lease.

3. Pure Takes

A pure takes royalty system would have each lessee, or its agent, paying only when the lessee removes or sells production on its own account, or when some other party that has removed or sold production to which the lessee was entitled settles with the lessee by transferring money or other consideration to the lessee. Working-interest owners would report and pay royalties only on their own leases. Value would be determined as provided in 30 CFR part 206. Under this method, each lessee's ownership share would equal its taken share.

For onshore leases, this alternative may include a requirement for agreement production—and associated royalties—to be balanced annually for royalty purposes among all involved leases so that outstanding royalty liabilities could be periodically met. The MMS recognizes that a change to a pure takes royalty system basis for onshore leases may change the timing of royalty payments, so that a lessor may not receive royalty on its share of the production when the gas is removed from the unit.

4. Operator as Single Payer

All parties to the agreement would designate the operator as the party responsible for all reporting and paying. The operator would be required to submit Payor Information Forms (Form MMS-4025) and Reports of sales and Royalty Remittance—Oil and Gas (Form MMS-2014) for each transaction for each working-interest owner. For this alternative, the current valuation rules would be coupled with the requirement that the taking party, whether or not a Federal or Indian lessee, provide information to the operator to enable the operator to correctly pay and report information to MMS. This alternative, therefore, would not require any deviation from the gross-proceeds

requirement. However, the operator would be responsible for valuing the production correctly under the requirements of 30 CFR part 206.

5. Modified Takes

Each working-interest owner would be required to submit a Payor Information Form for each Federal and Indian lease in agreement. When a working-interest owner sells more production from the agreement than it is entitled to, and the overtaken volume is attributed to particular Federal or Indian leases, that working-interest owner would report and pay royalties on that lease at that lease's royal rate. Because the overtaken volume would still be determined in the manner required under 30 CFR part 206, this method would not alleviate the necessity of tracing to determine overtaken and undertaken volumes. The advantage of this method would be that the working-interest owner would not be required to obtain sales price information from other parties. The disadvantage of this method is that it requires non-Federal lessees to pay royalties to the Federal or Indian lessor when they have no privity of contract.

6. Entitlements With MMS Billing

Under this alternative, the working-interest owner taking more than an entitled share would report sales information to MMS and MMS would bill the appropriate party for royalties due. In other words, MMS would be responsible for tracing the volumes and values of overtaken production. The MMS is interested in comments on any system where working-interest owners and taking parties would report sufficient information timely to enable MMS to bill for appropriate royalties. The MMS understands that this system requires non-Federal or Indian lessees that are joint unit owners with a Federal or Indian lessee to report price and quantity and selling arrangement information to the MMS.

7. Weighted-Average Price Received for All Agreement Production.

This method would use a weighted-average price for all unit production which would require knowledge of all sales volumes and prices by all payors. Although this is one of the drawbacks to the current rules, this method would not require tracing of the volumes to individual leases. One variation of the weighted-average method is the so-called "Unit Allocation Method." Although this method results in royalties equal to the weighted-average method, each selling party pays royalty for each Federal and Indian lease in the

agreement. The royalty paid for each lease is determined by multiplying the tract allocation factor by the royalty rate of the lease, and then applying this result to the value of the production actually sold by each selling party. With each selling party remitting royalties for every lease, sharing of pricing information is avoided. However, the acceptability of the values received must be determined under the requirements of 30 CFR part 206.

V. Request for Public Comments

The potential regulatory changes in the alternatives discussed above will affect the royalties reported to MMS on about 68 percent of the gas revenue sources reported on MMS's Auditing and Financial System. The MMS is considering these changes with the intention of making the administration of the data collection, reporting and payment, and auditing of mineral royalties easier for both MMS and industry, while assuring Indian tribal and allotted lessors as well as States sharing in Federal lease receipts, that values reflect sales prices actually being paid in the area of production at the time of production. Because the alternatives would apply to a large portion of the royalties collected, MMS specifically requests commenters to address the impact of the new procedure on both royalty valuation and royalty revenue and the associated administrative costs. Commenters should also consider the extent of MMS's responsibilities to promptly report and pay royalties to Indian lessors and how each alternative affects that responsibility.

Since the current valuation regulations on gas valuation (see 53 FR 1230, January 15, 1988) were effective March 1, 1988, MMS requests comments on whether any amendment should be made effective retroactive to that date.

The MMS also requests that commenters consider combinations of alternatives that would be applied for different land categories. For example, an alternative that included "pure takes" for offshore and onshore Federal leases and "modified takes" for onshore Federal and Indian leases may be preferred by some commenters. The MMS seeks comments on how alternative valuation and reporting scenarios could be designed for agreement production associated with the following categories:

1. Offshore leases;
2. Offshore 8(g) leases;
3. Onshore Federal leases;
4. Indian leases; and
5. Indian leases in agreements with Federal leases.

There are also several procedural matters on which MMS seeks public comment. The MMS specifically requests comments on whether the use of the terminology "field or area" should be replaced by "field or nearby field" to better establish which of the lessee's transactions would be used in valuing the lessee's undertakes. The MMS requests specific comments on any difficulties that may be as resulting from application of these rules when the values to be used are based upon gas that is processed, or when the lessee has dispositions involving both processed and unprocessed gas. It is requested that commenters address whether a particular pricing publication should be identified and if any requirements can be set to govern the adjustment of spot prices for location and applicable allowances. Finally, MMS would like comments on what financial and administrative effects the proposed changes may have on lessees, particularly smaller independents. Commenters are requested to provide specific suggestions for proposed changes to existing regulatory language.

The MMS recognizes that some of the alternatives could be viewed as a deviation from the Department's historical practice of using gross proceeds as the minimum requirement for value. In order to evaluate the significance of this deviation, MMS is also seeking specific comments on whether it could achieve a solution to the problem that exists under the existing rules by an approach other than modifying the gas valuation regulations.

The MMS is not requesting comments on alternative regulatory language governing the valuation of oil at this time because it has not observed any need for a change. The MMS does, however, solicit comments on whether such a need does exist.

The policy of the Department is, whenever practicable, to give the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding this notice to the location identified in the **ADDRESSES** section of this preamble. Comments must be received on or before the date identified in the **DATES** section of this preamble.

Dated: January 24, 1992.

Thomas Gernhofer,
Acting Director, Minerals Management Service.

[FR Doc. 92-12712 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-MR-M

POSTAL SERVICE**39 CFR Part 111****Barcoded Rates for Automation-Compatible Flat-Size Mailpieces****AGENCY:** Postal Service.**ACTION:** Amendment to proposed rule.

SUMMARY: This notice amends the proposed implementing regulations for barcoded rates for automation-compatible First-, second-, and third-class flat-size mailpieces that were published on April 21, 1992 (57 FR 14525).

DATES: Comments relating to these amendments to the proposed rule must be received on or before June 11, 1992.

ADDRESSES: Address all comments to the Director, Office of Classification and Rates Administration, U.S. Postal Service, 475 L'Enfant Plaza West, SW., Washington, DC 20260-5903. Copies of all written comments will be available for public inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, in room 8430, at the above address.

FOR FURTHER INFORMATION CONTACT:
Leo Raymond, (202) 268-5199.

SUPPLEMENTARY INFORMATION: The Postal Service has discovered two discrepancies between its proposed implementing regulations for barcoded rates for automation-compatible First-, second-, and third-class flat-size mailpieces (57 FR 14524), and U.S. Postal Service Rate Schedule 100, as amended by the Decision of the Governors of the United States Postal Service on the Recommended Decision of the Postal Rate Commission on Pre-Barcoded Flats Discounts, Docket No. MC91-1 (May 4, 1992). One of these discrepancies has been the subject of a comment on the proposed rule. The discrepancies, which affect only First-Class Mail, are corrected as described below.

The proposed rule failed to include an existing 4.2 cent rate reduction for presorted First-Class mailpieces weighing more than two ounces in the proposed Domestic Mail Manual (DMM) regulations for the new prebarcoded flats category. Rate Schedule 100 makes no distinction between flats and letters in applying this rate reduction to First-Class Mail other than postal and post cards. Accordingly, to conform with Rate Schedule 100, proposed DMM 313.52 (57 FR 14529) is corrected to include the 4.2 cent rate reduction applicable to presorted automation-rate flats weighing over two ounces.

In addition, the proposed regulations mistakenly stated that an existing

nonstandard surcharge for certain First-Class mailpieces weighing one ounce or less did not apply to flat-size mailpieces that meet the size requirements of proposed DMM 522 and are entered at an automation-based rate. However, Rate Schedule 100, as amended by the Governors, makes no distinction between letters and flats in applying the nonstandard surcharge to First-Class Mail other than postal and post cards. Accordingly, proposed DMM 315.11 (57 FR 14530) is corrected to remove the proposed exception to the nonstandard surcharge for automation-rate flats.

The Postal Service previously extended the deadline for comments on the proposed rule from May 21 to June 1, 1992 (57 FR 21367). This notice does not extend that deadline further. However, to the extent that mailers' comments on other provisions in the proposed rule may be affected by the corrections published in this notice, the Postal Service is allowing ten days for public comments relating to these corrections. Mailers should note that the corrections themselves are not subject to comment, since they are required by the terms of the rate schedule and will be incorporated in the final rule.

The ten days allowed for comment should be sufficient, given the very limited nature of the changes. The Postal Service does not anticipate that comments, if any, will be so extensive as to conflict with its intention of issuing a final rule in the near future in order to allow mailers the maximum time possible to meet the September 20, 1992, effective date set by the Board of Governors of the Postal Service for implementation of barcoded rates for automation-compatible flat-size mailpieces.

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

List of Subjects in 39 CFR Part 111

Postal Service.

PART 111—[AMENDED]

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

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

2. Proposed DMM 313.52 (57 FR 14529) is corrected to read as follows:

CHAPTER 3—FIRST-CLASS MAIL**310 Rates and Fees****313 PRESORTED BULK FIRST-CLASS RATES****313.5 3/5 Digit ZIP + 4 Barcoded Rate for Flat-Size Mail****313.52 Rates**

First ounce or fraction of an ounce (For pieces weighing not more than 2 ounces).....	\$0.233
(For pieces weighing more than 2 ounces).....	0.191
Each additional ounce or fraction of an ounce.....	0.230

Weight not exceeding (ounces)	Rate
1.....	\$0.233
2.....	0.463
3.....	0.651
4.....	0.881
5.....	1.111
6.....	1.341
7.....	1.571
8.....	1.801
9.....	2.031
10.....	2.261
11.....	2.491

3. Proposed DMM 315.11 (57 FR 14530) is corrected to read as follows:

315 FEES AND SURCHARGES**315.1 Nonstandard Surcharge**

315.11 Applicaton. Each piece of First-Class mail weighing 1 ounce or less that exceeds the size limits in 353.1 must pay the nonstandard surcharge. [This section replaces proposed 315.111 and 315.112.]

An appropriate amendment to 39 CFR 111.3 will be published if the proposed rule is adopted.

Stanley F. Mires,

Assistant General Counsel, Legislative Division.

[FR Doc. 92-12662 Filed 5-29-92; 8:45 am]

BILLING CODE 7710-12-M

INTERSTATE COMMERCE COMMISSION**49 CFR Part 1004****[Ex Parte No. 55 (Sub-No. 87)]****Interpretations and Routing Regulations**

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission proposes to eliminate the requirement that a private carrier engaged in incidental for-hire transportation shall conduct such operations independently of its private operations and shall maintain separate records for each, and to remove the rule from the Code of Federal Regulations. We invite comments from interested persons. The rule is no longer necessary to discharge the Commission's regulatory responsibilities, and the burden of maintaining separate accounts is no longer justified.

DATES: Comments must be received by July 1, 1992.

ADDRESSES: Send an original and 10 copies of comments, referring to Ex Parte No. 55 (Sub-No. 87) to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder, (202) 927-5312 [TDD for hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION: Part 1004.3 requires a private carrier performing incidental for-hire transportation to conduct the operation independently and maintain separate accounts. It implements the Commission's action in *Toto Purchasing & Supply Co. Inc.*, 128 M.C.C. 873 (1978),

reversing a longstanding policy against granting motor carrier authority to an applicant who intends to use it primarily to round out private carriage. In *Toto*, *supra*, the Commission indicated that the requirements contained in the rule were necessary to enable it properly to discharge its regulatory responsibilities. In particular, the Commission was concerned that a firm conducting both for-hire and private motor carrier operations would integrate the records of its transportation operations into the books of its primary, nontransportation business, thus preventing the Commission from identifying the transportation aspects of the enterprise.

We are proposing elimination of the separate operations and accounts requirement. Such a requirement may have facilitated Commission oversight in an era of comprehensive, protective motor carrier regulation. However, the Motor Carrier Act of 1980 and other statutory and agency initiatives taken during the past decade to promote competition have eliminated the need for the detailed oversight that was the basis for this regulation.

We invite comments from interested persons on this proposal.

The proposed action will eliminate an unnecessary and possibly costly records keeping burden on some motor carriers. Thus, we tentatively conclude that it will have no substantial adverse impact

upon a significant number of small entities.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1004

Administrative practice and procedure, Motor carriers.

For the reasons set out in the preamble, title 49, chapter X, part 1004 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1004—INTERPRETATIONS AND ROUTING REGULATIONS

1. The authority citation for part 1004 continues to read as follows:

Authority: 49 U.S.C. 10321 and 5 U.S.C. 553. Subpart C also issued under 49 U.S.C. 10922 (h)(1)(A).

§ 1004.3 [Removed]

2. Section 1004.3 is proposed to be removed.

Decided: May 18, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Phillips, and Emmett, Sidney L. Strickland, Jr., Secretary.

[FR Doc. 92-12730 Filed 5-29-92; 8:45 am]

BILLING CODE 7035-01-M

Notices

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 92-045-1]

General Conference Committee of the National Poultry Improvement Plan (NPIP) and the NPIP Biennial Conference; Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of meeting.

SUMMARY: We are giving notice of a meeting of the General Conference Committee of the National Poultry Improvement Plan (NPIP) and of the NPIP Biennial Conference.

PLACE, DATES, AND TIMES OF MEETING: The meeting and the conference will be held in the Heritage C Room of the Antlers Double Tree Hotel, 4 South Cascade, Palmer Center, Colorado Springs, Colorado 80903, (719) 473-5600. The General Conference Committee will meet on June 29, from 8 a.m. to 5 p.m. The Biennial Conference will be held June 30 and July 1, 1992, from 8 a.m. to 5 p.m. each day and on July 2, 1992, from 8 a.m. to noon.

FOR FURTHER INFORMATION CONTACT: Mr. Andrew Rhorer, Senior Coordinator, VS, APHIS, USDA, room 770, Federal Building, Hyattsville, MD 20782, (301) 436-7768.

SUPPLEMENTARY INFORMATION: The General Conference Committee of the National Poultry Improvement Plan (NPIP), representing cooperating State agencies and poultry industry members, serves an essential function by acting as liaison between the poultry industry and the Department in matters pertaining to poultry health. In addition, this Committee assists the Department in planning, organizing, and conducting the NPIP Biennial Conference.

Tentative topics for discussion include:

1. The use of a Federally licensed *Salmonella enteritidis* (SE) bacterin in egg-type multiplier breeding chickens.
2. The definition of a suspect flock.
3. The requirements for pullorum-typoid tube antigens.
4. Investigation by the Animal and Plant Health Inspection Service if a pullorum-typoid outbreak involves more than one State.
5. Sample sizes and blood testing requirements for pullorum-typoid for great-grandparent and grandparent flocks.
6. Sample testing for pullorum-typoid for primary breeders.
7. Approval by the official State agency for the use of a drug that may interfere with bacteriological recovery of *Salmonella* organisms in primary breeders.
8. Reducing paperwork for subpart E (Exhibition, Game Birds and Waterfowl) participants during shipment of hatching eggs and/or baby poultry.
9. Remove option allowing two generations to go without blood testing for pullorum-typoid.
10. Providing for various sample sizes of live birds for bacteriological examination under the "U.S. Sanitation Monitored" program for egg-type chickens.
11. Bacteriological examination of *Salmonella* reactors.
12. Procedures for collecting environmental samples and cloacal swabs for bacteriological examination.
13. The procedure that determines the status and effectiveness of the sanitation monitored program.
14. The procedure for pullorum-typoid testing of reactor flocks.
15. One hundred percent pullorum-typoid testing of male-line grandfather flocks.
16. Modification of laboratory protocol for mycoplasma hemagglutination inhibition test.
17. A voluntary program for SE-tested started poultry.
18. The procedure for isolating and identifying *Salmonella pullorum*.
19. Maintenance of records dealing with shipments of baby poultry and hatching eggs.

The meeting and conference will be open to the public. Persons interested in expressing their views concerning the above topics should send their written comments to Mr. Andrew Rhorer at the address listed under **FOR FURTHER**

Federal Register

Vol. 57, No. 105

Monday, June 1, 1992

INFORMATION CONTACT. The Committee will also accept written comments at the time of the meeting. Please refer to Docket Number 92-045-1 when submitting your comments.

Written comments received by Mr. Rhorer may be inspected in room 770 of the Federal Building between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

This notice is given in compliance with the Federal Advisory Committee Act (Pub. L. 92-463).

Done in Washington, DC, this 27th day of May 1992.

Robert Melland,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92-12723 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-34-M

Federal Grain Inspection Service

Request for Comments on the Applicants for Designation in the Geographic Areas Currently Assigned to the States of Louisiana (LA) and North Carolina (NC)

AGENCY: Federal Grain Inspection Service (FGIS).

ACTION: Notice.

SUMMARY: FGIS requests interested persons to submit comments on the applicants for designation to provide official services in the geographic areas currently assigned to the Louisiana Department of Agriculture and Forestry (Louisiana), and the North Carolina Department of Agriculture (North Carolina).

DATES: Comments must be postmarked, sent by telecopier (FAX), or electronic mail on or before July 1, 1992.

ADDRESSES: Comments must be submitted in writing to Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, Room 1647 South Building, P.O. Box 96454, Washington, DC 20090-6454. SprintMail users may respond to [A:ATTMAIL,O:USDA,ID:A36HDUNN]. ATTMAIL and FTS2000MAIL users may respond to !A36HDUNN. Telecopier (FAX) users may send responses to the automatic telecopier machine at 202-720-1015, attention: Homer E. Dunn. All comments received will be made available for public inspection at the above address located at 1400

Independence Avenue, SW., during regular business hours.

FOR FURTHER INFORMATION CONTACT:
Homer E. Dunn, telephone 202-720-8525.

SUPPLEMENTARY INFORMATION:

This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the April 1, 1992, *Federal Register* (57 FR 11062), FGIS asked persons interested in providing official services in the Louisiana and North Carolina geographic areas to submit an application for designation. Applications were to be postmarked by May 1, 1992. Louisiana and North Carolina, the only applicants, each applied for designation to serve the entire area currently assigned to them.

FGIS is publishing this notice to provide interested persons the opportunity to present comments concerning the applicants for designation. Commenters are encouraged to submit reasons and pertinent data for support or objection to the designation of these applicants. All comments must be submitted to the Compliance Division at the above address.

Comments and other available information will be considered in making a final decision. FGIS will publish notice of the final decision in the *Federal Register*, and FGIS will send the applicants written notification of the decision.

AUTHORITY: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Dated: May 19, 1992.

J. T. Abshier,
Director, Compliance Division.

[FR Doc. 92-12420 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-EN-F

Designation of the Enid (OK) and Erie (OH) Agencies

AGENCY: Federal Grain Inspection Service (FGIS).

ACTION: Notice.

SUMMARY: FGIS announces the designation of Enid Grain Inspection Company, Inc. (Enid), and Erie Grain Inspection Service, Inc. (Erie), to provide official inspection services under the United States Grain Standards Act, as amended (Act).

EFFECTIVE DATE: July 1, 1992.

ADDRESSES: Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, Room 1647 South Building,

P.O. Box 96454, Washington, DC 20090-6454.

FOR FURTHER INFORMATION CONTACT:
Homer E. Dunn, telephone 202-720-8525.

SUPPLEMENTARY INFORMATION:

This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the January 2, 1992, *Federal Register* (57 FR 37), FGIS announced that the designations of Enid and Erie end on June 30, 1992, and asked persons interested in providing official services within the specified geographic areas to submit an application for designation. Applications were to be postmarked by February 3, 1992.

Enid and Erie, the only applicants, each applied for the entire geographic area currently assigned to them. FGIS named and requested comments on the applicants for designation in the March 2, 1992, *Federal Register* (57 FR 7361). Comments were to be postmarked by April 16, 1992. FGIS received no comments by the deadline.

FGIS evaluated all available information regarding the designation criteria in section 7(f)(1)(A) of the Act; and according to section 7(f)(1)(B), determined that Enid and Erie are able to provide official services in the geographic areas for which they applied.

Effective July 1, 1992, and ending June 30, 1995, Enid and Erie are designated to provide official inspection services in the geographic areas specified in the January *Federal Register*.

Interested persons may obtain official services by contacting Enid at 405-233-1121, and Erie at 419-483-5366.

AUTHORITY: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Dated: May 19, 1992.

J. T. Abshier,
Director, Compliance Division.

[FR Doc. 92-12418 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-EN-F

Request for Applications from Persons Interested in Designation to Provide Official Services in the Geographic Areas Presently Assigned to the Amarillo (TX) Agency and the State of Wisconsin

AGENCY: Federal Grain Inspection Service (FGIS).

ACTION: Notice.

SUMMARY: The United States Grain Standards Act, as amended (Act), provides that official agency

designations shall end not later than triennially and may be renewed. The designations of the Amarillo Grain Exchange, Inc. (Amarillo), and the Wisconsin Department of Agriculture, Trade and Consumer Protection (Wisconsin), will end November 30, 1992, according to the Act, and FGIS is asking persons interested in providing official services in the specified geographic areas to submit an application for designation.

DATES: Applications must be postmarked or sent by telecopier (FAX) on or before July 1, 1992.

ADDRESSES: Applications must be submitted to Homer E. Dunn, Chief, Review Branch, Compliance Division, FGIS, USDA, Room 1647 South Building, P.O. Box 96454, Washington, DC 20090-6454. Telecopier (FAX) users may send their application to the automatic telecopier machine at 202-720-1015, attention: Homer E. Dunn. If an application is submitted by telecopier, FGIS reserves the right to request an original application. All applications will be made available for public inspection at this address located at 1400 Independence Avenue, SW., during regular business hours.

FOR FURTHER INFORMATION CONTACT:
Homer E. Dunn, telephone 202-720-8525.

SUPPLEMENTARY INFORMATION:

This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

Section 7(f)(1) of the Act authorizes FGIS' Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

FGIS designated Amarillo, headquartered in Amarillo, Texas, to provide official grain inspection services, and Wisconsin, headquartered in Madison, Wisconsin, to provide official grain inspection and Class X or Class Y weighing services under the Act on December 1, 1989.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in section 7(f) of the Act. The designations of Amarillo and Wisconsin end on November 30, 1992.

The geographic area presently assigned to Amarillo, in the States of Oklahoma and Texas, pursuant to

section 7(f)(2) of the Act, which will be assigned to the applicant selected for designation is as follows:

In Texas:

Bounded on the North by the Texas-Oklahoma State line;

Bounded on the East by the eastern Red River County line; the southern Red River and Lamar County lines; the eastern, southern, and western Hunt County lines; the southern Collin County line; the eastern Dallas, Ellis, Hill, Limestone, Falls, and Milam County lines;

Bounded on the South by the southern Williamson County line; the western Bell and McLennan County lines; the southern Bosque, Hamilton, Comanche, and Brown County lines; the southern and western Coleman County line; the southern Taylor, Nolan, Mitchell, Howard, Martin, and Andrews County lines;

Bounded on the West by the western Andrews, Gaines, Yoakum, and Cochran County lines; the northern Cochran County line; the northern Hockley County line east to FM 303; FM 303 north to U.S. Route 84; U.S. Route 84 (including Sudan), southeast to FM 37; FM 37 east to FM 179; FM 179 north to FM 1914; FM 1914 east (not including Hale Center), to FM 400; FM 400 south to FM 37; FM 37 east to the Hale County line; the eastern Hale County line; the northern Crosby and Dickens County lines; the western Cottle and Childress County lines north to U.S. Route 287; U.S. Route 287 northwest to Donley County; the southern Donley and Armstrong County lines west to Prairie Dog Town Fork of the Red River; Prairie Dog Town Fork of the Red River northwest to State Route 217; State Route 217 west to FM 1062; FM 1062 west to U.S. Route 385; U.S. Route 385 north to Oldham County; the southern Oldham County line; the western Oldham, Hartley, and Dallam County lines.

The area also includes El Paso County, Texas.

In Oklahoma: Beaver, Cimarron, and Texas Counties.

The geographic area presently assigned to Wisconsin, pursuant to section 7(f)(2) of the Act, which will be assigned to the applicant selected for designation, is the entire State of Wisconsin, except those export port locations within the State.

Interested persons, including Amarillo and Wisconsin, are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of section 7(f) of the Act and § 800.196(d) of the regulations issued thereunder. Designation in the

specified geographic areas is for the period beginning December 1, 1992, and ending November 30, 1995. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

Applications and other available information will be considered in determining which applicant will be designated.

AUTHORITY: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Dated: May 19, 1992.

J. T. Abshier,
Director, Compliance Division.

[FR Doc. 92-12419 Filed 5-29-92; 8:45 am]

BILLING CODE 3410-EN-F

Rural Electrification Administration

Notice of Public Meeting on Lien Accommodations

AGENCY: Rural Electrification Administration, USDA

ACTION: Notice of public meeting.

SUMMARY: This is to notify electric systems financed by the Rural Electrification Administration (REA), lenders, and other interested persons that REA is holding a public meeting in order for interested persons to express their views on REA policies and procedures governing the granting of an accommodation or subordination of the government's lien on borrowers' systems.

DATES: The public meeting will be held on June 30, 1992, starting at 9:30 a.m. eastern time, with registration at 8:30 a.m. The public meeting will end at 4:30 p.m. unless concluded earlier.

ADDRESSES: The public meeting will be held in room 107A, Administration Building, U.S. Department of Agriculture, Jefferson Drive SW, Washington, DC. Persons interested in making a presentation at the meeting should send a written request to Blaine D. Stockton Jr., Assistant Administrator, Economic Development and Technical Services, Rural Electrification Administration, room 4025-S, 14th & Independence Avenue, SW, Washington, DC 20250-1500.

FOR FURTHER INFORMATION CONTACT: Larry A. Belluzzo, Deputy Assistant Administrator—Electric, Rural Electrification Administration, room 4037-S, 14th & Independence Avenue, SW, Washington, DC 20250-1500. Telephone: (202) 720-9547.

SUPPLEMENTARY INFORMATION: The meeting will be conducted by representatives of the Department of

Agriculture. The proceedings of the meeting will be transcribed and considered in the development of rules which REA may later propose, as more fully described in the advance notice of proposed rulemaking published December 2, 1991 (56 FR 61201). The purpose of the meeting is to provide an opportunity for a full public discussion of how REA lien accommodation policies might be modified to facilitate additional supplemental lending under current REA loan documents.

As used in the REA program, a lien accommodation most commonly involves an agreement by REA, which typically holds a first mortgage on all properties of its rural electric system borrowers, to share the Government's first mortgage lien on a pro rata basis with another lender, i.e. a supplemental lender. However, in its broadest sense the term also includes less common agreements by REA to subordinate the Government's lien on specific items of property otherwise subject to the first mortgage. Lien accommodations in such circumstances are commonly referred to in the REA program as being "Type III" lien accommodations. This notice uses the term "lien accommodation" in its broadest sense, i.e., lien accommodations of all types.

REA is particularly interested in receiving presentations on the following specific issues as they relate to the topic of lien accommodations:

1. To what extent, if any, should REA's policy on lien accommodations differ with respect to financing for electric utility plant and financing for investments in other projects?

2. Should REA's policies and procedures on lien accommodations distinguish between borrowers on the basis of financial strength and performance? If so, what specific criteria should be used?

3. What guidance, if any, for changing REA practices can be derived from the lien accommodation practices (a.k.a. provisions for additional bonds) used by investor-owned utilities or cooperatives that are 100 percent privately financed?

4. What responsibilities and costs should supplemental lenders, or others, bear with respect to the revision of a borrower's existing loan documentation in connection with a lien accommodation?

5. Should transaction costs for supplemental financing be lien accommodated only when the related obligation is initially financed, or whenever the obligation is refinanced?

6. To what extent should REA be concerned about the dilution of security when supplemental loans are to be

refinanced at lower interest rates but with longer amortization periods and/or increased principal amounts?

7. What specific procedural changes should REA consider adopting to expedite the processing of requests for lien accommodations? What documentation and information should be submitted by borrowers and/or supplemental lenders to accompany a request for a lien accommodation?

To schedule oral testimony for the public meeting, notify Mr. Stockton in writing at the above address. Persons who wish to make oral presentations must restrict presentations to 10 minutes and are also encouraged to have written copies of their complete comments, including any exhibits, for inclusion in the official record. Written copies may also be sent to Mr. Stockton in advance of the meeting. Persons who register their attendance at the public meeting but who have not been scheduled in advance to present oral testimony, will be given an opportunity to do so if time permits. Otherwise, such persons will be allowed the opportunity to submit their views in writing by July 7, 1992, for inclusion in the official record.

Subject to the limitations described in the preceding paragraph, any interested person will be given the opportunity to appear and be heard with respect to matters relevant and material to the subject. However, presiding officials may limit the number of times and the amount of time that any one person may be heard and limit or exclude material that is irrelevant, immaterial, or unduly repetitious. Such action is intended to focus the discussion on the relevant issues, to ensure that all interested persons have an opportunity to participate to the extent time permits, and to prevent undue prolongation of the meeting. Presiding officials may ask questions at the meeting of persons making presentations. The questions and responses will become a part of the official record. Persons wishing to furnish written responses to any questions put to them by presiding officials may do so by July 7, 1992, for inclusion in the official record.

Copies of the transcript of the meeting will not be available for distribution

from the Department. However, the transcript of the meeting will be available for public inspection in room 2234-S at REA, 14th & Independence Avenue, SW, Washington, DC, during regular business hours (7 CFR 1.27(b)). Anyone wishing to purchase a copy of the transcript should make arrangements with the court reporter at the meeting.

Authority: 7 U.S.C. 901 *et seq.*

Dated: March 26, 1992.

Michael M.F. Liu,
Acting Administrator.

[FR Doc 92-12681 Filed 5-29-92; 8:45 am]
BILLING CODE 3410-15-F

environmental impact statement are not needed for this project.

The project concerns a plan for Critical Area Treatment. The planned works of improvement include installation of Gabions Wall in Road #128, km. 8.40, 18.40, 20.85 and 22.35 in the municipality of Yauco, Puerto Rico.

A copy of the Finding of no Significant Impact (FONSI) has been foreword to the Environmental Protection Agency and to various federal, commonwealth, and local agencies and interested parties. A limited number of copies of the FONSI are available to fill single copy requests at the above address. Basic data developed during the environmental assessment is on file and may be reviewed by contacting Humberto Hernandez.

No administrative action on implementation of the proposal will be taken until 30 days after the date of this publication in the *Federal Register*.

(This activity is listed in the Catalog of Federal Domestic Assistance under No. 10.901 Resource Conservation and Development—and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with state and local officials.)

Dated: April 28, 1992.

Humberto Hernandez,
Director, Caribbean Area.

[FR Doc. 92-12689 Filed 5-29-92; 8:45 am]
BILLING CODE 3410-16-M

Soil Conservation Service

Critical Area Treatment; Gabions Wall, Road #128, Yauco, Puerto Rico

AGENCY: Soil Conservation Service, USDA.

ACTION: Notice of a finding of No Significant Impact.

SUMMARY: Pursuant to section 102(2) (c) of the National Environmental Policy Act of 1969; the Council of Environmental Quality Guidelines (40 CFR part 1500); and the Soil Conservation Service Guidelines (7 CFR part 65), the Soil Conservation Service, U.S. Department of Agriculture, gives notice that an environmental impact statement is not being prepared for the Critical Area Treatment, Gabions Wall, Road #128, km. 8.40, 18.40, 20.85 and 22.35, Yauco, Puerto Rico.

FOR FURTHER INFORMATION, CONTACT: Humberto Hernandez, Director, Caribbean Area, Soil Conservation Service, Federal Building, Chardon Avenue, room 839, San Juan, Puerto Rico 00936, Telephone (809) 766-5206.

SUPPLEMENTAL INFORMATION: The environmental assessment of this federally assisted action indicated that the project will not cause significant local, regional, or national impacts on the environment. As a result of these findings, Humberto Hernandez, Director, Caribbean Area, has determined that the preparation and review of an

DEPARTMENT OF COMMERCE

Economic Development Administration

Petitions by Producing Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration (EDA), Commerce.

ACTION: To give firms an opportunity to comment.

Petitions have been accepted for filing on the dates indicated from the firms listed below.

Firm name	Address	Date petition accepted	Product
Signa Systems, Inc	231 Westhampton Place, Capitol Heights, MD 20743.	04/22/92	Packaging machines, counting machines and repair parts.
Red River Manufacturing, Inc.	202 8th Street West, West Fargo, ND 58078.	04/28/92	Trailers and semi-trailers for transport of construction related goods.
Crawfish Processors & Bait Supply, Inc.	Route 1, Box 45B, Eunice, LA 70535	04/30/92	Crawfish.
Phillips USA, Inc.	11535 W. 83rd Terrace, Lenexa, KS 66214..	05/01/92	Instruments for administering animal health medications and accessories
Euclid Universal Corporation	7280 Wright Avenue, Cleveland, OH 44146	05/01/92	Worm gear, spur, and helical gears and gearing.

Firm name	Address	Date petition accepted	Product
Atlantic Thermoplastics Co., Inc	End of Carrington St., Off Rte 122, Blackstone, MA 01504.	05/05/92	Plastic inner and outer soles for shoes, sneakers and sandals and plastic and rubber sandals.
Surepower/Remanufactured Auto Parts, Inc.	Route 1, Box 383, Jackson, GA 30233	05/05/92	Automotive DC Generator, Starters and Water Pumps.
Schatz Manufacturing Co., Inc. (The)	Box 1191, 16 Fairview Avenue, Poughkeepsie, NY 12602.	05/05/92	Radial ball bearings having outside diameter of 9-30MM, 30-52MM and 52-100MM.
American Coil Spring Company	1041 East Keating Avenue, Muskegon, MI 49443.	05/05/92	Steel helical springs, of wire having a cross-sectional dimension of less than 5.1 mm.
Belden Tools, Inc.	2500 Braga Drive, Broadview, IL 60153	05/05/92	Tooling and parts: Components used in conjunction with multiple spindle drilling and tapping machines.
Hydra-Mac, Inc.	1110 Pennington Avenue, Thief River Falls, MN 56701.	05/05/92	Skid steer loaders and parts and accessories.
Genie Manufacturing Corporation	999 Rush-Henrietta Town Line Road, West Henrietta, NY 14586.	05/07/92	Filtering or purifying machinery and apparatus for gasses.
Oilfield Die Manufacturing Company	706 Broussard Road, LaFayette, LA 70506.	05/07/92	Dies and inserts.
Phoenix Heat Treating, Inc.	2405 West Mohave, Phoenix, AZ 85009-6413.	05/07/92	Heat treating of metal products, military arms, aerospace body and engine parts and auto parts.
United States Watermattress Corporation	6610 Amberton Drive, Baltimore, MD 21227.	05/07/92	Raw vinyl is made into wateright bags, watermattresses and covered with quilted material.
Standard Chain Company	84 Chestnut Street, North Attleboro, MA 02760.	05/08/92	Mesh and Cobra Mesh chains and components used in jewelry.
Full Vision, Inc.	P.O. Box 647, Newton, KS 67114	05/12/92	Steel cabs, cab accessories, rollover protection systems for agriculture tractors and construction.
Alexander Dodds Company	3000 Walkent Drive, N.W., Grand Rapids, MI 49504-1453.	05/12/92	Precision automated woodworking machinery.
Saphikon, Inc.	33 Powers Street, Milford, NH 03055	03/10/92	Sapphire windows.

The petitions were submitted pursuant to section 251 of the Trade Act of 1974 (19 U.S.C. 2341). Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Trade Adjustment Assistance Division, room 4015A, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: May 26, 1992.

Steven R. Brennen,
Acting Deputy Assistant Secretary for
Program Operations.

[FR Doc. 92-12703 Filed 5-29-92; 8:45 am]

BILLING CODE 3510-24-M

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of issuance of an amended export trade certificate of review, application No. 90-3A007.

SUMMARY: The Department of Commerce has issued an amendment to the Export Trade Certificate of Review granted to the United States Surimi Commission (USSC) on May 22, 1992. The original Certificate was issued on August 22, 1990. Notice of issuance of the Certificate was published in the *Federal Register* on August 30, 1990 (55 FR 35445).

FOR FURTHER INFORMATION CONTACT: George Muller, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-377-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR part 325 (1990) (50 FR 1804, January 11, 1985).

The Office of the Export Trading Company Affairs (OETCA) is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the *Federal Register*. Under section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may,

within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Amended Certificate

Export Trade Certificate of Review No. 90-00007 was issued to the United States Surimi Commission on August 22, 1990 (55 FR 355445, August 30, 1990). USSC previously amended its Certificate on December 12, 1990 (55 FR 53031, December 26, 1990) and June 11, 1991 (56 FR 27946, June 18, 1991).

USSC's Export Trade Certificate of Review has been amended to:

1. Add Premier Pacific Seafoods, Inc. of Seattle, WA (controlling entities: Dave Galloway (74%) and Doug Forsythe (26%)) as a "Member" within the meaning of § 325.2(1) of the Regulations (15 CFR 325.2(1)); and
2. delete ProFish International, Inc., Seattle, WA (controlling entity: none); and Golden Age Fisheries, Seattle, WA (controlling entities: BTI, Inc., Seattle, WA (50%) and Simonson Investments, Inc., Seattle, WA (50%)) as "Members" of the Certificate.

A copy of the amended Certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230.

Dated: May 26, 1992.

George Muller,
Director, Office of Export Trading Company Affairs.
[FR Doc. 92-12704 Filed 5-29-92; 8:45 am]
BILLING CODE 3510-DR-M

National Oceanic and Atmospheric Administration

Caribbean Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Caribbean Fishery Management Council's (Council) Administrative Committee will hold a public meeting on June 19, 1992, in the Conference Room at the Travelodge, Isla Verde, Puerto Rico. The meeting will begin at 10 a.m. and adjourn at 5 p.m. and will be conducted in English.

Fishermen and other interested persons are invited to attend. Members of the public will be allowed to submit oral or written statements regarding agenda issues.

For more information contact Miguel A. Rolon, Executive Director, Caribbean Fishery Management Council, Banco de Ponce Building, Suite 1108, Hato Rey, Puerto Rico 00918-2577; telephone: 809-766-5926.

Dated: May 26, 1992.

David S. Crestin,
Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.
[FR Doc. 92-12687 Filed 5-29-92; 8:45 am]
BILLING CODE 3510-22-M

North Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The North Pacific Fishery Management Council's (Council) newly-formed Observer Oversight Committee and its Moratorium Committee have scheduled meetings in Seattle during June. The Observer Oversight Committee will hold public meeting on June 4-5, 1992, at the Alaska Fisheries Science Center, 7600 Sand Point Way N.E., room 2039, Building Four, Seattle, Washington. The meeting will begin at 9 a.m. on June 4 and continue into June 5, if necessary. The Committee will review the Council's Research Plan scheduled for final approval by the Council in late June.

The Council's Moratorium Committee will meet at the Alaska Fisheries

Science Center on June 11, in room 2079, beginning at 9 a.m. The Committee will review the Council's proposed moratorium and develop recommendations on the options and elements of the plan before the Council's final approval at its meeting later in June.

For more information contact the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone: (907) 271-2809.

Dated: May 26, 1992.

David S. Crestin,
Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-12688 Filed 5-29-92; 8:45 am]
BILLING CODE 3510-22-M

North Pacific Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The North Pacific Fishery Management Council (Council) will meet on June 23-28, 1992. The meeting will be held at the Centennial Building in Sitka, Alaska. The meeting will begin at 1 p.m. on June 23.

The agenda will include the following items: (1) Hear reports by the Alaska Department of Fish and Game, the National Marine Fisheries Service (NMFS), and the U.S. Coast Guard; (2) hear reports on the status of recent regulatory and plan amendments to the Gulf of Alaska (GOA) and Bering Sea/Aleutian Islands (BSAI) Groundfish Fishery Management Plans; (3) hear reports on marine mammals and seabirds; (4) review and approval for public review of revised Amendment #18 to the groundfish fishery management plan for inshore-offshore allocation and preliminary review of an inshore-offshore bycatch amendment; (5) receive comment on proposed rule to establish review criteria for community development quota plans and review any plans available; (6) advise the National Marine Fisheries Service on the release of the 4th quarter pollock reserve for 1992; (7) review moratorium on groundfish, halibut and crab fisheries and consider approval for Secretarial review; (8) consider approval of the North Pacific Fisheries Research Plan for Secretarial review; (9) receive reports on regulations to monitor influx of fish products originating in the Russian Exclusive Economic Zone (EEZ) and on establishing permit conditions disallowing U.S. vessels from fishing in the "Donut Hole" area of the Central

Bering Sea and consider action to restrict U.S. operations if affiliated with foreign operations in the Donut Hole; (10) preliminary review of alternatives for a comprehensive rationalization plan for fisheries under Council jurisdiction; (11) hear report from the Crab Plan Team on need to revise crab optimum yields; and review staff tasking and make assignments as necessary.

Groundfish agenda items will include: (a) Consider final approval of BSAI Amendment #21 on halibut bycatch caps; (b) review final approval of GOA Amendment #26 on protecting red king crab and prohibiting trawling off Southeast Alaska; (c) comment on proposed rule providing for trawl test zones; (d) initially review amendment to allocate preferentially to gear types with low bycatch; (e) initially review proposed Pribilof Island trawl closure and possibly salmon bycatch proposal, if available; (f) comment on proposed rule defining pelagic trawl gear and receive NMFS report on defining pelagic trawl gear based on performance; (g) receive Committee and NMFS reports on discards and determine how to proceed; (h) review recordkeeping/reporting requirements proposed for 1993; and (i) review draft analysis on total weight measurements and interactive communications.

The Council's Advisory Panel and the Scientific and Statistical Committee will meet on June 22 beginning at 1 p.m., at the Centennial Building in Sitka, Alaska. Their agendas will be similar to that of the Council.

For more information contact the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510; telephone: (907) 271-2809.

Dated: May 26, 1992.

David S. Crestin,
Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-12689 Filed 5-29-92; 8:45 am]

BILLING CODE 3510-22-M

South Atlantic Fishery Management Council; Public Meetings/Public Hearing

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The South Atlantic Fishery Management Council (Council) and its Committees will hold public meetings on June 22-June 26, 1992, at The Reach on Simonton Street at the Ocean in Key West, FL, telephone: (305) 296-5000.

Committees

The Joint Snapper-Grouper and Limited Access Committee will meet on June 22 from 1:30 p.m. until 5 p.m. and on June 23 from 8:30 a.m. until 5 p.m. The Committee members will discuss management of deep-water groupers and evaluate available data for setting total allowable catches (TACs) for deep-water species of snapper and grouper.

The Limited Access Committee will meet on June 24 from 8:30 a.m. until 12 noon to evaluate using individual transferable quotas (ITQs) for: (1) Deep-water groupers and tilefish, (2) amberjacks; (3) shallow-water snappers and groupers and other species north of Cape Canaveral; and (4) shallow-water snappers and groupers and other species south of Cape Canaveral. The Committee also will discuss potential problems with establishing ITQs for deep-water species and will investigate the potential for ITQs as a management option for the Spanish mackerel and/or rock shrimp fisheries.

The Executive and Finance Committees are also scheduled to meet on June 24 to review the Council activities schedule for fiscal year 1993.

The Information and Education (I&E) and the Sea Scallop Committees (SS) will meet on June 25 from 8:30 a.m. until 10:30 a.m. and from 10:30 a.m. until 12 p.m. respectively. The I&E Committee will discuss a procedure for the public to follow when submitting video tapes as public hearing testimony, and the SS Committee will discuss development of Amendment #4 to the Sea Scallop Fishery Management Plan. The New England Fishery Management Council, the lead Council on sea scallops, is discussing effort-reduction strategies for the sea scallop fishery by possibly limiting fishing days at sea, the number of crew members and/or allowable gear. The South Atlantic Council will review the New England Council's proposed management strategies for this fishery.

The public is invited and encouraged to attend a scoping meeting on June 22 from 7 p.m. until 8:30 p.m. to comment on the use of marine fishery reserves as an option for managing snapper and grouper.

Full Council sessions will be held on June 25 from 1:30 p.m. until 5 p.m. and on June 26 from 8:30 a.m. until 12 p.m.

A detailed agenda with specific meeting times will be made available to the public on or about June 1. For more information contact Carrie Knight,

Public Information Officer, South Atlantic Fishery Management Council; One Southpark Circle, Suite 306; Charleston, SC 29407-4699; telephone: (803) 571-4366.

Dated: May 26, 1992.

David S. Crestin,

Deputy Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92-12886 Filed 5-29-92; 8:45 am]

BILLING CODE 3510-22-M

Florida Keys National Marine Sanctuary Advisory Council; Meetings

AGENCY: Sanctuaries and Reserves Division (SRD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Florida Keys National Marine Sanctuary Advisory Council Change of Notice of Open Meeting.

SUMMARY: The Council was established in December 1991 to advise and assist the Secretary of Commerce in the development and implementation of the comprehensive management plan for the Florida Keys National Marine Sanctuary.

TIME AND PLACE: June 4 and 5, 1992 from 9 a.m. until adjournment. The meeting location has been changed to the Lions Club Building, 232 Homestead Ave., US Route 1, Milemarker 99.5, Key Largo, Florida.

AGENDA: 1. Discussion of water use zoning scheme. 2. Presentation on the Florida Marine Preserve Program.

PUBLIC PARTICIPATION: The meeting will be open to public participation and the last thirty minutes will be set aside for oral comments and questions. Seats will be set aside for the public and media. Seats will be available on a first-come first-served basis.

FOR FURTHER INFORMATION CONTACT: Pamala James at (305) 743-2437 or Ben Haskell at (202) 606-4016.

Federal Domestic Assistance Catalog Number 11.429, Marine Sanctuary Program.

Date: May 27, 1992.

Frank Maloney,

Acting Assistant Administrator for Ocean Services and Coastal Zone Management.

[FR Doc. 92-12781 Filed 5-24-92; 8:45 am]

BILLING CODE 3510-08-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Amendment of Export Visa Requirements for Certain Cotton, Wool and Man-Made Fiber Textiles and Textile Products and Silk Blend and Other Vegetable Fiber Apparel Produced or Manufactured in the Philippines

May 27, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs amending visa requirements to require manufacturer's identification.

EFFECTIVE DATE: June 1, 1992.

FOR FURTHER INFORMATION CONTACT: Kim-Bang Nguyen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1958, as amended (7 U.S.C. 1854).

The existing export visa arrangement between the Governments of the United States and the Philippines is being amended, for goods produced or manufactured in the Philippines and exported from the Philippines on and after June 1, 1992, to require that the complete name and address of a company actually involved in the manufacturing process of the textile product covered by the visa be provided on the textile visa document.

The name and address of the company should be placed somewhere on the front of the original export visa document, not within the visa stamp. It should be preceded by the label "manufacturer's identification" or "M.I.D." The name is the full name of the company which performs the substantial part of the manufacturing of the product. The address should include the street name or P.O. Box number (if available), and the city and/or province where the manufacturing occurs. In the case of a shipment covered by a single export visa document containing products which are each manufactured by a number of different companies, the name and address of each company involved should be listed on the export visa document. If additional space is needed for listing the name and address of the firms, the back of the export visa document may be used. Responsible

officials will make their best efforts to determine the name and address of a firm or firms which best meet the basic criterion of being an actual manufacturer of the product. This information should appear on the export visa document prior to export from the Philippines. However, for goods exported during the period June 1, 1992 through June 30, 1992, the importer may type this information on the front of the original visa document. For goods exported on or after July 1, 1992 without the M.I.D. on the export visa document, a new visa or replacement visa containing this information must be obtained.

See 52 FR 11308, published on April 8, 1987.

Auggie D. Tantillo,
Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

May 27, 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 April 3, 1987, as amended, by the Chairman, Committee for the Implementation of Textile Agreements. That directive directs you to prohibit entry of certain cotton, wool and man-made fiber textiles and textile products and silk blend and other vegetable fiber apparel, produced or manufactured in the Philippines which were not properly visaed by the Government of the Philippines.

Effective on June 1, 1992, for goods produced or manufactured in the Philippines and exported from the Philippines on and after June 1, 1992, you are directed to require that the complete name and address of a company actually involved in the manufacturing process of the textile product covered by the visa be placed on the textile visa document. This information shall appear on the export visa document prior to export from the Philippines. However, for goods exported during the period June 1, 1992 through June 30, 1992, the importer may type this information on the front of the original visa document.

Shipments entered or withdrawn from warehouse according to this directive which are not accompanied by an appropriate export visa which includes the identification of the manufacturer on the visa document shall be denied entry and a new visa or replacement visa containing this information must be obtained.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
Auggie D. Tantillo,
Chairman, Committee for the Implementation of Textile Agreements.
[FR Doc. 92-12701 Filed 5-29-92; 8:45 am]
BILLING CODE 3510-DR-F

DEPARTMENT OF DEFENSE

Office of the Secretary

Joint Defense Science Board/Defense Policy Board Task Force on Chemical Weapons and Biological Defense Policy; Meeting

ACTION: Notice of Advisory Committee Meeting.

SUMMARY: The Joint Defense Science Board/Defense Policy Board Task Force on Chemical Weapons and Biological Defense Policy will meet in closed session on 11 June, 1992, at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition on scientific and technical matters as they affect the perceived needs of the Department of Defense. The mission of the Defense Policy Board is to advise the Secretary of Defense and the Under Secretary of Defense for Policy on security policy matters as they affect the perceived needs of the Department of Defense. At this meeting, the Task Force will receive intelligence briefings on the proliferation of weapons of mass destruction among developing nations.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law No. 92-463, as amended (5 U.S.C. app. II (1988)), it has been determined that this DSB Task Force meeting concerns matters listed in 5 U.S.C. 552b(c)(1) (1988), and that accordingly this meeting will be closed to the public.

Dated: May 26, 1992.

L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.
[FR Doc. 92-12670 Filed 5-29-92; 8:45 am]
BILLING CODE 3810-01-M

Telecommunications Service Priority System Oversight Committee

AGENCY: Defense Information Systems Agency.

ACTION: Notice of meeting.

A meeting of the Telecommunications Service Priority (TSP) Oversight Committee will convene Tuesday, June 16, 1992, from 9 a.m. to 5 p.m. The

meeting will be held at AT&T, 3033 Chain Bridge Road, Oakton, VA, 22185.

The agenda is as follows:

Opening/Administrative Remarks
Review February 24-25, 1992 Meeting Summary

Nomination of TSP Oversight Committee Vice Chairman

TSP Program Office Update

Strategic Plan Implementation Update

Discussion Topics:

Language for State Governors' to Delegate
Invocation for NS/EP Treatment
Sponsorship of Nonfederal Entities for
Provisioning
Increasing the Number of State and Local
Representatives on Committee
Federal Transition from RP System to TSP
System
Compliance with Reporting Requirements
Assessment of Magnitude of TSP
Assignments

Information Briefings:

Department of Energy Demonstration of
Electronic Processing of TSP requests
FCC Update on Network Reliability
Council and Outage Reporting
TSP applications on FTS2000

Old Business/New Business

Anyone interested in attending or presenting additional information to the Committee, please contact Bernie Farrell, NCS, (703) 746-5375 or Bill Abrams, NCS, (703) 746-5377 by June 1, 1992.

Dated: May 26, 1992.

L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.
[FR Doc. 92-12671 Filed 5-29-92; 8:45 am]
BILLING CODE 3810-01-M

DEPARTMENT OF EDUCATION

Indian Education National Advisory Council; Meeting

AGENCY: National Advisory Council on Indian Education, Education.

ACTION: Notice of closed meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the National Advisory Council on Indian Education. This notice also describes the functions of the Council. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act.

DATES AND TIME: June 16-19, 1992, from 9 a.m. to approximately 5 p.m. each day.

ADDRESSES: The meeting will be held at the Vista International Hotel, 1400 M St. NW., Washington, DC 20005, (202) 429-1700.

FOR FURTHER INFORMATION CONTACT:
Robert K. Chicago, Executive Director,

National Advisory Council on Indian Education, 330 C Street, S.W., Room 4072, Switzer Building, Washington, DC 20202-7556. Telephone: 202/732-1353.

SUPPLEMENTARY INFORMATION: The National Advisory Council on Indian Education is established under section 5342 of the Indian Education Act of 1988 (25 U.S.C. 2842). The Council is established to, among other things, assist the Secretary of Education in carrying out responsibilities under the Indian Education Act of 1988 (part C, title V, Pub. L. 100-297) and to advise Congress and the Secretary of Education with regard to federal education programs in which Indian children or adults participate or from which they can benefit.

Under section 5342(b)(2) of the Indian Education Act, the Council is directed to review applications for assistance and to make recommendations to the Secretary of Education with respect to their approval. The duly authorized Proposal Review Committee of the Council will meet in closed session starting at approximately 9 a.m. and will end at approximately 5 p.m. each day during the proposal review session. The agenda includes reviewing grant applications for assistance under programs authorized by Subpart 2 of the Indian Education Act, including applications for (1) Educational Personnel Development Programs and (2) Planning, Pilot, and Demonstration Projects.

The discussion during the review process may disclose sensitive information about applicants, qualifications of proposed staff, funding levels and requests, and the names and comments of expert reviewers. Such discussion would disclose commercial or financial information obtained from a person and is privileged or confidential and would disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy if conducted in open session. Such matters are protected by exemptions (4) and (6) of section 552b(c) of the Government in the Sunshine Act (Pub. L. 94-409; 5 U.S.C. 552b(c)).

The public is being given less than 15 days notice due to problems in scheduling this meeting.

Records are kept of all Council proceedings, and are available for public inspection. A summary of activities of this closed meeting which are informative to the public consistent with the policy of title 5 U.S.C. 552b shall be available for public inspection within 14 days of the meeting at the office of the National Advisory Council

on Indian Education located at 330 C Street SW., room 4072, Washington DC 20202-7556 from the hours of 9 a.m. to 4:30 p.m. Monday through Friday, except holidays.

Dated: May 27, 1992.

Robert K. Chicago

Executive Director, National Advisory Council on Indian Education.

[FR Doc. 92-12775 Filed 5-29-92; 8:45 am]

BILLING CODE 4000-01-M

Federal Energy Regulatory Commission

[Docket Nos. ST92-3211-000 through ST92-3678-000]

United Gas Pipe Line Co; Self-Implementing Transactions

May 22, 1992

Take notice that the following transactions have been reported to the Commission as being implemented pursuant to Part 284 of the Commission's regulations, sections 311 and 312 of the Natural Gas Policy Act of 1978 (NGPA) and section 5 of the Outer Continental Shelf Lands Act.¹

The "Recipient" column in the following table indicates the entity receiving or purchasing the natural gas in each transaction.

The "Part 284 Subpart" column in the following table indicates the type of transaction.

A "B" indicates transportation by an interstate pipeline on behalf of an intrastate pipeline or a local distribution company pursuant to § 284.102 of the Commission's regulations and section 311(a)(1) of the NGPA.

A "C" indicates transportation by an intrastate pipeline on behalf of an intrastate pipeline or a local distribution company served by an interstate pipeline pursuant to § 284.122 of the Commission's regulations and section 311(a)(1) of the NGPA.

A "D" indicates a sale by an intrastate pipeline to an interstate pipeline or a local distribution company served by an interstate pipeline pursuant to § 284.142 of the Commission's Regulations and section 311(b) of the NGPA. Any interested person may file a complaint concerning such sales pursuant to § 284.147(d) of the Commission's Regulations.

An "E" indicates an assignment by an intrastate pipeline to any interstate pipeline or local distribution company pursuant to § 284.163 of the Commission's regulations and section 312 of the NGPA.

A "G" indicates transportation by an interstate pipeline on behalf of another interstate pipeline pursuant to § 284.222 and a blanket certificate issued under § 284.221 of the Commission's regulations.

A "G-S" indicates transportation by interstate pipelines on behalf of shippers other than interstate pipelines pursuant

¹ Notice of a transaction does not constitute a determination that the terms and conditions of the proposed service will be approved, or that the noticed filing is in compliance with the Commission's regulations.

Issued in Washington, DC, on May 26, 1992.

Salvador N. Ceja,

Acting Director, Office of Nonproliferation Policy.

[FR Doc. 92-12751 Filed 5-29-92; 8:45 am]

BILLING CODE 6450-01-M

to Section 284.223 and a blanket certificate issued under § 284.221 of the Commission's regulations.

A "G-LT" or "G-LS" indicates transportation, sales or assignments by a local distribution company on behalf of or to an interstate pipeline or local distribution company pursuant to a blanket certificate issued under § 284.224 of the Commission's regulations.

A "G-HT" or "G-HS" indicates transportation, sales or assignments by a Hinshaw Pipeline pursuant to a blanket certificate issued under § 284.224 of the Commission's regulations.

A "K" indicates transportation of natural gas on the Outer Continental Shelf by an interstate pipeline on behalf of another interstate pipeline pursuant

to § 284.303 of the Commission's regulations.

A "K-S" indicates transportation of natural gas on the Outer Continental Shelf by an intrastate pipeline on behalf of shippers other than interstate pipelines pursuant to § 284.303 of the Commission's regulations.

Linwood A. Watson, Jr.,
Acting Secretary.

Docket No. ¹	Transporter/seller	Recipient	Date filed	Part 284 subpart	Est. max. daily quantity ²	Aff. Y/A/N ³	Rate sch.	Date commenced	Projected termination date
ST92-3211	United Gas Pipe Line Co	Red River Gas Co	04-01-92	G-S	1,048	N		03-25-92	07-23-92
ST92-3212	United Gas Pipe Line Co	Olympic Fuels Co	04-01-92	G-S	10,000	N		03-20-92	07-18-92
ST92-3213	United Gas Pipe Line Co	Shell Gas Trading Co	04-01-92	G-S	36,680	N		03-25-92	07-23-92
ST92-3214	United Gas Pipe Line Co	Arka Energy Marketing Co.	04-01-92	G-S	209,600	N		03-26-92	07-24-92
ST92-3215	United Gas Pipe Line Co	Arka Energy Marketing Co.	04-01-92	G-S	33,000	N		07-24-92	07-24-92
ST92-3216	United Gas Pipe Line Co	Rally Pipeline Corp	04-01-92	G-S	59,736	N		03-25-92	07-23-92
ST92-3217	Air Pipeline Co	Access Energy Corp	04-01-92	G-S	100,000	N		03-07-92	Indef.
ST92-3218	Air Pipeline Co	Ledco, Inc.	04-01-92	G-S	100,000	N		03-07-92	Indef.
ST92-3219	Exxon Gas System, Inc.	Texas Eastern Transmission Co.	04-01-92	C	12,000	N		02-12-92	Indef.
ST92-3220	Stringray Pipeline Co	Superior Natural Gas Corp	04-01-92	G-S	50,000	N		03-01-92	Indef.
ST92-3221	Williams Natural Gas Co	North Canadian Oils, Ltd.	04-01-92	G-S	7,500	N		03-01-92	Indef.
ST92-3222	Williams Natural Gas Co	Conoco, Inc.	04-01-92	G-S	65,000	N		03-01-92	Indef.
ST92-3223	Williams Natural Gas Co	Pittsburgh Corning Corp	04-01-92	G-S	1,000	N		03-01-92	Indef.
ST92-3224	Williams Natural Gas Co	Natural Gas P/L Co. of America	04-01-92	G-S	1,200	N		04-01-93	Indef.
ST92-3225	Williams Natural Gas Co	Panhandle Trading Co	04-01-92	G-S	100,000	F		03-07-92	Indef.
ST92-3226	Panhandle Eastern Pipe Line Co.	Southeastern Michigan Gas Co	04-01-92	B	15,000	N		01-03-92	Indef.
ST92-3227	Panhandle Eastern Pipe Line Co.	Bymore Energy Ltd.	04-01-92	G-S	30,000	N		03-18-92	Indef.
ST92-3228	Panhandle Eastern Pipe Line Co.	Angas, Inc.	04-01-92	G-S	26	N		03-18-92	Indef.
ST92-3229	Panhandle Eastern Pipe Line Co.	Centran Corp	04-02-92	G-S	40,000	N		03-20-92	Indef.
ST92-3230	Panhandle Eastern Pipe Line Co.	Eenergy Ventures, Inc.	04-02-92	G-S	50,000	N		03-18-92	Indef.
ST92-3231	Panhandle Eastern Pipe Line Co.	Arka Energy Resources	04-03-92	C	50,000	N		03-03-92	Indef.
ST92-3232	Transok, Inc.	Black Marlin Pipeline Co.	04-03-92	C	50,000	N		03-03-92	Indef.
ST92-3233	Transok, Inc.	Citizens National Gas Co.	04-03-92	G-S	6,000	N		03-06-92	Indef.
ST92-3234	Tennessee Gas Pipeline Co.	Vesta Energy Co.	04-03-92	G-S	200	N		03-31-93	Indef.
ST92-3235	Mississippi River Trans. Corp.	Dayton Power and Light Co	04-03-92	B	45,000	A		04-01-91	Indef.
ST92-3236	Mississippi River Trans. Corp.	Exxon Corp.	04-03-92	G-S	15,000	N		02-12-92	Indef.
ST92-3237	Arka Energy Resources	Panhandle Trading Co	04-03-92	G-S	100,000	N		09-09-92	Indef.
ST92-3238	Panhandle Eastern Pipe Line Co.	Phillips Gas Pipeline Co.	04-03-92	C	250,000	N		02-29-92	Indef.
ST92-3239	Delhi Gas Pipeline Corp.	Robert L. Bayless	04-03-92	G-S	2,000	N		07-11-91	Indef.
ST92-3240	Northwest Pipeline Corp.	Meridian Marketing & Trans. Corp.	04-03-92	G-S	1,000	N		03-01-92	Indef.
ST92-3241	Arkansas River Trans. Corp.	Appalachian Gas Sales	04-03-92	G-S	15,000	N		03-04-92	Indef.
ST92-3242	Tennessee Gas Pipeline Co.	Commonwealth Gas Services, Inc.	04-03-92	G-S	211	N		04-01-92	Indef.
ST92-3243	Columbia Gas Transmission Corp.	El Paso Natural Gas Co	04-06-92	G-HT	1,000	N		03-01-92	Indef.
ST92-3244	Gas Company of New Mexico	Collins and Ware, Inc.	04-06-92	G-HT	3,000	N		03-01-92	Indef.
ST92-3245	Gas Company of New Mexico	Phillips Gas Pipeline Co.	04-06-92	C	50,000	N		03-21-92	Indef.
ST92-3246	Ong Transmission Co.	Conoco, Inc.	04-06-92	G-S	10,000	N		03-17-92	Indef.
ST92-3247	Transwestern Pipeline Co.	Conoco, Inc.	04-06-92	G-S	10,000	N		03-01-92	Indef.
ST92-3248	Transwestern Pipeline Co.	Access Energy Corp	04-06-92	G-S	70,000	N		03-07-92	Indef.
ST92-3249	Tennessee Gas Pipeline Co.	North Atlantic Utilities Inc	04-06-92	G-S	50,000	N		03-04-92	Indef.
ST92-3250	Tennessee Gas Pipeline Co.	Panhandle Trading Co.	04-06-92	G-S	10,000	N		03-06-92	Indef.
ST92-3251	Tennessee Gas Pipeline Co.	Onyx Gas Marketing L.P.	04-06-92	G-S	150,000	N		04-01-92	Indef.
ST92-3252	Tennessee Gas Pipeline Co.	Southern Natural Gas Co	04-06-92	G-S	50,000	N		03-22-92	Indef.
ST92-3253	Stringray Pipeline Co.	Arcadian Corp	04-06-92	G-S	100,000	N		07-01-91	Indef.
ST92-3254	Natural Gas P/L Co. of America	Midcon Marketing Corp	04-06-92	G-S	50,000	N		08-23-91	Indef.
ST92-3255	Natural Gas P/L Co. of America	Chevron U.S.A., Inc.	04-06-92	G-S	50,000	N		03-21-92	Indef.
ST92-3256	Natural Gas P/L Co. of America	Bridgegas USA Inc.	04-06-92	G-S	206,000	Y		09-01-91	Indef.
ST92-3257	Natural Gas P/L Co. of America	Panhandle Trading Co	04-06-92	G-S	100,000	N		07-16-91	Indef.
ST92-3258	Natural Gas P/L Co. of America	Mega Natural Gas Co	04-06-92	G-S	50,000	N		03-21-92	Indef.
ST92-3259	El Paso Natural Gas Co.	Access Energy Corp	04-06-92	G-S	100,000	N		08-01-91	Indef.
ST92-3260	Trunkline Gas Co.	Polaris Pipeline Corp	04-06-92	G-S	100,000	N		09-12-91	Indef.
ST92-3261	Trunkline Gas Co.	Centran Corp.	04-06-92	G-S	40,000	N		03-20-92	Indef.
ST92-3262	Trunkline Gas Co.	Panhandle Trading Co.	04-06-92	G-S	125,000	Y		03-22-92	Indef.
ST92-3263	Trunkline Gas Co.	State of Michigan	04-06-92	G-S	50,000	N		07-01-91	Indef.
ST92-3264	Trunkline Gas Co.	NGC Transportation, Inc.	04-06-92	G-S	2,000	N		03-19-92	Indef.
ST92-3265	Trunkline Gas Co.	PPG Industries, Inc.	04-06-92	G-S	200,000	N		04-01-92	Indef.
ST92-3266	Trunkline Gas Co.	United Gas Pipe Line Co.	04-06-92	G-S	150,000	N		03-01-92	Indef.
ST92-3267	Trunkline Gas Co.	Aquila Energy Marketing Corp	04-06-92	G-S	150,000	N		03-07-92	Indef.
ST92-3268	Columbia Gulf Transmission Co.	ANR Pipeline Co.	04-06-92	G-S	4,500	C		02-01-92	Indef.
ST92-3269	Columbia Gas Transmission Corp.	Monterey Pipeline Co.	04-06-92	G-S					

Docket No. ¹	Transporter/seller	Recipient	Date filed	Part 284 subpart	Est. max. daily quantity *	Aff. Y/A/N ^a	Rate sch.	Date commenced	Projected termination date
ST92-3339	Tennessee Gas Pipeline Co.	Superior Natural Gas Corp	04-10-92	G-S	50,000	N		03-11-92	01-01-92
ST92-3340	Gas Transport, Inc.	Hope Gas, Inc.	04-10-92	B	10,000			01-01-92	12-31-92
ST92-3341	Trunkline Gas Co.	Western Gas Marketing, Inc.	04-10-92	G-S	100,000	N		03-18-92	Indef.
ST92-3342	Valero Transmission, L.P.	United Gas Pipe Line Co.	04-13-92	C	5,000			04-01-92	Indef.
ST92-3343	Valero Transmission, L.P.	Transwestern Gas Pipeline	04-13-92	C	2,000			04-01-92	Indef.
ST92-3344	Valero Transmission, L.P.	Texas Gas Transmission	04-13-92	C	5,000			03-15-92	Indef.
ST92-3345	TransTexas Pipeline Co.	Transwestern Gas Pipeline	04-13-92	C	2,000			04-01-92	Indef.
ST92-3346	TransTexas Pipeline Co.	United Gas Pipeline Co.	04-13-92	C	5,000			04-01-92	Indef.
ST92-3347	Channel Industries Gas Co.	Natural Gas P/L Co. of America	04-13-92	C	50,000	Y		12-11-91	Indef.
ST92-3348	Tennessee Gas Pipeline Co.	National Fuel Gas Dist. Corp	04-13-92	B	350			04-08-92	Indef.
ST92-3349	Tennessee Gas Pipeline Co.	New York State Electric & Gas Corp	04-13-92	B	74,000	N		03-14-92	Indef.
ST92-3350	Tennessee Gas Pipeline Co.	Citrus Marketing, Inc.	04-13-92	G-S	500,000			03-14-92	Indef.
ST92-3351	Tennessee Gas Pipeline Co.	Commonwealth Edison Co.	04-13-92	G-S	300,000			03-18-92	Indef.
ST92-3352	Viking Gas Transmission Co.	Wisconsin Gas Co.	04-13-92	B	50,000			03-27-92	Indef.
ST92-3353	Texas Gas Transmission Corp.	BP Gas Inc.	04-13-92	G-S	50,000			04-07-92	Indef.
ST92-3354	Texas Gas Transmission Corp.	Enmark Gas Corp.	04-13-92	G-S	20,000			04-04-92	Indef.
ST92-3355	Texas Gas Transmission Corp.	Trade & Development Corp.	04-13-92	G-S	20,000			04-01-92	Indef.
ST92-3356	Texas Gas Transmission Corp.	Eastex Gas Transmission Co.	04-13-92	G-S	50,000			04-01-92	Indef.
ST92-3357	Texas Gas Transmission Corp.	BridgeLine Gas Distribution Co.	04-13-92	G-S	100,000			04-01-92	Indef.
ST92-3358	Enogen Inc.	Williams Natural Gas Co.	04-13-92	C	50,000			02-01-92	Indef.
ST92-3359	Enogen Inc.	ANR Pipeline Co.	04-13-92	C	10,000			02-01-92	Indef.
ST92-3360	Enogen Inc.	Williams Natural Gas Co.	04-13-92	C	100,000			02-01-92	Indef.
ST92-3361	Enogen Inc.	Williams Natural Gas Co.	04-13-92	C	50,000			03-01-92	Indef.
ST92-3362	Enogen Inc.	Panhandle Eastern Pipeline Co.	04-13-92	C	200,000			03-01-92	Indef.
ST92-3363	Enogen Inc.	Northern Natural Gas	04-13-92	C	50,000			03-01-92	Indef.
ST92-3364	Enogen Inc.	ANR Pipeline Co.	04-13-92	C	20,000			02-05-92	Indef.
ST92-3365	Enogen Inc.	Williams Natural Gas Co.	04-13-92	C	50,000			03-01-92	Indef.
ST92-3366	Transok, Inc.	Black Marin Pipeline Co.	04-13-92	C	50,000			03-12-92	Indef.
ST92-3367	United Gas Pipe Line Co.	Humble Gas Systems, Inc.	04-13-92	G-S	4,500	N		10-01-91	Indef.
ST92-3368	United Gas Pipe Line Co.	Eastex Gas Transmission Co.	04-13-92	B	100,000	N		11-01-91	Indef.
ST92-3369	U-T Offshore System	Shell Gas Trading Co.	04-13-92	K-S	10,000			12-31-92	Indef.
ST92-3370	U-T Offshore System	Citrus Marketing, Inc.	04-13-92	K-S	50,000			12-16-91	Indef.
ST92-3371	Carnegie Natural Gas Co.	NGC Transportation, Inc.	04-13-92	G-S	15,000			03-13-92	Indef.
ST92-3372	CNG Transmission Corp.	Midcon Marketing Corp.	04-13-92	G-S	565,000	N		03-13-92	Indef.
ST92-3373	CNG Transmission Corp.	Western Gas Marketing	04-13-92	G-S	5,500	N		03-13-92	Indef.
ST92-3374	CNG Transmission Corp.	Geotz Energy Corp.	04-13-92	G-S	40,000	N		03-18-92	Indef.
ST92-3375	Texas Eastern Transmission Corp.	Access Energy Corp.	04-13-92	G-S	400,000	N		08-20-91	Indef.
ST92-3376	Texas Eastern Transmission Corp.	Meridian Oil Trading Inc.	04-13-92	G-S	400,000	N		03-01-92	Indef.
ST92-3377	Texas Eastern Transmission Corp.	Midcon Marketing Corp.	04-13-92	G-S	700,000	N		03-04-92	Indef.
ST92-3378	Texas Eastern Transmission Corp.	Arka Energy Marketing	04-13-92	G-S	208,334	N		05-09-91	Indef.
ST92-3379	Texas Eastern Transmission Corp.	Naragansett Electric Co.	04-13-92	G-S	11,400	N		06-09-91	Indef.
ST92-3380	Texas Eastern Transmission Corp.	Fuel Services Group	04-13-92	G	150,000	N		01-09-91	Indef.
ST92-3381	Texas Eastern Transmission Corp.	CNG Transmission Corp.	04-13-92	G-S	100,000	N		08-08-91	Indef.
ST92-3382	Texas Eastern Transmission Corp.	U.S. Steel Group, Division of USX	04-13-92	G-S	2,495,630,03			03-01-92	Indef.
ST92-3382	Boston Gas Co.	Commonwealth Gas Services, Inc.	04-13-92	B	888,400			03-01-92	Indef.
ST92-3383	Three Rivers Pipeline	Boston Gas Co.	04-13-92	B	20,000			03-20-92	Indef.
ST92-3384	Yuma Gas Corp.	Three Rivers Pipeline	04-13-92	G-S	1,700			04-01-92	Indef.
ST92-3385	Herald Oil & Gas Co.	Yuma Gas Corp.	04-13-92	G-S	10,480	N		05-01-92	Indef.
ST92-3386	Olympic Pipeline Co.	Sabine Pipe Line Co.	04-14-92	C	30,000	N		11-27-90	Indef.
ST92-3387	United Gas Pipe Line Co.	Edcon Corp.	04-14-92	C	5,000	N		03-24-92	Indef.
ST92-3388	Delhi Gas Pipeline Corp.	Panhandle Eastern Pipe Line Co.	04-14-92	G-S	75,000	N		03-14-92	Indef.
ST92-3389	Delhi Gas Pipeline Corp.	Louisiana Municipal Natural Gas	04-14-92	G-S	115,000	A		04-01-92	Indef.
ST92-3390	Channel Industries Gas Co.	Coastal Gas Marketing Co.	04-14-92	C	3,000	N		03-19-92	Indef.
ST92-3391	Williston Basin Inter. P/L Co.	Access Energy Corp.	04-14-92	C	6,000	N		03-01-92	Indef.
ST92-3392	Westar Transmission Co.	Centex	04-14-92	G-S	40,000	N		03-13-92	Indef.
ST92-3393	Transcontinental Gas P/L Corp.	Nevada Power Co.	04-15-92	G-S	35,000	N		03-16-92	Indef.
ST92-3394	Green Canyon Pipe Line Co.	American Hunter Exploration, Ltd.	04-15-92	G-S	2,270	A		03-24-92	Indef.
ST92-3395	Transcontinental Gas P/L Corp.	Cincinnati Gas & Electric Co.	04-15-92	G-S	700,000	N		03-27-92	Indef.
ST92-3396	Williston Basin Inter. P/L Co.	Kern River Gas Transmission Co.	04-15-92	G-S	500,000	N		08-10-92	Indef.
ST92-3397	Kern River Gas Transmission Co.	Tennessee Gas Pipeline Co.	04-15-92	G-S	25,000				

Docket No. ¹	Transporter/seller	Recipient	Date filed	Part 284 subpart	Est. max. daily quantity ²	Aff. Y/A/N ³	Rate sch.	Date commenced	Projected termination date
ST92-3486	Williston Basin Inter. P/L Co.	Rainbow Gas Co.	04-22-92	G-S	98,515	A	-	03-27-92	08-31-92
ST92-3487	Trailblazer Pipeline Co.	Midcon Marketing Corp	04-22-92	G-S	353,000	A	-	10-01-91	Indef.
ST92-3488	Kem River Gas Transmission Co.	Westar Marketing Co.	04-22-92	G-S	100,000	N	-	03-31-92	Indef.
ST92-3489	Kem River Gas Transmission Co.	Tranam Energy Inc.	04-22-92	G-S	200,000	Y	-	03-31-92	Indef.
ST92-3490	Tennessee Gas Pipeline Co.	Commonwealth Gas Co.	04-22-92	G-S	90,000	N	-	04-01-92	Indef.
ST92-3491	United Gas Pipe Line Co.	Midcon Marketing Corp	04-22-92	G-S	733,600	-	-	03-16-92	07-14-92
ST92-3492	Panhandle Eastern Pipe Line Co.	Panhandle Trading Company	04-22-92	G-S	150,000	Y	-	03-22-92	Indef.
ST92-3493	Panhandle Eastern Pipe Line Co.	NGC Transportation, Inc.	04-22-92	G-S	100,000	N	-	03-01-92	Indef.
ST92-3494	Panhandle Eastern Pipe Line Co.	Kem River Gas Supply	04-22-92	G-S	138,000	N	-	03-01-92	Indef.
ST92-3495	Northwest Pipeline Corp.	Colorado Interstate Gas Co.	04-23-92	C	25,000	-	-	01-13-92	10-31-92
ST92-3496	Montana Power Co.	Colorado Interstate Gas Co.	04-23-92	C	10,000	-	-	02-06-92	10-31-92
ST92-3497	Montana Power Co.	Colorado Interstate Gas Co.	04-23-92	C	30,000	N	-	03-14-92	Indef.
ST92-3498	Valero Transmission, L.P.	Colorado Interstate Gas Co.	04-23-92	C	8,137	-	-	03-24-92	Indef.
ST92-3499	El Paso Natural Gas Co.	Eastern Transmission Corp.	04-23-92	G-S	103,000	A	-	03-29-92	Indef.
ST92-3490	ONG Transmission Co.	Access Energy Corp.	04-23-92	C	75,000	-	-	04-01-92	Indef.
ST92-3491	ONG Transmission Co.	ANR Pipeline Co.	04-23-92	C	50,000	-	-	03-26-92	Indef.
ST92-3492	ONG Transmission Co.	Arkla Energy Resources.	04-23-92	C	10,000	-	-	04-02-92	Indef.
ST92-3493	ONG Transmission Co.	ANR Pipeline Co.	04-23-92	C	20,000	Y	-	03-10-92	Indef.
ST92-3494	Williams Natural Gas Co.	Associated Natural Gas Co.	04-23-92	G-S	2,000	-	-	03-01-92	Indef.
ST92-3495	Arkla Energy Resources.	Natural Gas P/L Co. of America	04-23-92	C	10,000	N	-	04-01-92	Indef.
ST92-3496	Delhi Gas Pipeline Corp.	Natural Gas P/L Co. of America	04-23-92	C	4,000	-	-	03-01-92	Indef.
ST92-3497	Delhi Gas Pipeline Corp.	Western Gas Resources, Inc.	04-24-92	C	6,000	-	-	11-08-91	11-01-92
ST92-3498	MGTC, Inc.	Superior Natural Gas Corp.	04-23-92	G-S	104,800	N	-	07-01-91	10-29-91
ST92-3499	United Gas Pipe Line Co.	Natural Gas P/L Co. of America	04-24-92	C	10,000	-	-	04-03-92	Indef.
ST92-3490	Neches Pipeline System	Midcon Marketing Corp.	04-23-92	K-S	20,000	N	-	09-30-92	Indef.
ST92-3491	Pelican Interstate Gas System...	Enron Gas Marketing, Inc.	04-23-92	K-S	100,000	N	-	04-01-92	Indef.
ST92-3493	Columbia Gas Transmission Corp.	Dayton Power & Light Co.	04-23-92	B	40	-	-	04-01-92	Indef.
ST92-3494	Columbia Gas Transmission Corp.	Belden & Blake Corp.	04-24-92	G-S	5,000	-	-	04-01-92	Indef.
ST92-3495	Columbia Gas Transmission Corp.	Power Resources Operating Co., Inc.	04-24-92	G-S	10,000	-	-	04-14-92	Indef.
ST92-3496	Williston Basin Inter. P/L Co.	Conoco, Inc.	04-24-92	G-S	22,565	A	-	03-25-92	Indef.
ST92-3497	Northern Natural Gas Co.	Yates Petroleum Corp	04-24-92	G-S	100,000	N	-	03-31-92	Indef.
ST92-3498	Northern Natural Gas Co.	Conoco, Inc.	04-24-92	G-S	50,000	N	-	03-30-92	Indef.
ST92-3499	Northern Natural Gas Co.	North Canadian Marketing Corp.	04-24-92	G-S	100,000	N	-	04-01-92	Indef.
ST92-3500	Arkansas Western Gas Co.	Arkla Energy Resources.	04-24-92	G-H-T	1,000	-	-	04-01-92	Indef.
ST92-3501	Arkansas Western Gas Co.	Arkla Energy Resources.	04-27-92	G-H-T	2,000	-	-	04-01-92	Indef.
ST92-3502	Trunkline Gas Co.	Tennegasco Corp.	04-27-92	G-S	150,000	N	-	04-01-92	Indef.
ST92-3503	Trunkline Gas Co.	Anadarko Trading Co.	04-27-92	G-S	60,000	N	-	04-01-92	Indef.
ST92-3504	Trunkline Gas Co.	North Canadian Marketing Corp.	04-27-92	G-S	150,000	N	-	04-08-92	Indef.
ST92-3505	Trunkline Gas Co.	Enermax, Div. of Nukem, Inc.	04-27-92	G-S	50,000	N	-	04-01-92	Indef.
ST92-3506	Trunkline Gas Co.	Chevron U.S.A., Inc.	04-27-92	G-S	10,000	N	-	04-01-92	Indef.
ST92-3507	Trunkline Gas Co.	Teles Hydrocarbons Co.	04-27-92	G-S	100,000	N	-	04-01-92	Indef.
ST92-3508	Trunkline Gas Co.	Hunt Petroleum Corp.	04-27-92	G-S	2,000	-	-	04-01-92	Indef.
ST92-3509	Trunkline Gas Co.	Telus Power Corp.	04-27-92	G-S	20,000	N	-	04-01-92	Indef.
ST92-3510	Trunkline Gas Co.	Coastal Gas Marketing Co.	04-27-92	G-S	140	N	-	04-01-92	Indef.
ST92-3511	Trunkline Gas Co.	Stellar Gas Co.	04-27-92	G-S	50,000	N	-	04-01-92	Indef.
ST92-3512	Trunkline Gas Co.	NGC Transportation, Inc.	04-27-92	G-S	20,000	N	-	04-01-92	Indef.
ST92-3513	Panhandle Eastern Pipe Line Co.	McLeod Farms	04-27-92	G-S	2,000	N	-	04-01-92	Indef.
ST92-3514	Panhandle Eastern Pipe Line Co.	MG Natural Gas, Inc.	04-27-92	G-S	140	N	-	04-01-92	Indef.
ST92-3515	Panhandle Eastern Pipe Line Co.	Panhandle Eastern Pipe Line Co.	04-27-92	C	25,000	N	-	03-25-92	Indef.
ST92-3516	Panhandle Eastern Pipe Line Co.	Tenaska Marketing Ventures	04-27-92	G-S	500,000	N	-	04-01-92	Indef.
ST92-3517	Panhandle Eastern Pipe Line Co.	Western Natural Gas Trans. Corp.	04-27-92	G-S	150,000	N	-	04-16-92	Indef.
ST92-3518	Panhandle Eastern Pipe Line Co.	Tennegasco Corp.	04-27-92	G-S	100,000	N	-	03-27-92	Indef.
ST92-3519	Panhandle Eastern Pipe Line Co.	Public Service Electric & Gas Co.	04-27-92	B	40,000	A	-	03-29-92	Indef.
ST92-3520	Panhandle Eastern Pipe Line Co.	Post Rock Gas, Inc.	04-27-92	G-S	70,000	N	-	04-01-92	Indef.
ST92-3521	Panhandle Eastern Pipe Line Co.	Broad Street Oil & Gas Co.	04-27-92	G-S	2,000	-	-	04-17-92	Indef.
ST92-3522	K N Energy, Inc.	Post Rock Gas, Inc.	04-27-92	G-S	20,000	N	-	04-01-92	Indef.
ST92-3523	Colorado Interstate Gas Co.	Columbia Gas Transmission Corp.	04-27-92	G-S	1,300	N	-	04-16-92	Indef.
ST92-3524	Tennessee Gas Pipeline Co.	Tennegasco Corp.	04-27-92	G-S	40,000	A	-	03-29-92	Indef.
ST92-3525	Transcontinental Gas P/L Corp.	Public Service Electric & Gas Co.	04-27-92	B	70,000	N	-	04-01-92	Indef.
ST92-3526	K N Energy, Inc.	Post Rock Gas, Inc.	04-27-92	G-S	2,000	-	-	04-17-92	Indef.
ST92-3527	Columbia Gas Transmission Corp.	Broad Street Oil & Gas Co.	04-27-92	G-S	20,000	N	-	04-01-92	Indef.

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ST92-3595	Kern River Gas Transmission Co	Chevron U.S.A., Inc	04-28-92	G-S	100,000	N	—	04-01-92	Indef.
ST92-3596	Kern River Gas Transmission Co	Phillips Gas Marketing Co	04-29-92	G-S	100,000	N	—	04-01-92	Indef.
ST92-3601	Sea Robin Pipeline Co	Williams Gas Marketing Co	04-29-92	G-S	200,000	N	—	01-01-91	Indef.
ST92-3602	ANR Pipeline Co	Indiana Gas Co., Inc.	04-29-92	B	50,912	N	—	04-01-92	Indef.
ST92-3603	ANR Pipeline Co	Ohio Valley Gas Gas, Inc.	04-29-92	B	580,600	N	—	04-01-92	Indef.
ST92-3604	Transcontinental Gas P/L Corp	Texas-OHio Gas, Inc.	04-29-92	B	65,000	N	—	04-03-92	Indef.
ST92-3605	Transcontinental Gas P/L Corp	AGF Direct Gas Sales, Inc	04-29-92	G-S	23,500	N	—	04-07-92	Indef.
ST92-3606	Transcontinental Gas P/L Corp	Entrade Corp	04-29-92	G-S	100,000	N	—	04-08-92	Indef.
ST92-3607	Transcontinental Gas P/L Corp	Appalachian Gas Sales	04-29-92	G-S	20,000	N	—	04-07-92	Indef.
ST92-3608	Transcontinental Gas P/L Corp	Public Service Electric and Gas Co	04-29-92	B	15,000	N	—	04-08-92	Indef.
ST92-3609	United Gas Pipe Line Co.	Excel Gas Marketing, Inc.	04-29-92	G-S	102,704	N	—	03-31-92	07-29-92
ST92-3610	United Gas Pipe Line Co	Kogas, Inc.	04-29-92	G-S	209,600	N	—	04-21-92	08-19-92
ST92-3612	United Gas Pipe Line Co	FEC Marketing, Inc.	04-29-92	G-S	10,000	N	—	04-06-92	08-04-92
ST92-3613	United Gas Pipe Line Co	Amoco Energy Trading Corp	04-29-92	G-S	52,400	N	—	04-06-92	08-04-92
ST92-3614	United Gas Pipe Line Co	Calcasieu Gas Gathering System	04-29-92	G-S	44,016	N	—	04-20-92	08-18-92
ST92-3615	United Gas Pipe Line Co	Eagle Natural Gas Co	04-29-92	G-S	26,200	N	—	04-20-92	08-18-92
ST92-3616	United Gas Pipe Line Co	Energy Marketing Exchange, Inc.	04-29-92	G-S	78,600	N	—	04-20-92	08-18-92
ST92-3617	United Gas Pipe Line Co	Access Energy Corp	04-29-92	G-S	41,920	N	—	04-21-92	08-19-92
ST92-3618	United Gas Pipe Line Co	LL & E Gas Marketing, Inc.	04-29-92	G-S	814	N	—	04-01-92	03-31-92
ST92-3619	United Gas Pipe Line Co	Equitable Resources Marketing Co.	04-29-92	G-S	40,000	N	—	04-01-92	07-29-92
ST92-3620	United Gas Pipe Line Co	Ledco Inc	04-29-92	G-S	282,000	N	—	04-06-92	08-04-92
ST92-3621	Columbia Gas Transmission Corp	Eastern Shore Natural Gas Co	04-29-92	G-S	488,629	N	—	04-21-92	08-19-92
ST92-3622	Columbia Gas Transmission Corp	Dayton Power and Light Co	04-29-92	G-S	199	Y	—	04-01-92	Indef.
ST92-3623	Columbia Gas Transmission Corp	City of Charlottesville	04-29-92	G-S	26,733	N	—	04-01-92	Indef.
ST92-3624	Columbia Gas Transmission Corp	Cincinnati Gas & Electric Co.	04-29-92	G-S	814	Y	—	04-01-92	Indef.
ST92-3625	Columbia Gas Transmission Corp	Binghamton Cogeneration L.P.	04-29-92	G-S	12,000	N	—	04-01-92	Indef.
ST92-3626	Columbia Gas Transmission Corp	Washington Gas Light Co.	04-29-92	G	46,828	N	—	04-01-92	Indef.
ST92-3627	Columbia Gas Transmission Corp	Union Light, Heat & Power Co.	04-29-92	B	7,000	Y	—	04-01-92	Indef.
ST92-3628	Columbia Gas Transmission Corp	New York State Electric & Gas Corp.	04-29-92	B	7,000	Y	—	04-01-92	Indef.
ST92-3629	Columbia Gas Transmission Corp	New York State Electric & Gas Corp.	04-29-92	B	425	Y	—	04-01-92	Indef.
ST92-3630	Columbia Gas Transmission Corp	Delmarva Power & Light Co.	04-29-92	B	4,264	Y	—	04-01-92	Indef.
ST92-3631	Columbia Gas Transmission Corp	Baltimore Gas and Electric Co.	04-29-92	B	25,000	Y	—	04-01-92	Indef.
ST92-3632	Superior Offshore Pipeline Co.	Comstock Oil & Gas—Louisiana, Inc.	04-30-92	G-S	2,188	N	—	03-01-92	Indef.
ST92-3633	Iroquois Gas Trans. System, LP	North Canadian Marketing Corp.	04-30-92	G-S	572,000	N	—	04-01-92	10-31-92
ST92-3634	Iroquois Gas Trans. System, LP	Boston Gas Co.	04-30-92	B	300,000	N	—	04-01-92	10-31-92
ST92-3635	Iroquois Gas Trans. System, LP	National Fuel Gas Supply Corp.	04-30-92	C	33,700	N	—	04-01-92	Indef.
ST92-3636	Three Rivers Pipeline Co.	Quivira Gas Co.	04-30-92	G-S	209,600	N	—	04-21-92	08-19-92
ST92-3637	United Gas Pipe Line Co	Prior Intrastate Corp.	04-30-92	G-S	524,000	N	—	04-22-92	08-19-92
ST92-3638	United Gas Pipe Line Co	Quivira Gas Co.	04-30-92	G-S	41,920	N	—	04-21-92	08-19-92
ST92-3639	United Gas Pipe Line Co	MG Natural Gas Corp.	04-30-92	G-S	41,920	N	—	04-09-92	08-07-92
ST92-3640	United Gas Pipe Line Co	Shell Gas Trading Co.	04-30-92	G-S	10,480	N	—	04-21-92	08-19-92
ST92-3641	United Gas Pipe Line Co	Midcon Trading Co.	04-30-92	G-S	733,600	N	—	04-22-92	08-20-92
ST92-3642	United Gas Pipe Line Co	ArcO Oil and Gas Co.	04-30-92	G-S	15,720	N	—	04-06-92	08-04-92
ST92-3643	United Gas Pipe Line Co	Shell Gas Trading Co.	04-30-92	G-S	31,440	N	—	04-21-92	08-19-92
ST92-3644	Panhandle Eastern Pipe Line Co.	Amoco Production Co.	04-30-92	G-S	100,000	N	—	03-31-92	Indef.
ST92-3645	Panhandle Eastern Pipe Line Co.	Andarko Trading Co.	04-30-92	G-S	150,000	N	—	04-01-92	Indef.
ST92-3646	Panhandle Eastern Pipe Line Co.	Aquila Energy Marketing Corp.	04-30-92	G-S	20,000	N	—	04-01-92	Indef.
ST92-3647	Panhandle Eastern Pipe Line Co.	Indiana Gas Co.	04-30-92	G-S	77,144	N	—	09-01-90	Indef.
ST92-3648	Panhandle Eastern Pipe Line Co.	Archer Daniels Midland Co.	04-30-92	G-S	5,000	N	—	04-01-92	Indef.
ST92-3649	Panhandle Eastern Pipe Line Co.	JDS Energy Corp.	04-30-92	G-S	2,500	N	—	04-11-92	Indef.
ST92-3650	Tennessee Gas Pipeline Co.	Meth. Corp.	04-30-92	G-S	300,000	N	—	04-01-92	Indef.
ST92-3651	Tennessee Gas Pipeline Co.	Citizens Gas Supply Corp.	04-30-92	G-S	600,000	N	—	04-01-92	Indef.
ST92-3652	Tennessee Gas Pipeline Co.	Energy Development Corp.	04-30-92	B	425,000	A	Y	03-27-92	Indef.
ST92-3653	Channel Industries Gas Co.	Alabama Gas Corp., et al.	04-30-92	C	2,410	N	—	04-01-92	08-31-93
ST92-3654	Channel Industries Gas Co.	Northern Natural Gas Co.	04-30-92	C	50,000	N	—	04-01-92	Indef.
ST92-3655	Transcontinental Gas P/L Corp.	V.H.C. Gas Systems, LP	04-30-92	B	75,000	N	—	04-01-92	Indef.
ST92-3657	Transcontinental Gas P/L Corp.	Access Energy Corp.	04-30-92	G-S	30,000	N	—	04-01-92	Indef.
ST92-3658	Transcontinental Gas P/L Corp.	Energy Development Corp.	04-30-92	G-S	600,000	N	—	04-01-92	Indef.
ST92-3659	Transcontinental Gas P/L Corp.	Columbia Gas of Ohio, Inc.	04-30-92	B	96,578	Y	—	04-01-92	08-31-93
ST92-3660	Columbia Gas Transmission Corp.	Columbia Gas of Pennsylvania, Inc.	04-30-92	B	30,892	N	—	04-01-92	08-31-93
ST92-3661	Columbia Gas Transmission Corp.	Columbia Gas of Pennsylvania, Inc.	04-30-92	B	0	N	—	04-01-92	08-31-93
ST92-3662	Columbia Gas Transmission Corp.	Columbia Gas of Pennsylvania, Inc.	04-30-92	B	0	N	—	04-01-92	08-31-93

[Docket No. CP92-495-000]

Texas Eastern Transmission Corp.; Request Under Blanket Authorization

May 22, 1992

Take notice that on May 15, 1992, Texas Eastern Transmission Corporation (Texas 77251-1642, filed in Docket No. CP92-495-000 a request pursuant, Texas 77251-1642, filed in Docket No. CP92-495-000 a request pursuant to 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to construct and operate a new delivery point for deliveries of gas to Energy Marketing Exchange, Inc. (EME), under Texas Eastern's blanket certificate issued in Docket No. CP82-535-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Texas Eastern proposes to install an 8-inch Line No. 11 at milepost 104.62 in order to provide deliveries for EME at the proposed interconnection with Enercorp Gas Transmission Systems, Inc. (Enercorp). It is stated that Enercorp would provide, own, operate and maintain a dual 8-inch measuring station. It is further stated that deliveries of gas would be made under an interruptible transportation agreement dated April 9, 1992, and pursuant to Texas Eastern's Rate Schedule IT-1. It is also stated that the peak and average day deliveries would amount to 60,000 dekatherms equivalent of gas per day.

Texas Eastern states that it would be reimbursed for the cost of the facilities, estimated to be \$93,000.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Linwood A. Watson, Jr.,
Acting Secretary.[FR Doc. 92-12683 Filed 6-1-92; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CP92-498-000]

Trunkline Gas Co.; Petition for Declaratory Order

May 22, 1992.

Take notice that on May 15, 1992, Trunkline Gas Company (Trunkline) P.O. Box 1642, Houston, Texas 77251-1642, Houston, Texas 77251-1642, filed in Docket No. CP92-498-000 a petition under Rule 207 of the Commission's Rules of Practice and Procedure (18 CFR 385.207) for a declaratory order: (1) Finding that certain of Trunkline's facilities which have been certificated as jurisdictional transmission facilities but which are now functionalized as gathering facilities on Trunkline's accounting books and records in fact perform a transmission function and should be refunctionalized as transmission facilities for rate and accounting purposes; (2) authorizing Trunkline to record these facilities and related costs on its accounting books and records as transmission facilities; and (3) confirming that these facilities are jurisdictional facilities.

In the event that the Commission concludes that some or all of these facilities perform a gathering function rather than a transmission function and should therefore remain functionalized as gathering, Trunkline requests that the Commission find that the facilities are nonjurisdictional and vacate the certificate that authorized Trunkline to construct and operate the facility as unnecessary for such a nonjurisdictional facility.

Trunkline requests that 197 facilities be refunctionalized from gathering to transmission for accounting and rate purposes. According to Trunkline, this refunctionalization is reflected in its rate case filed May 1, 1992, in Docket No. RP92-165-000.

Although there are a large number of facilities proposed to be refunctionalized with varying physical and operating characteristics, Trunkline states that the detailed descriptions and maps included in its petition show that the facilities have three basic configurations and functions. First, Trunkline states that a number of the facilities are interconnected between its mainline transmission system and the mainline transmission systems of other pipeline companies, such as Transcontinental Gas Pipe Line

Corporation, Tennessee Gas Pipeline Company, Natural Gas Pipeline Company, Stingray Pipeline Company, High Island Offshore System, United Gas Pipe Line Company and others.

Second, it is stated that several facilities are extensions of Trunkline's mainlines to additional Trunkline-owned lines that receive gas from numerous sources of supply further upstream of the facilities Trunkline proposes to refunctionalize.

Trunkline states that the third, and by far the largest group, consists of extensions from Trunkline's mainlines to points of receipt at the downstream side of producer-owned facilities which gather gas from the wellheads, producer-owned processing plants where the gas is processed to meet Trunkline's quality standards, and the producer-owned compressors as required to ensure sufficient pressure to allow gas to enter Trunkline's mainline without compression by Trunkline. Trunkline states that its system begins at the outlet of these producer-owned systems after the gas already has been gathered and brought to sufficient pressure and quality to enter Trunkline's transmission system.

In addition to these facilities, Trunkline proposes to refunctionalize several rectifier units, which are used to protect Trunkline's facilities and are located on pipeline facilities proposed to be refunctionalized. Trunkline also proposes to refunctionalize the portion of its line pack that is associated with certain offshore pipeline systems.

Trunkline states that none of the facilities proposed to be refunctionalized attaches to the wellhead. It is stated that in every case, between the wellhead and the facility proposed to be refunctionalized there are additional facilities (in most instances owned by producers) that gather the gas and either process the gas to bring it to pipeline quality or compress the gas to a pressure that allows it to enter Trunkline's system without compression by Trunkline or both. As a result, Trunkline states that the facilities proposed to be refunctionalized are used to move pipeline quality gas at mainline pressures. Under the standards applicable to the functionalization of facilities and associated costs between gathering and transmission, Trunkline states that the function and configuration of the facilities at issue here require the finding that the facilities perform a transmission function.

While the Commission's Uniform System of Accounts defines the term "transmission system" that is to be used in recording the costs of facilities to the transmission function on a company's accounting books and records, it does not contain a comparable definition of a "gathering" system or facility.

Trunkline states that the Commission has relied, and continues to rely, on several factors that determine the end of the gathering function and system and the beginning of the transmission function and system. Among these are the central point in the field and the location of compressor stations and processing plants.

Since none of these facilities connect directly to the wellhead—the most basic aspect of gathering—Trunkline states that they perform a transmission, not gathering function. Trunkline states that between the wellhead and the facilities proposed to be refunctionalized, there are always facilities owned by the producer and, in some cases, additional facilities owned by Trunkline that remain functionalized as gathering. According to Trunkline, it is these upstream facilities that aggregate gas from the wellhead, treat the gas to bring it to pipeline quality and compress the gas to pipeline pressure before delivering the gas to the facilities proposed to be refunctionalized. Trunkline states that its facilities proposed to be refunctionalized transport pipeline quality gas owned by Trunkline or third parties at transmission pressures to Trunkline's mainline transmission system for redelivery under certificates of public convenience and necessity.

Trunkline states that the factors the Commission has historically relied upon in determining whether facilities are gathering or transmission are now subsumed within the Commission's primary function test articulated in Farmland Industries, Inc., 23 FERC ¶ 61,063 (1983) and Amerada Hess Corporation, *et al.*, 52 FERC ¶ 61,268 (1990). Under the primary function test, Trunkline states that the Commission considers, in addition to the central point, the location of processing plants and compressors, the diameter and length of a facility, the location of wells along all or part of the facility, the geographical configuration of the system and the operating pressure of the facility.

It is stated that no Trunkline facility proposed to be refunctionalized connects directly to a well. In every case, it is stated, the wells are upstream of these facilities and either processing or compression or both are located between the well and the facility proposed to be refunctionalized.

Trunkline states that, in the vast majority of instances, no gas enters a facility downstream of the meter connecting the beginning of the line to the producer-owned gathering system. Where gas does enter the line downstream, Trunkline states that the gas is delivered by another Trunkline owned line that connects to a producer-owned facility or another pipeline company's facilities. Trunkline believes that this is typical of transmission lines and indicates that the facilities in question are transmission rather than gathering.

Trunkline states that it has a relatively low pressure mainline system—approximately 615–975 psig. It is stated that the average operating pressure of each of the facilities herein is somewhat greater than the average operating pressure of Trunkline's mainline at the point of interconnection. Trunkline submits that this indicates that these facilities perform a transmission rather than gathering function.

According to Trunkline, there is a great deal of variety in the diameters and lengths of the lines in this proposal; some are 2-inch extensions of a few feet from Trunkline's mainline to a nearby producer-owned facility; others are 30-mile segments of pipe equal in diameter to portions of the mainline that provide access to numerous producer-owned systems. Trunkline believes that the small diameter and length of many of the lines is not necessarily indicative of a gathering function. Trunkline states that the lines have been sized as necessary to connect particular supply sources to its mainline system, and perform a transmission function.

As to the geographical configuration of the system, Trunkline states that the facilities it proposes to refunctionalize are individual facilities extending from the mainline system to points where pipeline quality gas has been aggregated and can be delivered at a pressure sufficient to enter the mainline without additional compression by Trunkline. Trunkline believes that this configuration is typical of facilities that perform a transmission function.

Trunkline states that its overall business purpose is limited to the transportation and sale of natural gas in interstate commerce, not to well development, gathering and processing. Trunkline further states that it utilizes the facilities in question to transport gas that has been gathered and compressed by others to bring the gas to pipeline quality and pressure prior to delivery to Trunkline.

Any person desiring to be heard or to make any protest with reference to said

petition should on or before June 12, 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-12682 Filed 5-29-92; 8:45 am]

BILLING CODE 6717-01-4

ENVIRONMENTAL PROTECTION AGENCY

[FRL 4138-3]

Management Advisory Group to the Assistant Administrator for Water; Open Meeting

Under Section 1(a)(2) of Public Law 92-423, "The Federal Advisory Committee Act," notice is hereby given that a meeting of the Management Advisory Group (MAG) to the Assistant Administrator for Water will be held at 8:30 a.m. on June 10, 11, 12, 1992, at the Mayflower Park Hotel, 405 Olive Way, Seattle, Washington.

EPA Region 10 and the Tulalip Indian Tribes are hosting the June meeting of the Management Advisory Group (MAG) in Seattle, Washington. The theme for this meeting is ecosystem protection. MAG members will hear from members of the Northwest Indian Fisheries Commission and the Tulalip Tribes about their programs to ensure protection of natural resources vital to their culture and way of life. MAG members will also learn about special programs to educate children and the public in the northwest and will participate in the Tulalip First Salmon Day festivities. Presentations and site visits will contribute to the development of recommendations from two MAG workgroups—Ecosystem Protection and Environmental Education.

MAG members will hear from members of the Nisqually Indian Council about the Nisqually watershed initiative to control nonpoint source pollution and participate in a site visit.

Staff from Region 10 and the State of Washington will present information on the implementation of the Puget Sound Comprehensive Conservation and Management Plan and special efforts to identify and eliminate contamination from stormwater run-off in Puget Sound. This information will contribute substantially to the final development of recommendations and long-term planning for Combined Sewer Overflow and Stormwater Control issues in MAG's Nonpoint Sources/Stormwater workgroup.

The meeting will be open to the public. The MAG encourages the hearing of outside statements and will allocate a portion of its meeting time for public participation. Oral statements will be limited to ten minutes. It is preferred that there be one presenter for each statement. Any outside parties interested in presenting an oral statement should petition the MAG by telephone at (202) 260-0643. The petition should include the topic of the proposed statement and the petitioner's telephone number and should be received before June 5, 1992.

Any person who wishes to file a written statement can do so before or after a MAG meeting. Written statements received prior to the meeting will be distributed to the members before any final discussion or vote is completed. Statements received after a meeting will become part of the permanent meeting file and will be forwarded to the MAG members for their information.

Any member of the public wishing to attend the MAG meeting, present an oral statement, or submit a written statement, should contact Ms. Michelle Hiller, Designated Federal Official, U.S. Environmental Protection Agency, Office of Assistant Administrator for Water, 401 M Street, SW., WH-556, Washington, DC 20460 or at (202) 260-0643.

Dated: May 21, 1992.

Martha G. Prothro,

Deputy Assistant Administrator for Water.

[FR Doc. 92-12741 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

[FRL 4138-5]

Public Water System Supervision Program Revision for the Commonwealth of Virginia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

Public notice is hereby given in accordance with the provisions of

section 1213 of the Safe Drinking Water Act as amended, 42 U.S.C. §§ 300f *et seq.*, and 40 CFR 142.10, the National Primary Drinking Water Regulations, that the Commonwealth of Virginia has revised its approved Public Water System Supervision (PWSS) Primacy Program. Virginia has developed: (1) Drinking water regulations for eight volatile organic chemicals that correspond to the National Primary Drinking Water Regulations for eight volatile organic chemicals promulgated by EPA on July 8, 1987 (52 FR 25690); and (2) public notice requirements that correspond to the revised EPA public notice requirements promulgated on October 28, 1987 (52 FR 41534). Edwin B. Erickson, Regional Administrator for EPA Region III, has determined that these State program revisions are no less stringent than the corresponding federal regulations and has approved these State program revisions. This determination shall become effective on July 1, 1992, and was based upon a thorough evaluation of Virginia's PWSS program which has met the requirements stated in 40 CFR 142.10.

Virginia's PWSS program, as presented and evaluated, has indicated that it is fully capable of carrying out all of the areas required to achieve primary enforcement capability.

Any interested parties are invited to submit written comments on this determination, and may request a public hearing on or before July 1, 1992. If a public hearing is requested and granted, this determination shall not become effective until such time following the hearing that the Regional Administrator issues an order affirming or rescinding this action.

Requests for a public hearing should be addressed to: Edwin B. Erickson, Regional Administrator, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, PA 19107.

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request is made within thirty (30) days after this notice, a public hearing will be held.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing, (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing, and (3) the signature of the individual making the requests, or, if the request is made on behalf of an organization or other entity, the

signature of a responsible official of the organization or other entity.

Notice of any hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. Such notice will be made by the Regional Administrator in the *Federal Register* and in newspapers of general circulation in the Commonwealth of Virginia. A notice will also be sent to the person(s) requesting the hearing as well as the Commonwealth of Virginia. The hearing notice will include a statement of purpose, information regarding time and location, and the address and telephone number where interested persons may obtain further information. The Regional Administrator will issue an order affirming or rescinding his determination upon review of the hearing record. Should the determination be affirmed, it will become effective as of the date of the order.

Should no timely and appropriate request for a hearing be received, and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become effective on July 1, 1992.

Please bring this notice to the attention of any persons known by you to have an interest in this determination.

All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the Office of the Regional Administrator and at the following location in Virginia: Virginia Department of Health, Division of Water Supply Engineering, 1500 East Main Street, Richmond, Virginia 23218.

FOR FURTHER INFORMATION CONTACT:

Jacqueline Pine, EPA Region III, Drinking Water Section (3WM41) at the Philadelphia address given above, telephone (215) 597-6531, (FTS) 597-6531.

Stanley Laskowski,
Acting Regional Administrator, EPA, Region III.

[FR Doc. 92-12739 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

[FRL 4138-9]

Final Decision To Grant BP Chemicals, Inc. an Exemption From the Land Disposal Restrictions of the Hazardous and Solid Waste Amendments of 1984 (HSWA) Regarding Injection of Hazardous Waste

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Notice of Final Decision on Exemption Petition.

SUMMARY: Notice is hereby given by the USEPA that an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments (SDWA) to the Resource Conservation and Recovery Act (RCRA) has been granted to BP Chemicals, Inc. (BPCI) of Lima, Ohio. As required by 40 CFR part 148, BPCI has demonstrated to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. BPCI, therefore, may continue to inject Resource Conservation and Recovery Act (RCRA) regulated hazardous wastes, codes K011, K013, K014, F039, and various D, U, and P listed materials through Waste Disposal Wells (WDWs) No. 1, 2, 3, and 4 (if WDW No. 4 is permitted by the Ohio Environmental Protection Agency [Ohio EPA] located at the Lima, Ohio, facility. This action constitutes a final USEPA action for which there is no administrative appeal.

SUPPLEMENTARY INFORMATION: BPCI submitted a petition to the USEPA under 40 CFR part 148, which allows any person to petition the Administrator to determine whether its continued injection of hazardous wastes is protective of human health and the environment. After a comprehensive review of all material submitted, the USEPA has determined that there is a reasonable degree of certainty that BPCI's injected wastes will not migrate out of the injection zone within the next 10,000 years as required by 40 CFR part 148. The injection zone at this site includes the uppermost part of the Middle Run and all of the Mt. Simon and Eau Claire Formations, which lie between the depths of 2,430 and 3,223 feet in the test well. The immediately overlying confining zone is a portion of the Knox Dolomite between 2,100 and 2,430 feet. The confining zone is separated from the lowermost source of underground drinking water, located at a depth of 400 feet, by sequences of permeable and less permeable sedimentary rocks which provide additional protection from fluid migration into underground sources of drinking water. A fact sheet containing a complete summary of the decision now being finalized was published in the *Federal Register* on March 13, 1992, at 57 FR 8753.

A public notice of the proposed decision was issued on February 24, 1992, pursuant to 40 CFR 124.10, and a public hearing was subsequently held on March 25, 1992. The public comment period expired on April 9, 1992. A large

number of comments were received and all comments have been considered in making the final decision. Six conditions were appended to the proposed decision. After considering all of the comments received, the USEPA has determined that three of these conditions should be modified.

In the proposed decision, injection pressure was limited to closure pressure at the casing shoe in Condition No. 6 and injection into the Middle Run was not permitted by Condition No. 2 because the fracturing pressure in this formation was lower than in the Mount Simon and Eau Claire formations. Both of these limitations evolved from USEPA's general concern about a lack of sufficient evidence that injection pressures, which currently exceed fracture closure pressure in the formations into which BPCI is injecting, might initiate or propagate fractures in violation of 40 CFR 148.13(a). However, BPCI has made additional submissions containing an analysis of 20 plus years of historical operating data. When combined with previously submitted data, this analysis shows with a reasonable degree of certainty that current operating pressures are not now nor have they ever been initiating or propagating fractures anywhere in the injection interval, which includes the Middle Run Formation. Accordingly, Condition No. 2 has been modified to expand the possible injection interval (depending on State permit allowances) to include the Middle Run Formation and Condition No. 6 has been modified to permit continued injection at current operating pressures.

Condition No. 4 in the proposed decision required submission of the final seismic reflection investigation no later than May 8, 1992. All of the material which will be contained in that report has been reviewed and considered in reaching this final determination. Accordingly, additional time for submission of the final acceptable report has been extended to no later than 60 days after BPCI receives final comments from the Ohio EPA.

The wastes for which this exemption is granted are principally process waste waters defined under 40 CFR part 261 as bottom stream from the wastewater stripper, (K011), bottom stream from the acetonitrile column, (K013), and bottoms from the acetonitrile purification column, (K014), all in the production of acrylonitrile. At the point of generation, one waste stream is sometimes hazardous due to corrosivity, (D002), and chromium content, (D007). The waste stream sometimes contains de minimis amounts of ammonia

blowdown, scrubber water, slopwater, contaminated storm water, pump seal water, water from the loading/unloading sump, contaminated groundwater (F039), equipment washwater, solutions that are compatible with the waste stream, contaminated product, and laboratory wastes. Waste codes for the hazardous wastes which BPCI may continue to dispose through its deep-well disposal system are listed in Table 1-1 of the no-migration petition.

General conditions of this exemption are found at 40 CFR part 148. In addition, as a condition of granting this exemption to the ban on injection of certain hazardous wastes, the USEPA requires that the following conditions be met:

1. The permitted injection zone must be comprised of the Middle Run, Mt. Simon, and Eau Claire Formations;
2. Injection shall occur only into the Mt. Simon Sandstone and Eau Claire Formation below the depth of 2,783 feet in WDW No. 1, and into the Middle Run and Mt. Simon Sandstones in WDW No. 2, 3, and 4 (if permitted);
3. The combined monthly injection volume for the site must not exceed 24 million gallons;
4. The final report of the reflection seismic investigations carried out from 1988 through 1990 must be completed in a form acceptable to USEPA and submitted to the Ohio EPA within 60 days of receipt by BPCI of comments from Ohio EPA;
5. The petitioner shall fully comply with all requirements set forth in the Underground Injection Control Permit-To-Operate; and
6. The injection pressure at the wellhead shall be no greater than 844 psi, the pressure at which the no-migration demonstration was made.

Dated: May 7, 1992.

Dale S. Bryson,

Director, Water Division Region 5, U.S. Environmental Protection Agency.

[FR Doc. 92-12737 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

[FRL 4138-7]

Availability of the Special Interest Group (SIG) Forum for Fish Consumption Risk Management: A User's Manual, v. 1.0 Document

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability.

SUMMARY: Notice is hereby given that a public information document relating to the fish contamination program is

available to the public. There is no new policy or guidance in this document.

Copies of the document identified in this notice may be obtained by making a written request to the U.S. Environmental Protection Agency (EPA) at the address provided below.

FOR FURTHER INFORMATION CONTACT: U.S. Environmental Protection Agency, Fish Contamination Section (WH-585), 401 M Street, SW., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: The following document may be obtained free of charge from the EPA: Special Interest Group (SIG) Forum for Fish Consumption Risk Management: A User's Manual, v. 1.0. U.S. Environmental Protection Agency, February, 1992.

This document is a User's Manual which describes how to access and use the major capabilities of the Fish Advisory Special Interest Group Forum (Fish SIG) located on the Nonpoint Source Information Exchange Bulletin Board System (NPS BBS). The NPS BBS is accessible to the public through the use of a personal computer or terminal, a telecommunications software package, a modem and a phone line that will handle modem communications. Features of the Fish SIG include three searchable databases (a table of State fish consumption advisories, a list of State contact names, and a bibliography of fish advisory-related documents), ability to read or download to a computer disk current fish advisory-related articles, ability to exchange computer data (including database files and software), capability to exchange private letters and files with other users, and capability to post announcements and comments online.

When requesting this publication, identify the document by title and specify the number of copies desired.

Dated: May 27, 1992.

Martha Prothro,

Acting Assistant Administrator, Office of Water.

[FR Doc. 92-12742 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

[FRL 4138-4]

Proposed Settlement; Benzene NESHAP Litigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Proposed Settlement; Request for Public Comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed

settlement concerning litigation instituted against the Environmental Protection Agency ("EPA") challenging regulations issued pursuant to section 112 of the Clean Air Act for benzene emissions from certain source categories (the "Benzene regulations"). EPA published the Benzene regulations on September 14, 1989 (54 FR 38044).

The proposed settlement would provide that if EPA issues a determination that Subpart L of the Benzene regulations is not applicable to the plaintiff's naphthalene production process, plaintiff will seek a dismissal of its petition for review.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

Copies of the settlement are available from Patricia A. Embrey, Air and Radiation Division (LE-132A), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460 (202) 280-7625.

Written comments should be sent to Patricia A. Embrey at the above address and must be submitted on or before July 1, 1992.

Dated: April 23, 1992.

Raymond B. Ludwiszewski,
Acting General Counsel.

[FR Doc. 92-12738 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-M

[OPPTS-140183; FRL-4069-1]

Computer Based Systems, Incorporated; Access to Trade Secret Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has extended clearance for Computer Based Systems, Incorporated of Fairfax, VA, to access trade secret information submitted to EPA pursuant to sections 303, 311, 312, 313, and 322 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), also known as Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA), and the Pollution Prevention Act of 1990 (PPA). Some of the information submitted under EPCRA or PPA may be

claimed or determined to be trade secret information.

DATES: Access to the trade secret information submitted to EPA pursuant to this Notice will be effective June 8, 1992.

FOR FURTHER INFORMATION CONTACT: Steven D. Newburg-Rinn, Chief, Public Data Branch, Information Management Division, Office of Pollution Prevention and Toxics, Office of Prevention, Pesticides and Toxic Substances, Environmental Protection Agency, Rm. NE-G008, Mail Stop TS-793, 401 M St., SW., Washington, DC 20460, Telephone: 202-260-3757.

SUPPLEMENTARY INFORMATION: Under EPCRA, industry must report information on the presence, use, production, and manufacture of certain chemicals annually to EPA. Under section 322 of EPCRA, facilities may assert trade secrecy claims regarding the chemical identities reported in their section 303, 311, 312, and 313 submittals to EPA. Under PPA, industry subject to EPCRA section 313 must also submit waste reduction activity information to EPA for reporting year 1991 and all years following.

Under the current contract number 68-D8-0013, Computer Based Systems, Incorporated (CBSI), 2750 Prosperity Avenue, Suite 300, Fairfax, VA 22031, assists the Office of Pollution Prevention and Toxics, Information Management Division in receiving, processing, archiving, storing, and retrieving the information submitted by industry in response to the requirements of sections 303, 311, 312, 313 and 322 of EPCRA. Specifically, CBSI maintains the EPCRA Reporting Center for this purpose.

EPA announced that CBSI had been authorized to access trade secret information under the current contract number 68-D8-0013 in a notice published in the *Federal Register* of May 16, 1988 (53 FR 17244). The notice also indicated that CBSI's access was not expected to expire before September 30, 1992.

Pursuant to this notice, EPA is extending CBSI's trade secret clearance to also cover CBSI's activities under a new contract number 68-W2-0011. Under this new contract, CBSI will continue performing the same responsibilities required under the current contract as well as receive, process, archive, store and retrieve PPA data, and assume the maintenance and enhancement of the Toxic Release Inventory System (TRIS). TRIS is the data base system which electronically stores data collected by the EPA in

accordance with requirements of EPCRA section 313.

EPA has determined that CBSI requires continued access to EPCRA trade secret information to perform the additional duties required under the new contract number 68-W2-0011. CBSI personnel will continue to sign nondisclosure agreements and follow all required security procedures.

EPA is issuing this notice to inform all submitters of trade secret information under the aforementioned EPCRA sections and PPA that EPA will continue to provide CBSI personnel access to trade secret information on a need-to-know basis under the new contract number 68-W2-0011. All access to EPCRA trade secret information will take place at the EPCRA Reporting Center. Upon termination of their contract, or prior to termination of their contract at EPA's request, CBSI will return all material to EPA.

Clearance for access to EPCRA trade secret information by CBSI under the new contract number 68-W2-0011 is expected to expire on September 30, 1992. EPA has the option to renew this contract annually until September 30, 1997. Clearance for access under this notice will be extended for so long as CBSI continues to perform the duties described above pursuant to any renewal of contract number 68-W2-0011.

Dated: May 22, 1992.

Linda A. Travers,

Director, Information Management Division,
Office of Pollution Prevention and Toxic
Substances.

[FR Doc. 92-12735 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-F

[OPPTS-51795; FRL 4070-5]

Certain Chemicals; Premanufacture Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the *Federal Register* of May 13, 1983 (48 FR 21722). This notice announces receipt of 75 such PMNs and provides a summary of each.

DATES: Close of review periods:

P 92-298, March 9, 1992.
 P 92-774, July 18, 1992.
 P 92-789, 92-790, 92-791, July 22, 1992.
 P 92-792, 92-793, 92-794, July 25, 1992.
 P 92-795, 92-796, 92-797, 92-798, 92-799, 92-800, 92-801, 92-802, July 26, 1992.
 P 92-803, 92-804, 92-805, July 27, 1992.
 P 92-806, 92-807, 92-808, 92-809, July 28, 1992.
 P 92-810, August 3, 1992.
 P 92-811, 92-812, 92-813, 92-814, 92-815, 92-816, 92-817, 92-818, 92-819, 92-820, 92-821, July 28, 1992.
 P 92-822, 92-823, 92-824, 92-825, 92-826, 92-827, 92-828, 92-829, July 29, 1992.
 P 92-830, 92-831, July 28, 1992.
 P 92-832, 92-833, 92-834, 92-835, 92-836, August 1, 1992.
 P 92-837, August 3, 1992.
 P 92-838, 92-839, 92-840, 92-841, August 1, 1992.
 P 92-842, July 4, 1992.
 P 92-843, 92-844, 92-845, 92-846, August 2, 1992.
 P 92-847, August 4, 1992.
 P 92-848, 92-849, 92-850, 92-851, August 3, 1992.
 P 92-852, August 4, 1992.
 P 92-853, August 5, 1992.
 P 92-854, 92-855, 92-856, 92-857, August 8, 1992.
 P 92-858, 92-859, 92-860, 92-861, August 9, 1992.

Written comments by:

P 92-298, February 8, 1992.
 P 92-774, June 18, 1992.
 P 92-789, 92-790, 92-791, June 22, 1992.
 P 92-792, 92-793, 92-794, June 25, 1992.
 P 92-795, 92-796, 92-797, 92-798, 92-799, 92-800, 92-801, 92-802, June 26, 1992.
 P 92-803, 92-804, 92-805, June 27, 1992.
 P 92-806, 92-807, 92-808, 92-809, June 28, 1992.
 P 92-810, July 4, 1992.
 P 92-811, 92-812, 92-813, 92-814, 92-815, 92-816, 92-817, 92-818, 92-819, 92-820, 92-821, June 28, 1992.
 P 92-822, 92-823, 92-824, 92-825, 92-826, 92-827, 92-828, 92-829, June 29, 1992.
 P 92-830, 92-831, June 28, 1992.
 P 92-832, 92-833, 92-834, 92-835, 92-836, July 2, 1992.
 P 92-837, July 4, 1992.
 P 92-838, 92-839, 92-840, 92-841, July 2, 1992.
 P 92-842, June 4, 1992.
 P 92-843, 92-844, 92-845, 92-846, July 3, 1992.

P 92-847, July 5, 1992.
 P 92-848, 92-849, 92-850, 92-851, July 4, 1992.
 P 92-852, July 5, 1992.
 P 92-853, July 6, 1992.
 P 92-854, 92-855, 92-856, 92-857, July 9, 1992.
 P 92-858, 92-859, 92-860, 92-861, July 10, 1992.

ADDRESSES: Written comments, identified by the document control number "(OPPTS-51795)" and the specific PMN number should be sent to: Document Processing Center (TS-790), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. 201ET, Washington, DC, 20460, (202) 260-3532.

FOR FURTHER INFORMATION CONTACT:

David Kling, Acting Director, Environmental Assistance Division (TS-799), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-545, 401 M St., SW., Washington, DC 20460 (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the TSCA Public Docket Office NE-G004 at the above address between 8 a.m. and noon and 1 p.m. and 4 p.m., Monday through Friday, excluding legal holidays.

P 92-298

Importer: Kurary International Corporation.

Chemical: (S) Ammonia reaction product dehydrated product of isobutylene-maleic anhydride copolymer; ammonium hydride; water.

Use/Import: (S) Adhesives for wood or paper. Import range: 3,120-15,600 kg/yr.

Toxicity Data: Acute oral toxicity: LD50 > 24,000 mg/kg species (rat).

P 92-774

Manufacturer: Hercules Incorporated.

Chemical: (G) Absorbent cellulosic polymer.

Use/Production: (S) Fluid absorbing agent. Prod. range: 450,000-1,350,000 kg/yr.

P 92-789

Importer: Confidential.

Chemical: (G) Alcohols, ethoxylated, reacted product with succinic anhydried.

Use/Import: (G) Additive open, nondispersive. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD₅₀ > 4,000 mg/kg species (rat). Eye irritation: slight species (rabbit). Skin irritation: negligible species (rabbit).

P 92-790

Importer. Confidential.

Chemical. (G) Metal complex of azo dye.

Use/Import. (S) Cotton and nylon dyeing. Import range: 5,000–10,000 kg/yr.

P 92-791

Manufacturer. Confidential.

Chemical. (G) Acrylic resin solution.

Use/Production. (S) Component in automotive coatings. Prod. range: Confidential.

P 92-792

Manufacturer. Dow Corning Corporation.

Chemical. (G) Chlorosilyl-functional polyether ester.

Use/Production. (G) Silylation agent. Prod. range: Confidential.

Toxicity Data. Skin irritation: negligible species (rabbit).

P 92-793

Manufacturer. Confidential.

Chemical. (G) Modified acrylic polymer.

Use/Production. (G) Open, nondisperser use. Prod. range: Confidential.

P 92-794

Importer. Basf Corporation.

Chemical. (G) Water dispersible aliphatic isocyanate.

Use/Import. (S) Crosslinking agent. Import range: Confidential.

P 92-795

Importer. Confidential.

Chemical. (G) Aliphatic aromatic ester copolymer.

Use/Import. (G) Polymer for use in articles. Import range: Confidential.

P 92-796

Manufacturer. E.I. Du Pont De Nemours & Company.

Chemical. (G) Amino acrylate.

Use/Production. (G) Intermediate; destructive use. Prod. range: Confidential.

Toxicity Data. Eye irritation: slight species (rabbit). Skin irritation: slight species (rabbit). Mutagenicity: negative. Skin sensitization: positive species (guinea pig).

P 92-797

Manufacturer. Confidential.

Chemical. (G) Bromine containing polyester based toluene diisocyanate polyurethane.

Use/Production. (S) Fabric coating. Prod. range: 100,000–500,000 kg/yr.

P 92-798

Manufacturer. Confidential.

Chemical. (G) Bromine containing polyester, cyclohexane, 1,1'methylene-bis-(4-isocyanate based polyurethane).

Use/Production. (S) Fabric coating. Prod. range: 100,000–500,000 kg/yr.

P 92-799

Manufacturer. Confidential.

Chemical. (G) Polyether base TDI, butanediol polyurethane.

Use/Production. (S) Fabric coating. Prod. range: 50,000–200,000 kg/yr.

P 92-800

Manufacturer. Confidential.

Chemical. (S) X-Hydro-hydroxy-poly(oxo-(methyl-1,2-ethane diyl); 1,6-hexane diol[co-triethylene glycol] polycarbonate; 2-hydroxyethyl acrylate; isophorone diisocyanate.

Use/Production. (S) Radiation curable coating. Prod. range: Confidential.

P 92-801

Manufacturer. Confidential.

Chemical. (S) Lauric acid; glycerine; pentaerythritol; isophthalic acid; triphenylphosphite.

Use/Production. (S) Printing ink vehicle. Prod. range: 45,000–90,000 kg/yr.

P 92-802

Importer. Confidential.

Chemical. (G) Poly(oxy(methyl-1,2-ethanediyl),A,A'-1,2,3-propanetris(W-((Oxo-2-propenyl)oxy)-polymer with alkylamine.

Use/Import. (G) Polymer component for industrial coatings. Import range: Confidential.

P 92-803

Manufacturer. Halcarbon Products Corporation.

Chemical. (S) 2-(Difluoromethoxy)-1,1,1-trifluoroethane.

Use/Production. (S) Pharmaceutical intermediate. Prod. range: Confidential.

P 92-804

Importer. Confidential.

Chemical. (G) Alkyl aryl phosphate.

Use/Import. (G) Corrosion inhibitor. Import range: Confidential.

P 92-805

Importer. Confidential.

Chemical. (G) Ammonium sulfonate.

Use/Import. (G) Additive for coatings. Import range: Confidential.

P 92-806

Manufacturer. Confidential.

Chemical. (S) Soybean oil; trimethylolpropane; isophthalic acid; adipic acid; lithium acetal; trimethylphosphite.

Use/Production. (S) Ink vehicle. Prod. range: 90,000–180,000 kg/yr.

P 92-807

Importer. Confidential.

Chemical. (G) Azo dyestuff.

Use/Import. (G) Open, nondisperser. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD₅₀ > 2,000 mg/kg species (rat). Acute dermal toxicity: LD₅₀ > 2,000 mg/kg species (rabbit). Eye irritation: none species (rabbit). Skin irritation: none species (rabbit). Mutagenicity: negative. Skin sensitization: positive species (guinea pig).

P 92-808

Manufacturer. Ashland Chemical, Inc. **Chemical.** (G) Acid chloride.

Use/Production. (G) Open, nondisperser. Prod. range: Confidential.

Toxicity Data. Skin irritation: extreme species (rabbit).

P 92-809

Manufacturer. Monsanto Company.

Chemical. (G) Imide resin solution.

Use/Production. (G) Fabricator into articles. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD₅₀ 500–5,000 mg/kg species (rat). Acute dermal toxicity: LD₅₀ > 5,000 mg/kg species (rabbit). Eye irritation: strong species (rabbit). Skin irritation: slight species (rabbit).

P 92-810

Manufacturer. Monsanto Company.

Chemical. (G) Imide resin.

Use/Production. (G) Fabricator into articles. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD₅₀ 500–5,000 mg/kg species (rat). Acute dermal toxicity: LD₅₀ > 5,000 mg/kg species (rabbit). Eye irritation: strong species (rabbit). Skin irritation: slight species (rabbit).

P 92-811

Manufacturer. Confidential.

Chemical. (G) Starch ester.

Use/Production. (G) Plastics additive. Prod. range: Confidential.

P 92-812

Manufacturer. Confidential.

Chemical. (G) Starch ester.

Use/Production. (G) Plastics additive. Prod. range: Confidential.

P 92-813

Manufacturer. Confidential.

Chemical. (G) Alcohol ethoxylate.

Use/Production. (G) General purpose surfactant/solvent. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD₅₀ 1.62 g/kg species (rat). Acute dermal toxicity: LD₅₀ 10.5 g/kg species (rabbit). Eye irritation: moderate species (rabbit). Static acute toxicity: time LC₅₀

96h21.9 mg/l species (fathead minnows). Skin irritation: slight species (rabbit).

P 92-814

Importer. Confidential.

Chemical. (G) Sodium salt of a substituted naphthalene disulfonic acid.

Use/Import. (G) Dye. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (rabbit). Eye irritation: moderate species (rabbit). Skin irritation: moderate species (rabbit). Mutagenicity: negative.

P 92-815

Importer. Confidential.

Chemical. (G) Heterocyclic disperse dye stuff.

Use/Import. (G) Dye.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (rat). Acute dermal toxicity: LD50 > 2,000 mg/kg species (rabbit). Eye irritation: none species (rabbit). Mutagenicity: positive. Skin irritation: slight species (rabbit). Skin sensitization: positive species (guinea pig).

P 92-816

Manufacturer. Rohm and Haas Company.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-817

Manufacturer. Rohm and Haas Company.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-818

Manufacturer. Rohm and Haas Company.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye

irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-819

Manufacturer. Rohm and Haas.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-820

Manufacturer. Rohm and Haas Company.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-821

Manufacturer. Rohm and Haas Company.

Chemical. (G) Polymer of alkyl methacrylates.

Use/Production. (G) Lubricant additive. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h > 1,000 mg/l species (rainbow trout). Eye irritation: none species (rabbit). Skin irritation: slight species (rabbit).

P 92-822

Manufacturer. Confidential.

Chemical. (G) Polyimide precursor solution.

Use/Production. (S) Resin used in prepare mixture. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 570 mg/kg species (rat). Acute dermal toxicity: LD50 > 7000 mg/kg species (rabbit).

P 92-823

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid with isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-824

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-825

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-826

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-827

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-828

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-829

Manufacturer. The P.D. George Company.

Chemical. (S) Polyethylene terephthalate polymer with ethylene glycol, cyanuric acid, isophthalic acid, glycerine, trimellitic anhydride, methylene dianiline, and 2-methyl-1,3-propanediol.

Use/Production. (S) Magnet wire enamel. Prod. range: 250,000 kg/yr.

P 92-830

Importer. Mitsubishi Gas Chemical America, Inc.

Chemical. (S) 4-Isobutyl benzaldehyde.

Use/Import. (S) Clarifying agents polyolefin. Import range: 1,000-3,000 kg/yr.

Toxicity Data. Acute oral toxicity: LD50 > 1,000 mg/kg species (rat). Skin irritation: moderate species (rabbit). Mutagenicity: negative.

P 92-831

Importer. Mitsubishi Gas Chemical America, Inc.

Chemical. (S) 3,4-Dimethyl benzaldehyde.

Use/Import. (G) Chemical intermediate. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,100 mg/kg species (rat). Mutagenicity: negative.

P 92-832

Manufacturer. Confidential.

Chemical. (G) Fatty acids, C₁₈-unsaturated dimers, polymer with a dibasic acid, ethylenediamine and diamines.

Use/Production. (G) Hot melt adhesives. Prod. range: Confidential.

P 92-833

Manufacturer. Confidential.

Chemical. (S) Fatty acids, C₁₈-unsaturated, dimer polymer with a dibasic ethylenediamine and diamines.

Use/Production. (G) Hot melt adhesives. Prod. range: Confidential.

P 92-834

Manufacturer. Confidential.

Chemical. (S) Fatty acids, C₁₈-unsaturated, dimer polymer with a dibasic acid, ethylenediamine and diamines.

Use/Production. (G) Hot melt adhesives. Prod. range: Confidential.

P 92-835

Manufacturer. Confidential.

Chemical. (S) Fatty acids, C₁₈-unsaturated, dimer polymer with a dibasic acid, ethylenediamine and diamines.

Use/Production. (G) Hot melt adhesives. Prod. range: Confidential.

P 92-836

Manufacturer. Optima Chemicals, Inc.

Chemical. (S) Mono sodium titanate.

Use/Production. (S) High-level radioactive waste precipitant. Prod. range: 12,000-15,000 kg/yr.

P 92-837

Manufacturer. The P.D. George Company.

Chemical. (S) Xylenol-ethylphenol-blocked diphenylmethane diisocyanate.

Use/Production. (S) Wire enamel. Prod. range: 24,000 kg/yr.

P 92-838

Manufacturer. Hoechst Celanese Corporation.

Chemical. (G) Trisubstituted benzene sulfonic acid salt.

Use/Production. (S) Reactive dye. Prod. range: 20,000-80,000 kg/yr.

P 92-839

Manufacturer. Confidential.

Chemical. (G) Polyester.

Use/Production. (G) Plastics additive. Prod. range: Confidential.

P 92-840

Manufacturer. Confidential.

Chemical. (G) 1,3-Propanediol, 2,2'-(oxy bis(methylene)-bis-(2-(hydroxymethyl), ester with branched fatty acids.

Use/Production. (G) Synthetic industrial lubricant for contained use. Prod. range: Confidential.

P 92-841

Manufacturer. Confidential.

Chemical. (G) 2,2-Bis(hydroxy methyl)-1,3-propanediol: esters with straight chain and branched C₆ and C₈ fatty acids.

Use/Production. (G) Synthetic industrial lubricant for contained use. Prod. range: Confidential.

P 92-842

Manufacturer. Confidential.

Chemical. (G) Acrylate functional polyurethane resin.

Use/Production. (G) Industrial coating for open, nondispersive use. Prod. range: Confidential.

P 92-843

Manufacturer. Confidential.

Chemical. (G) Reaction product of alkylthioalcohol, substituted alcohol and substituted phosphorus compound.

Use/Production. (G) Petroleum additive. Prod. range: Confidential.

P 92-844

Manufacturer. Confidential.

Chemical. (G) Reaction product of alkylthioalcohol, substituted alcohol and substituted phosphorous compound.

Use/Production. (G) Petroleum additive. Prod. range: Confidential.

P 92-845

Manufacturer. Confidential.

Chemical. (G) Epoxy acids, C₆₋₈ straight chain and branched, esters with pentaerythritol.

Use/Production. (G) Synthetic industrial lubricant for contained use. Prod. range: Confidential.

P 92-846

Manufacturer. Confidential.

Chemical. (G) Fatty acids, C₆, C₇₋₁₀, straight chain and branched, esters with (hydroxymethyl) alkane.

Use/Production. (G) Synthetic industrial lubricant for contained use. Prod. range: Confidential.

P 92-847

Manufacturer. Henkel Corporation.

Chemical. (G) Aliphatic polyimide.

Use/Production. (G) Plastic additive. Prod. range: Confidential.

P 92-848

Manufacturer. Basf Corporation. **Chemical.** (G) Bis-(alkyalkoxy)-phenoxylenediamine.

Use/Production. (G) Starting material in dyestuff manufacturing. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h 599 mg/l species (golden orfe). Eye irritation: none species (rabbit). Skin irritation: negligible species (rabbit). Mutagenicity: negative.

P 92-849

Manufacturer. Basf Corporation.

Chemical. (G) N,N-Phenylene bis(oxo-(alkyl benzothiazole-Z-yl)phenylazo)alkyl amide.

Use/Production. (G) Starting material in dyestuff manufacturing. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5,000 mg/kg species (rat). Static acute toxicity: time LC50 96h 599 mg/l species (golden orfe). Eye irritation: none species (rabbit). Skin irritation: negligible species (rabbit). Mutagenicity: negative.

P 92-850

Manufacturer. Bedoukian Research Inc.

Chemical. (G) Alkyl acetal.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 92-851

Manufacturer. Bedoukian Research Inc.

Chemical. (G) Trialkoxy substituted alkane.

Use/Production. (S) Chemical intermediate. Prod. range: Confidential.

P 92-852

Manufacturer. Confidential.

Chemical. (G) Modified polyester urethane.

Use/Production. (G) Component of coating. Prod. range: 2,000-25,000 kg/yr.

P 92-853

Manufacturer. Confidential. **Chemical.** (G) Triazole derivative. **Use/Production.** (G) Photographic element. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 600 mg/kg species (rat). Static acute toxicity: time EC50 48h42.3 mg/l species (daphnia magna). Eye irritation: slight species (rabbit). Skin irritation: moderate species (rabbit). Mutagenicity: negative.

P 92-854

Manufacturer. Confidential. **Chemical.** (G) Reaction product of cationic starch.

Use/Production. (S) For wet end paper use to provide internal strength. Prod. range: Confidential.

P 92-855

Importer. Confidential. **Chemical.** (G) Modified styrene polymer.

Use/Import. (G) Toner ingredient. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5.0 g/kg species (rat). Eye irritation: mild species (rabbit). Skin irritation: none species (rabbit). Mutagenicity: negative.

P 92-856

Importer. Confidential. **Chemical.** (G) Modified styrene polymer.

Use/Import. (G) Ingredient. Import range: Confidential.

Toxicity Data. Eye irritation: mild species (rabbit). Skin irritation: none species (rabbit). Mutagenicity: negative.

P 92-857

Importer. Confidential. **Chemical.** (G) Diphenata. **Use/Import.** (G) Dispersive use.

Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 523 mg/kg species (rat). Static acute toxicity: time LC50 2.38 mg/L 48h species (killifish). Eye irritation: mild species (rabbit). Skin irritation: slight species (rabbit). Mutagenicity: negative.

P 92-858

Importer. Confidential. **Chemical.** (G) Substituted aromatic azo dye.

Use/Import. (G) Open, nondispersing use. Import range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 2,000 mg/kg species (rat). Mutagenicity: negative. Skin sensitization: negative species (guinea pig).

P 92-859

Manufacturer. E.I. Du Pont De Nemours & Company.

Chemical. (G) Substituted polyolefin. **Use/Production.** (G) Coatings, adhesives. Prod. range: Confidential.

P 92-860

Manufacturer. E.I. Du Pont De Nemours & Company.

Chemical. (G) Substituted polyolefin. **Use/Production.** (G) Coatings, adhesives. Prod. range: Confidential.

P 92-861

Manufacturer. E.I. Du Pont De Nemours & Company.

Chemical. (G) Substituted polyolefin. **Use/Production.** (G) Coatings, adhesives. Prod. range: Confidential.

Dated: May 28, 1992.

Steven Newburg-Rinn,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 92-12736 Filed 5-29-92; 8:45 am]

BILLING CODE 6560-50-F

per response; 25,000 hours total annual burden.

Needs and Uses: The Telephone Operator Consumer Services Improvement Act of 1990 (TOCSIA) was signed into law on 10/17/90; it amends Title II of the Communications Act by adding section 226. The purpose of the Act is "to protect consumers who make interstate operator services calls from pay telephones, hotels, and other public locations against unreasonably high rates and anticompetitive practices." Pursuant to the Act, the Commission must promulgate rules to implement statutory provisions and to establish certain standards and policies, and must initiate a monitoring/reporting proceeding that will ultimately result in three reports to Congress. In an Order issued in CC Docket No. 90-313, Phase II, adopted and released April 1991, all interstate providers of operator services were directed to file reports on 6/21/91, 9/23/91, 3/23/92 and 9/21/92 concerning their rates, complaints about their service, and their costs of providing services. The reporting requirement was imposed so that the Commission could gather data needed to submit three reports to Congress on the achievement of the Act's objectives. The fourth and final report is currently due 9/21/92. The attached Order modifies the schedule for submission of the final report by the operator service providers (OSPs) and the period to be covered by the report. We are requiring the OSPs to file their final report one month earlier (on 8/21/92) to better enable the FCC to prepare a full and accurate report to Congress on the issues committed to the Commission's jurisdiction. The report shall cover separately the first two calendar quarters of 1992.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-12708 Filed 5-29-92; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

May 28, 1992

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of these submissions may be purchased from the Commission's copy contractor, Downtown Copy Center,

Title: Policies and Rules Concerning Operator Service Providers (CC Docket No. 90-313)—Phase II.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: On occasion and Other: Reports are to be filed 6, 9, 15, 20 and 21 months after 12/21/90.

Estimated Annual Burden: 2,500 responses; 10 hours average burden

1114 21st Street, NW, Washington, DC 20036, (202) 452-1422. For further information on these submissions contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on these information collections should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0185.

Title: Section 73.3613, Filing of contracts.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response:

Recordkeeping and on occasion reporting.

Estimated Annual Burden: 2,100 responses, 0.5 hours average burden per response; 3,800 recordkeepers, 0.5 hours per recordkeeper, 2,950 hours total annual burden.

Needs and Uses: Section 73.3613 requires that licensees of TV and low power TV broadcast station file with the FCC copies of network affiliation contracts, instruments, and documents together with amendments, supplements and cancellations. In addition, all radio and full service TV broadcast station licensees are required to file contracts, instruments or documents relating to ownership or control and personnel. Certain contracts, agreements or understandings need not be filed with the FCC, but must be retained at the station and be made available for inspection upon request by the FCC. On 3/12/92, the Commission adopted Report and Order, MM Docket No. 91-140, Revision of Radio Rules and Policies. Among other things, this proceeding limits time brokerage agreements between stations in the same market so that time brokerage agreements in which one licensee provides more than 15% of the programming of another station in the same local area will be counted as if owned for purposes of the local and national radio multiple ownership limits. Section 73.3613(d) requires licensees to file, within 30 days of execution, a copy of any local time brokerage agreement which would result in the arrangement being counted in determining the brokering licensee's compliance with local and national radio multiple ownership rules. The contracts filed with the FCC and filed in the station file are used by FCC staff to assure that a licensee maintains full control over the operation and maintenance of the station.

OMB Number: 3060-0032.
Title: Application for Consent to Transfer of Control of Corporation Holding Broadcast Construction Permit or License.

Form Number: FCC Form 315.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 810 responses; 83.31 hours average burden per response; 67,481 hours total annual burden.

Needs and Uses: FCC Form 315 is required to be filed when applying for transfer of control of a corporation holding an AM, FM, or TV broadcast station construction permit or license. The FCC Form 315 has been revised to reflect the following: On 3/12/92, the Commission adopted a Report and Order, MM Docket No. 91-140, Revision of Radio Rules and Policies. This action was taken to amend the Commission's national and local radio multiple ownership rules and to refine its policies regarding joint ventures. We believe that this action will strengthen the radio industry. The FCC 315 has been revised to contain questions affirming compliance with the applicable ownership rules substantiated by separate exhibits containing the information necessary to demonstrate compliance. We estimate that 100 stations that are located in markets that are designated as radio markets by Arbitron will submit applications that contain an exhibit with data that is available from Arbitron with an increase in burden of 3 hours. We also estimate that 50 stations that are located in markets that are not designated radio markets will undergo studies to determine the number of stations in the market to determine audience shares. These applications will have an increase in burden of 45 hours. The form has also been revised to include the Commission policies regarding spousal attribution, review of technical assignment criteria for the AM broadcast service, character qualifications, and fee processing data. The data is used by FCC staff to determine whether the applicant meets basic statutory requirements to become a Commission licensee.

OMB Number: 3060-0031.

Title: Application for consent to assignment of broadcast station construction permit or license.

Form Number: FCC Form 314.

Action: Revisions of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses):

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 810 responses; 83.31 hours average burden per response; 67,481 hours total annual burden.

Needs and Uses: FCC Form 314 is required to be filed when applying for consent for assignment of an AM, FM or TV broadcast station construction permit or license. The FCC Form 314 has been revised to reflect the following: On 3/12/92, the Commission adopted a Report and Order, MM Docket No. 91-140, Revision of Radio Rules and Policies. This action was taken to amend the Commission's national and local radio multiple ownership rules and to refine its policies regarding joint ventures. We believe that this action will strengthen the radio industry. The FCC 314 has been revised to contain questions affirming compliance with the applicable ownership rules substantiated by separate exhibits containing the information necessary to demonstrate compliance. We estimate that 100 stations that are located in markets that are designated as radio markets by Arbitron will submit applications that contain an exhibit with data that is available from Arbitron with an increase in burden of 3 hours. We also estimate that 50 stations that are located in markets that are not designated radio markets will undergo studies to determine the number of stations in the market to determine audience shares. These applications will have an increase in burden of 45 hours. The form has also been revised to include the Commission policies regarding spousal attribution, review of technical assignment criteria for the AM broadcast service, character qualifications, and fee processing data. The data is used by FCC staff to determine whether the applicant meets basic statutory requirements to become a Commission licensee.

OMB Number: 3060-0027.

Title: Application for construction permit for commercial broadcast station.

Form Number: FCC Form 301.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 1,254 responses; 213.54 hours average burden per recordkeeper; 267,779 hours total annual burden.

Needs and Uses: FCC Form 301 is used to apply for authority to construct

a new commercial AM, FM or TV broadcast station, or to make changes in the existing facilities of such a station. The FCC Form 301 has been revised to reflect the following: On 3/12/92, the Commission adopted a Report and Order, MM Docket No. 91-140, Revision of Radio Rules and Policies. This action was taken to amend the Commission's national and local radio multiple ownership rules and to refine its policies regarding joint ventures. We believe that this action will strengthen the radio industry. The FCC 301 has been revised to contain questions affirming compliance with the applicable ownership rules substantiated by separate exhibits containing the information necessary to demonstrate compliance. We estimate that 30 stations that are located in markets that are designated as radio markets by Arbitron will submit applications that contain an exhibit with data that is available from Arbitron with an increase in burden of 3 hours. We also estimate that 30 stations that are located in markets that are not designated radio markets will undergo studies to determine the number of stations in the market to determine audience shares. These applications will have an increase in burden of 45 hours. The form has also been revised to include the Commission policies regarding spousal attribution, and character qualifications. The data is used by FCC staff to determine whether the applicant meets basic statutory requirements to become a Commission licensee.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-12822 Filed 5-29-92; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Public Information Collection Requirements Submitted to OMB for Review

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following public information collection requirements for review and clearance in accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

DATES: Comments on this information collection must be submitted on or before July 31, 1992.

ADDRESSES: Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: The FEMA Information Collections Clearance Officer at the address below; and to Gary Waxman, Office of Management and Budget, 3235 New Executive Office Building, Washington, DC 20503, (202) 395-7340, within 60 days of this notice.

FOR FURTHER INFORMATION CONTACT: Copies of the above information collection request and supporting documentation can be obtained by calling or writing Linda Borror, FEMA Information Collections Clearance Officer, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2624.

Type: Extension of 3067-0212.

Title: Hazard Mitigation Planning.

Abstract: The Robert T. Stafford Act requires States and local governments receiving Federal disaster assistance to evaluate the natural hazards in the areas in which the proceeds of Federal grants or loans for disaster assistance are to be used and to take steps to mitigate such hazards. State and local governments receiving Federal disaster assistance must prepare and submit hazard mitigation plans that outline how they will mitigate losses to future natural disasters. The Hazard Mitigation Planning and information requirements are contained in 44 CFR part 205, subpart M.

Type of Respondents: State and local governments.

Estimate of Total Annual Reporting and Recordkeeping Burden: 9,600 Hours.

Number of Respondents: 20.

Estimated Average Burden Time per Response: 480 Hours.

Frequency of Response: Annually; other.

Dated: May 22, 1992.

Wesley C. Moore,

Director, Office of Administrative Support.

[FR Doc. 92-12717 Filed 5-29-92; 8:45 am]

BILLING CODE 6718-01-M

Public Information Collection Requirements Submitted to OMB for Review

ACTION: Notice.

SUMMARY: The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following public information collection requirements for review and clearance in accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

DATES: Comments on this information collection must be submitted on or before July 31, 1992.

ADDRESSES: Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: The FEMA Information Collections Clearance Officer at the address below; and to Gary Waxman, Office of Management and Budget, 3235 New Executive Office Building, Washington, DC 20503, (202) 395-7340, within 60 days of this notice.

FOR FURTHER INFORMATION CONTACT:

Copies of the above information collection request and supporting documentation can be obtained by calling or writing Linda Borror, FEMA Information Collections Clearance Officer, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2624.

Type: Extension of 3067-0167.

Title: Claims of Federal Personnel for Personal Property Damage or Loss.

Abstract: Information is needed to comply with the Director's statutory authorization to settle and pay claims of FEMA personnel for damage to or loss of personal property incident to service. The respondents are FEMA personnel making a claim and the information provided by them is used only to determine the appropriate disposition of their claim. Information requirements are contained in 44 CFR part 11, subpart D.

Type of Respondents: Federal agencies or employees.

Estimate of Total Annual Reporting and Recordkeeping Burden: 10 Hours.

Number of Respondents: 5

Respondents: 1 Recordkeeper.

Estimated Average Burden Time per Response: 1 hour per respondent; 5 hours per recordkeeper.

Frequency of Response: On occasion.

Dated: May 22, 1992.

Wesley C. Moore,

Director, Office of Administrative Support.

[FR Doc. 92-12718 Filed 5-29-92; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL MARITIME COMMISSION

City of Long Beach/California United Terminals; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interest parties may inspect and obtain a copy of each agreement at the

Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., room 10325. Interest parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 224-003800-006.

Title: City of Long Beach/California United Terminals Crane Purchase Agreement.

Parties:

City of Long Beach ("City")
California United Terminals ("CUT").

Synopsis: The subject modification provides for CUT to sell to the City Container Crane No. 507 presently located at Berth 26, Pier C in the Harbor District of Long Beach, California.

Agreement Nos.: 224-003800-007, 224-003800-008, 224-003800-009.

Title: City of Long Beach/California United Terminals Installment Sales Contract and Security Agreement.

Parties:

City of Long Beach ("City")
California United Terminals
("Buyer").

Synopsis: The subject modifications provide for the City to sell and deliver to Buyer on or before December 31, 1992 Container Cranes No. 507, 508 and 509, respectively, after certain modifications have been made to increase operating efficiency. Buyer will reimburse the City through monthly payments over a period of 17 years.

Agreement Nos.: 224-200667.

Title: Stevedoring Services of America/Port of Portland Lease Agreement.

Parties:

Stevedoring Services of America
("SSA")

The Port of Portland ("Port").

Synopsis: The Agreement provides for the Port to lease to SSA approximately .5 acres of land across from Terminal 2 to use as a chassis storage area. The initial terms of the Agreement is for one year.

Dated: May 26, 1992.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 92-12684 Filed 5-29-92; 8:45 am]

BILLING CODE 6730-01-M

Availability of List of Non-Vessel-Operating Common Carriers in Compliance With Bonding Requirements

Notice is given that a revised list of non-vessel-operating common carriers in compliance with the bonding requirements of 46 CFR Part 583 is available. This list is effective five days after publication of this notice in the **Federal Register**. For copies of this list please contact: Office of Tariffs, Bureau of Tariffs, Certification and Licensing, 1100 L Street, NW., Suite 10220, Washington, DC 20573, (202) 523-5821.

Joseph C. Polking,

Secretary.

[FR Doc. 92-12754 Filed 5-29-92; 8:45 am]

BILLING CODE 6730-01-M

SUPPLEMENTARY INFORMATION:

Mandatory Guidelines for Federal Workplace Drug Testing were developed in accordance with Executive Order 12564 and section 503 of Public Law 100-71. Subpart C of the Guidelines, "Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies," sets strict standards which laboratories must meet in order to conduct urine drug testing for Federal agencies. To become certified an applicant laboratory must undergo three rounds of performance testing plus an on-site inspection. To maintain that certification a laboratory must participate in an every-other-month performance testing program plus periodic, on-site inspections.

Laboratories which claim to be in the applicant stage of NIDA certification are not to be considered as meeting the minimum requirements expressed in the NIDA Guidelines. A laboratory must have its letter of certification from HHS/NIDA which attests that it has met minimum standards.

In accordance with subpart C of the Guidelines, the following laboratories meet the minimum standards set forth in the Guidelines:

AccuTox Analytical Laboratories, 427 Fifth Avenue, NW., P.O. Box 770, Attalla, AL 35954-0770, 205-538-0012/800-247-3893

Aegis Analytical Laboratories, Inc., 624 Grassmere Park Road, suite 21, Nashville, TN 37211, 615-331-5300

Alabama Reference Laboratories, Inc., 543 South Hull Street, Montgomery, AL 36103, 800-541-4931/205-263-5745

Allette Medical Laboratory, Inc., 529 Beacon Parkway West #102, Birmingham, AL 35209, 800-221-0335

Allied Clinical Laboratories, 201 Plaza Boulevard, Hurst, TX 76053, 817-282-2257

American Medical Laboratories, Inc., 11091 Main Street, P.O. Box 188, Fairfax, VA 22303, 703-691-9100

Associated Pathologists Laboratories, Inc., 4230 South Burnham Avenue, suite 250, Las Vegas, NV, 89119-5412 702-733-7866

Associated Regional and University Pathologists, Inc. (ARUP), 500 Chipeta Way, Salt Lake City, UT 84108, 801-583-2787

Bayshore Clinical Laboratory, 4555 W. Schroeder Drive, Brown Deer, WI 53223, 414-355-4444/800-877-7016

Bellin Hospital-Toxicology Laboratory, 2789 Allied Street, Green Bay, WI 54304, 414-496-2487

Bioran Medical Laboratory, 415 Massachusetts Avenue, Cambridge, MA 02139, 617-547-8900

California Toxicology Services, 1925 East Dakota Avenue, suite 206, Fresno, CA 93726, 209-221-5655/800-448-7600

Cedars Medical Center, Department of Pathology, 1400 Northwest 12th Avenue, Miami, FL 33138, 305-325-5810

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Alcohol, Drug Abuse, and Mental Health Administration

Current List of Laboratories Which Meet Minimum Standards To Engage in Urine Drug Testing for Federal Agencies

AGENCY: National Institute on Drug Abuse, ADAMHA, HHS.

ACTION: Notice.

SUMMARY: The Department of Health and Human Services notifies Federal agencies of the laboratories currently certified to meet standards of subpart C of Mandatory Guidelines for Federal Workplace Drug Testing Programs (53 FR 11979, 11986). A similar notice listing all currently certified laboratories will be published during the first week of each month, and updated to include laboratories which subsequently apply for and complete the certification process. If any listed laboratory's certification is totally suspended or revoked, the laboratory will be omitted from updated lists until such time as it is restored to full certification under the Guidelines.

If any laboratory has withdrawn from the National Laboratory Certification Program during the past month, it will be identified as such at the end of the current list of certified laboratories, and will be omitted from the monthly listing thereafter.

FOR FURTHER INFORMATION CONTACT:

Denise L. Goss, Program Assistant, Drug Testing Section, Division of Applied Research, National Institute on Drug Abuse, room 9-A-53, 5600 Fishers Lane, Rockville, Maryland 20857; tel.: (301) 443-6014.

Center for Human Toxicology, 417 Wakara Way, room 290, University Research Park, Salt Lake City, UT 84108, 801-581-5117

Clinical Pathology Facility, Inc., 711 Bingham Street, Pittsburgh, PA 15203, 412-488-7500

Clinical Reference Lab, 11850 West 85th Street, Lenexa, KS 66214, 800-445-6917

CompuChem Laboratories, Inc., 3308 Chapel Hill/Nelson Hwy., P.O. Box 12652, Research Triangle Park, NC 27709, 919-549-8263/800-833-3984

CompuChem Laboratories, Special Division, 3308 Chapel Hill/Nelson Hwy., Research Triangle Park, NC 27709, 919-549-8263

Continental Bio-Clinical Laboratory Service, Inc. A MetPath Laboratory, 2740 28th Street, SW., Grand Rapids, MI 49509, 800-777-0706/616-538-6700

Cox Medical Centers, Department of Toxicology, 1423 North Jefferson Avenue, Springfield, MO 65802, 800-876-3652/417-836-3093

Damon Clinical Laboratories, 140 East Ryan Road, Oak Creek, WI 53154, 800-638-1100, (name changed: formerly Chem-Bio Corporation; CBC Clinilab)

Damon Clinical Laboratories, 8300 Esters Blvd., Suite 900, Irving, TX 75063, 214-929-0535

Doctors & Physicians Laboratory, 801 East Dixie Avenue, Leesburg, FL 32748, 904-787-9006

Drug Labs of Texas, 15201 I-10 East, Suite 125, Channelview, TX 77530, 713-457-3784

DrugScan, Inc., P. O. Box 2989, 1119 Mearns Road, Warminster, PA 18974, 215-674-9310

Eagle Forensic Laboratory, Inc., 950 North Federal Highway, Suite 308, Pompano Beach, FL 33062, 305-946-4324

Eastern Laboratories, Ltd., 95 Seaview Boulevard, Port Washington, NY 11050, 516-825-9800

ElSohly Laboratories, Inc., 1215 1/2 Jackson Ave., Oxford, MS 38655, 601-236-2609

Employee Health Assurance Group, 405 Alderson Street, Schofield, WI 54476, 800-627-8200 (name change: formerly Alpha Medical Laboratory, Inc.)

General Medical Laboratories, 36 South Brooks Street, Madison, WI 53715, 608-267-6267

Harris Medical Laboratory, 7606 Pebble Drive, Fort Worth, TX 76118, 817-595-0294

HealthCare/Preferred Laboratories, 24451 Telegraph Road, Southfield, MI 48034, 800-328-4142 (inside MI)/800-225-9414 (outside MI)

Hermann Hospital Toxicology Laboratory, Hermann Professional Building, 6410 Fannin, suite 354, Houston, Texas 77030, 713-793-6080

Laboratory of Pathology of Seattle, Inc., 1229 Madison St., suite 500, Nordstrom Medical Tower, Seattle, WA 98104, 206-386-2672

Laboratory Specialists, Inc., 113 Jarrell Drive, Belle Chasse, LA 70037, 504-392-7961

Mayo Medical Laboratories, 200 SW. First Street, Rochester, MN 55905, 507-284-3631

Med-Chek Laboratories, Inc., 4900 Perry Highway, Pittsburgh, PA 15229, 412-931-7200

MedExpress/National Laboratory Center, 4022 Willow Lake Boulevard, Memphis, TN 38175, 901-795-1515

MedTox Bio-Analytical, a Division of MedTox Laboratories, Inc., 9176 Independence Avenue, Chatsworth, CA 91311, 818-718-0115/800-331-8670 (outside CA)/800-464-7081 (inside CA) (name changed: formerly Laboratory Specialists, Inc., Abused Drug Laboratories)

MedTox Bio-Analytical, a Division of MedTox Laboratories, Inc., 2356 North Lincoln Avenue, Chicago, IL 60614, 312-880-6900 (name changed: formerly Bio-Analytical Technologies)

MedTox Laboratories, Inc., 402 W. County Road D, St. Paul, MN 55112, 612-636-7466/800-832-3244

Methodist Hospital of Indiana, Inc., Department of Pathology and Laboratory Medicine, 1701 North Senate Boulevard, Indianapolis, IN 46202, 317-929-3587

Methodist Medical Center Toxicology Laboratory, 221 NE. Glen Oak Avenue, Peoria, IL 61636, 800-752-1835/309-671-5199

MetPath, Inc., 1355 Mittel Boulevard, Wood Dale, IL 60191, 708-595-3888

MetPath, Inc., One Malcolm Avenue, Teterboro, NJ 07608, 201-393-5000

MetWest-BPL Toxicology Laboratory, 18700 Oxnard Street, Tarzana, CA 91356, 800-492-0800/818-343-8191

National Center for Forensic Science, 1901 Sulphur Spring Road, Baltimore, MD 21227, 410-536-1485 (name changed: formerly Maryland Medical Laboratory, Inc.)

National Drug Assessment Corporation, 5419 South Western, Oklahoma City, OK 73109, 800-749-3784 (name changed: formerly Med Arts Lab)

National Health Laboratories Incorporated, 13900 Park Center Road, Herndon, VA 22071, 703-742-3100/800-572-3734 (inside VA)/800-336-0391 (outside VA)

National Health Laboratories Incorporated, d.b.a. National Reference Laboratory, Substance Abuse Division, 1400 Donelson Pike, suite A-15, Nashville, TN 37217, 615-360-3992/800-800-4522

National Health Laboratories Incorporated, 2540 Empire Drive, Winston-Salem, NC 27103-6710, 919-760-4620/800-334-8627 (outside NC)/800-642-0894 (inside NC)

National Psychopharmacology Laboratory, Inc., 9320 Park W. Boulevard, Knoxville, TN 37923, 800-251-9492

National Toxicology Laboratories, Inc., 1100 California Avenue, Bakersfield, CA 93304, 805-322-4250

Nichols Institute Substance Abuse Testing (NISAT), 6985 Balboa Avenue, San Diego, CA 92123, 800-446-4728/619-694-5050 (name changed: formerly Nichols Institute)

Northwest Toxicology, Inc., 1141 E. 3900 South, Salt Lake City, UT 84124, 800-322-3361

Occupational Toxicology Laboratories, Inc., 2002 20th Street, suite 204A, Kenner, LA 70062, 504-465-0751

Oregon Medical Laboratories, P.O. Box 972, 722 East 11th Avenue, Eugene, OR 97440-0972, 503-687-2134

Parke DeWatt Laboratories, Division of Comprehensive Medical Systems, Inc., 1810 Frontage Rd., Northbrook, IL 60062, 708-480-4680

Pathology Associates Medical Laboratories, East 11804 Indiana, Spokane, WA 99206, 509-926-2400

PDLA, Inc. (Precision), 5 Industrial Park Drive, Oxford, MS 38655, 601-236-5600/800-237-7352

PDLA, Inc. (Princeton), 100 Corporate Court, So. Plainfield, NJ 07080, 908-769-8500/800-237-7352

PharmChem Laboratories, Inc., 1505-A O'Brien Drive, Menlo Park, CA 94025, 415-328-6200/800-446-5177

Poisonlab, Inc., 7272 Clairemont Mesa Road, San Diego, CA 92111, 619-279-2600

Precision Analytical Laboratories, Inc., 13300 Blanco Road, Suite #150, San Antonio, TX 78216, 512-493-3211

Puckett Laboratory, 4200 Mamie Street, Hattiesburgh, MS 39402, 601-264-3856/800-844-8378

Regional Toxicology Services, 15305 NE. 40th Street, Redmond, WA 98052, 206-882-3400

Resource One, Inc., Seven Pointe Circle, Greenville, SC 29615, 803-233-5639

Roche Biomedical Laboratories, 1801 First Avenue South, Birmingham, AL 35233, 205-581-4170

Roche Biomedical Laboratories, 1957 Lakeside Parkway, suite 542, Tucker, GA 30084, 404-939-4811

Roche Biomedical Laboratories, Inc., 1912 Alexander Drive, P.O. Box 13973, Research Triangle Park, NC 27709, 919-361-7770

Roche Biomedical Laboratories, Inc., 69 First Avenue, Raritan, NJ 08869, 800-437-4986

Roche Biomedical Laboratories, Inc., 1120 Stateline Road, Southaven, MS 38671, 601-342-1286

Scott & White Drug Testing Laboratory, 600 South 25th Street, Temple, TX 76504, 800-749-3788

S.E.D. Medical Laboratories, 500 Walter NE., Suite 500, Albuquerque, NM 87102, 505-848-8300

Sierra Nevada Laboratories, Inc., 888 Willow Street, Reno, NV 89502, 800-648-5472

SmithKline Beecham Clinical Laboratories, 7600 Tyrone Avenue, Van Nuys, CA 91045, 818-376-2520

SmithKline Beecham Clinical Laboratories, 3175 Presidential Drive, Atlanta, GA 30340, 404-934-9205 (name changed: formerly SmithKline Bio-Science Laboratories)

SmithKline Beecham Clinical Laboratories, 506 E. State Parkway, Schaumburg, IL 60173, 708-885-2010 (name changed: formerly International Toxicology Laboratories)

SmithKline Beecham Clinical Laboratories, 11636 Administration Drive, St. Louis, MO 63146, 314-587-3905

SmithKline Beecham Clinical Laboratories, 400 Egypt Road, Norristown, PA 19403, 800-523-5447 (name changed: formerly SmithKline Bio-Science Laboratories)

SmithKline Beecham Clinical Laboratories, 8000 Sovereign Row, Dallas, TX 75247, 214-638-1301 (name changed: formerly SmithKline Bio-Science Laboratories)

South Bend Medical Foundation, Inc., 530 North Lafayette Boulevard, South Bend, IN 46601, 219-234-4176

Southgate Medical Services, Inc., 21100 Southgate Park Boulevard, Cleveland, OH 44137-3054, 800-338-0166 (outside OH)/800-362-8913 (inside OH) (name changed: formerly Southgate Medical Laboratory)

St. Anthony Hospital (Toxicology Laboratory), P.O. Box 205, 1000 North Lee Street, Oklahoma City, OK 73102, 405-272-7052

St. Louis University Forensic Toxicology Laboratory, 1205 Carr Lane, St. Louis, MO 63104, 314-577-8628

Toxicology & Drug Monitoring Laboratory, University of Missouri Hospital & Clinics, 301 Business Loop 70 West, Suite 208, Columbia, MO 65203, 314-882-1273

Toxicology Testing Service, Inc., 5426 NW 79th Avenue, Miami, FL 33166, 305-593-2260

Richard A. Millstein

Acting Director, National Institute on Drug Abuse.

[FR Doc. 92-12842 Filed 5-29-92; 8:45 am]

BILLING CODE 4160-20-M

Food and Drug Administration

[Docket No. 92N-0196]

Growmark, Inc., and Music City Supplement, Inc.; Withdrawal of Approval of NADA's

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is withdrawing approval of two new animal drug applications (NADA's), one held by Growmark, Inc., for making a bambeermycins Type C swine feed, and the other held by Music City Supplement, Inc., for making a tylosin Type C cattle, chicken, and swine feed. The firms requested withdrawal of the approvals of the NADA's because they no longer plan to manufacture or distribute the products. In a final rule published elsewhere in this issue of the *Federal Register*, FDA is amending the regulations by removing the entries that reflect these approvals.

EFFECTIVE DATE: June 11, 1992.

FOR FURTHER INFORMATION CONTACT:

Mohammad I. Sharar, Center for Veterinary Medicine (HFV-216), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301-295-8749.

SUPPLEMENTARY INFORMATION:

Growmark, Inc., P.O. Box 2500, Bloomington, IL 61702-2500, is the sponsor of NADA 132-080, which provides for the use of bambeermycins Type A articles to make Type C swine feeds; Music City Supplement, Inc., P.O. Box 23286, 401 Cowan St., Nashville, TN 37202, is the sponsor of NADA 107-958, which provides for use of tylosin Type A articles to make Type C cattle, chicken, and swine feeds. By letter dated January 14, 1992, Growmark, Inc., requested that FDA withdraw approval of NADA 132-080 and stated that it no longer plans to

manufacture or distribute the product. Similarly, in a letter dated January 23, 1992, Music City Supplement, Inc., requested that FDA withdraw approval of NADA 107-958 and stated that it no longer manufactures the product.

Therefore, under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Center for Veterinary Medicine (21 CFR 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that approval of NADA's 107-958 and 132-080 and all supplements and amendments thereto is hereby withdrawn, effective June 11, 1992.

In a final rule published elsewhere in this issue of the *Federal Register*, FDA is amending 21 CFR 558.95(a)(2) and 558.625(b)(5) to reflect its withdrawal of approval of these NADA's.

Dated: May 21, 1992.

Gerald B. Guest,

Director, Center for Veterinary Medicine.

[FR Doc. 92-12752 Filed 5-29-92; 8:45 am]

BILLING CODE 4160-01-F

Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). This notice also summarizes the procedures for the meeting and methods by which interested persons may participate in open public hearings before FDA's advisory committees.

MEETING: The following advisory committee meeting is announced:

Circulatory System Devices Panel of the Medical Devices Advisory Committee

Date, time, and place. June 8, 1992, 8:30 am, rm. 503A-529A, Hubert H. Humphrey Bldg., 200 Independence Ave. SW., Washington, DC.

Type of meeting and contact person. Open public hearing, 8:30 am to 9:30 am, unless public participation does not last that long; open committee discussion, 9:30 am to 4 pm; closed presentation of data, 4 pm to 4:30 pm; closed committee deliberations, 4:30 pm to 5 pm; Wolf Sapirstein, Center for Devices and Radiological Health (HFZ-450), Food and Drug Administration, 1390 Picard Dr., Rockville, MD 20850, 301-427-1205.

General function of the committee. The committee reviews and evaluates

data on the safety and effectiveness of marketed and investigational devices and makes recommendations for their regulation.

Agenda--Open public hearing.

Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person before June 2, 1992, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments.

Open committee discussion. The committee will discuss a premarket approval application for the IVT Coronary Atherectomy System.

Closed presentation of data. The committee will discuss trade secret and/or confidential commercial information regarding the device listed above. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

Closed committee deliberations. The committee will discuss trade secret and/or confidential commercial information regarding the device listed above. This portion of the meeting will be closed to permit discussion of this information (5 U.S.C. 552b(c)(4)).

FDA is giving less than 15 days public notice of the meeting of the Circulatory System Devices Panel of the Medical Devices Advisory Committee to complete the review of a PMA application for a coronary atherectomy device initiated at the Panel's meeting of May 11, 1992. The review process was not completed at the May 11, 1992, meeting due to factors unrelated to the PMA application.

Each public advisory committee meeting listed above may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. The dates and times reserved for the separate portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public

participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this *Federal Register* notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The agenda, the questions to be addressed by the committee, and a current list of committee members will be available at the meeting location on the day of the meeting.

Transcripts of the open portion of the meeting will be available from the Freedom of Information Office (HFI-35), Food and Drug Administration, rm. 12A-16, 5600 Fishers Lane, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 am and 4 pm, Monday through Friday. Summary minutes of the open portion of the meeting will be available from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

The Commissioner, with the concurrence of the Chief Counsel, has determined for the reasons stated that those portions of the advisory

committee meetings so designated in this notice shall be closed. The Federal Advisory Committee Act (FACA) (5 U.S.C. app. 2, 10(d)), permits such closed advisory committee meetings in certain circumstances. Those portions of a meeting designated as closed, however, shall be closed for the shortest possible time, consistent with the intent of the cited statutes.

The FACA, as amended, provides that a portion of a meeting may be closed where the matter for discussion involves a trade secret; commercial or financial information that is privileged or confidential; information of a personal nature, disclosure of which would be a clearly unwarranted invasion of personal privacy; investigatory files compiled for law enforcement purposes; information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action; and information in certain other instances not generally relevant to FDA matters.

Examples of portions of FDA advisory committee meetings that ordinarily may be closed, where necessary and in accordance with FACA criteria, include the review, discussion, and evaluation of drafts of regulations or guidelines or similar preexisting internal agency documents, but only if their premature disclosure is likely to significantly frustrate implementation of proposed agency action; review of trade secrets and confidential commercial or financial information submitted to the agency; consideration of matters involving investigatory files compiled for law enforcement purposes; and review of matters, such as personnel records or individual patient records, where disclosure would constitute a clearly unwarranted invasion of personal privacy.

Examples of portions of FDA advisory committee meetings that ordinarily shall not be closed include the review, discussion, and evaluation of general preclinical and clinical test protocols and procedures for a class of drugs or devices; consideration of labeling requirements for a class of marketed drugs or devices; review of data and information on specific investigational or marketed drugs and devices that have previously been made public; presentation of any other data or information that is not exempt from public disclosure pursuant to the FACA, as amended; and, notably deliberative session to formulate advice and recommendations to the agency on matters that do not independently justify closing.

This notice is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (5 U.S.C. app. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: May 27, 1992.

David A. Kessler,

Commissioner of Food and Drugs.

[FR Doc. 92-12715 Filed 5-27-92; 11:41 am]

BILLING CODE 4160-01-F

DEPARTMENT OF THE INTERIOR

Joint Tribal/BIA/DOI Advisory Task Force on Bureau of Indian Affairs Reorganization, Public Meeting

AGENCY: Department of the Interior.

ACTION: Notice of meeting.

SUMMARY: Pursuant to Public Law 101-512, the Office of the Assistant Secretary—Indian Affairs is announcing the forthcoming meeting of the Joint Tribal/CIA/DOI Advisory Task Force on Bureau of Indian Affairs Reorganization (Task Force).

DATES: June 22, 23, and 24, 1992; 9 a.m. to 5:30 p.m.; Radisson Inn, 2040 Airport Drive, Green Bay, Wisconsin. The meeting of the Task Force is open to the public.

FOR FURTHER INFORMATION CONTACT:

Veronica L. Murdock, Designated Federal Officer, Office of the Assistant Secretary—Indian Affairs; MS 4140 MIB; 1849 C Street NW., Washington, DC 20240; Telephone number (202) 208-4173.

SUPPLEMENTARY INFORMATION: The Task Force welcomes public oral and written comments, and the agenda includes time during the morning of June 23, 1992, for interested individuals to present their comments. The Task Force will resume discussion of items tabled at the last meeting, present reports of activities undertaken since the last meeting, discuss the results of the survey of Tribal governments about the 1991 Cumulative Report, and continue work group sessions with concentration on Area/Agency structures, the Bureau's budget process, and the directives systems under which the Bureau operates.

Dated: May 26, 1992.

Eddie F. Brown,

Assistant Secretary—Indian Affairs.

[FR Doc. 92-12667 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-02-M

Fish and Wildlife Service**Availability of Draft Environmental Impact Statement for the Walnut Creek National Wildlife Refuge Master Plan, Jasper County, IA**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the U.S. Fish and Wildlife Service has prepared a Draft Environmental Impact Statement (DEIS), which is available for public review. The DEIS evaluates a proposed Master Plan for the Walnut Creek National Wildlife Refuge in Jasper County, Iowa. Several management and development alternatives are considered including the Preferred Alternative which includes reconstructing almost 7000 acres of native tallgrass prairie, constructing a major environmental learning center, constructing a small research facility, and constructing a system of roads, trails, and interpretive sites for public access, enjoyment, and environmental education. Once approved, the Preferred Alternative will be refined as the long-term Master Plan to guide physical development and management of the Refuge.

DATES: Public comment on the DEIS is solicited pursuant to National Environmental Policy Act regulations (40 CFR 1503.1). All agencies and individuals are urged to provide comments and suggestions for improving this DEIS. All comments received by August 4, 1992 will be considered in preparation of the Final EIS for the proposed Master Plan.

A Public Meeting on the DEIS will be held at the PCM Middle School, Prairie City, Iowa, Wednesday, June 17, 1992, at 7 p.m.

ADDRESSES: Written comments should be addressed to: Regional Director, U.S. Fish and Wildlife Service, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, Attn: Walnut Creek Development Team.

FOR FURTHER INFORMATION CONTACT: Mr. Richard M. Birger, Refuge Manager, Walnut Creek National Wildlife Refuge, P.O. Box 399, Prairie City, Iowa 50228. Telephone (515) 994-2415. Individuals wishing copies of this DEIS for review should contact Mr. Birger. Copies have been sent to all agencies and organizations who participated in the scoping process and to all others who have already requested copies.

Dated: May 28, 1992.

John L Christian,

Acting Regional Director.

[FR Doc. 92-12700 Filed 5-29-92; 8:45 am]

BILLING CODE 4510-55-M

Availability of a Draft Habitat Conservation Plan, Environmental Assessment, and Receipt of an Application for an Incidental Take Permit for the Proposed Granite Construction Gravel Extraction Operation Near Coalinga, Fresno County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Granite Construction Company has applied to the U.S. Fish and Wildlife Service (Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act). The proposed permit would authorize, for a period of 15 years, the incidental take of two endangered species, the San Joaquin kit fox (*Vulpes macrotis mutica*) and blunt-nosed leopard lizard (*Gambelia silus*). An environmental assessment (EA) and draft Habitat Conservation Plan (HCP) have been prepared for the incidental take permit application. This notice is provided pursuant to the requirements of section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments on the permit application and EA should be received on or before July 1, 1992.

ADDRESSES: Comments regarding the permit application, HCP, or the EA should be addressed to: Mr. Wayne S. White, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Field Station, 2800 Cottage Way, room E-1803, Sacramento, California 95825-1848.

FOR FURTHER INFORMATION CONTACT: Dr. Laurie Stuart, U.S. Fish and Wildlife Service, Sacramento Field Station, 2800 Cottage Way, room E-1803, Sacramento, California 95825-1848 (916/978-4866). Individuals wishing copies of the EA, HCP, or permit application for review should immediately contact the above individual.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the San Joaquin kit fox and blunt-nosed leopard lizard. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species if the taking is incidental to, and not the purpose of otherwise lawful activities. Regulations governing permits

for endangered species are at 50 CFR 17.22.

Granite Construction currently operates a sand and gravel extraction and processing facility immediately south of the proposed project area. Aggregate resources at the existing site will soon be depleted. The proposed expansion area would provide an aggregate resource for the processing facilities for the next 8 to 10 years. The project site is located approximately 2 miles north of the City of Coalinga in southwestern Fresno County, California, in the southern half of the northwestern quarter of Section 20, T.20S., R15E., Mount Diablo Baseline Meridian.

The proposed sand and gravel extraction area encompasses approximately 54 acres. Extraction of the sand and gravel resources would take approximately 8 to 10 years and result in the development of a pit approximately 150 feet deep with side slopes of approximately 1:1. The expansion area will be developed in two phases of approximately 27 acres each. Each phase will be worked for 4 to 5 years. Habitat on the Phase 2 area will not be disturbed until Phase 1 mining is nearly complete, 4 to 5 years after Phase 1 mining is initiated. Initially, the topsoil will be stripped and stockpiled within the existing pit. The existing conveyor belt system will be reconfigured to extend to the new excavation area. Heavy equipment will then be used to move the sand and gravel to the conveyor belt, which will then carry the aggregates to the plant for processing.

After completion of the extraction of sand and gravel resources, the bottom of the pit and sideslopes will be rehabilitated pursuant to the conditional use permit conditions issued for the project. Fresno County currently holds a performance bond to ensure compliance with the county-required reclamation conditions.

Granite Construction proposes to mitigate this incidental take via several off-site and on-site mitigation measures. Such measures include off-site acquisition of 182 acres of native habitat in a proposed habitat preserve for these endangered species, transfer of \$100 per acre to the California Department of Fish and Game for fencing and improvement of the acquired habitat and a maintenance endowment in the amount of \$300 per acre to manage the acquired habitat in perpetuity, and various on-site measures to avoid "take" of listed species to the maximum extent possible during operation of the facility.

The EA considers the environmental consequences of the proposed action, alternate site selection, and a no action

alternative. The proposed action would likely result in "take" of a small number of individual San Joaquin kit foxes and blunt-nosed leopard lizards. However, it would also result in the preservation and enhancement of 160 acres of habitat for this listed species.

Dated: May 13, 1992.

William E. Martin,
Acting Regional Director.

[FR Doc. 92-12719 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-55-M

Bureau of Land Management

[UT-060-02-4120-01]

District Advisory Council Meeting

Dated: May 21, 1992.

AGENCY: Bureau of Land Management, Moab District, Moab, Utah.

ACTION: Notice of District Advisory Council meeting.

SUMMARY: Notice is hereby given in accordance with Public Law 92-463 that a meeting of the Moab District Advisory Council is being held Wednesday, July 22, 1992, at the BLM Moab District Office, 82 E. Dogwood, Moab, Utah. The agenda will be an orientation by Area Managers and Program Leaders for the newly appointed Council members, and election of officers, as follows:

a.m. Introductions and Purpose (Orientation session regarding BLM; Advisory Council Role and Process)

8:15 a.m. District Review of Programs/Issues of Review (District Priorities)

8:45 a.m. Election of Advisory Council Officers by Council members

9 a.m. National Environmental Policy Act (NEPA) and Public Involvement (process and specific opportunities, Question and Answer (Q&A))

—Resource Management Plans (RMPs): Grand Resource Area Revision, San Juan Resource Area implementation, San Rafael Resource Area implementation, Price River Resource Area schedule)

—Environmental Impact Statements (EIS's: Ouray to Cisco Highway, Coal Bed Methane, 2 Oil and Gas, Siting Studies High Level Nuclear Waste, etc.)

—Environmental Assessments (EA's): 10 a.m. San Juan Resource Area Statement of Programs/Issues (Briefing on Draft Cedar Mesa Plan; Affected Interests; Q&A)

10:30 a.m. Break

10:45 a.m. Grand Resource Area Statement of Programs/Issues (Briefing on Increased Recreation and Impacts; Q&A)

11:15 a.m. Price River Resource Area Statement of Programs/Issues (Briefing on Coal Bed Methane Draft Environmental Impact Statement; Q&A)

11:45 a.m. Lunch

12:45 p.m. San Rafael Resource Area Statement of Programs/Issues (Off Highway Vehicle Plan; Emergency Closure of Wedge area; Q&A)

1:15 p.m. Lands and Renewable Resources (Briefing on Four Corners Heritage Council; Sagers Wash Watershed Plan; Wilderness; Wild & Scenic Rivers, Q&A)

2:15 p.m. Coal/Mineral Program Statement of Programs/Issues; Q&A

2:45 p.m. Operations Statement of Programs/Issues; Q&A

3:15 p.m. Break

3:30 p.m. Public Comment Period

p.m. Advisory Council Recommendations

p.m. Wrap-up (ascertain what Council wants to hear more about; what they want to have input into and what sort of things they want to review; how the Council wishes to function)

5:15 p.m. Schedule for next meeting

5:30 p.m. Adjourn

The Advisory Council meeting is open to the public. Interested persons may make oral statements to the Council, or written statements may be submitted for the Council's considerations. Any person wishing to make an oral statement must notify the District Manager by close of business July 20, 1992. Depending on the number of persons wishing to make oral statements, a per person time limit may be established by the District Manager. Summary minutes for the Council meeting will be maintained in the Moab District Office and will be available for public inspection and reproduction during regular business hours within 30 days following the meeting.

For further information, contact Public Affairs Officer Mary Plumb, Bureau of Land Management, Moab District Office, 82 E. Dogwood, Moab, Utah 84532; (801) 259-6111.

Roger Zortman,
District Manager.

[FR Doc. 92-12893 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-DQ-M

[CA-060-02-4212-13; CACA 30047]

Realty Action Land Exchange; Riverside County, CA

AGENCY: Bureau of Land Management, Interior.

ACTION: Exchange of public and private lands.

SUMMARY: The following described public land is being considered for disposal by exchange under Section 206 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1716):

San Bernardino Meridian, California

T. 6 S., R. 1 W.,
Sec. 6: Lot 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 120.25 acres of public land, more or less.

In exchange for these lands, the United States will acquire the following described non federal lands from Riverside County Habitat Conservation Agency:

San Bernardino Meridian, California

T. 3 S., R. 1 W.,

Sec. 24: Lots 10-12 inclusive.

Containing 108.79 acres of offered private lands, more or less.

SUPPLEMENTARY INFORMATION: The purpose of the exchange is to acquire non federal lands to consolidate the public land holdings in the Potrero Creek area, a proposed special habitat management area. Acquisition of the offered lands would contribute to the creation of a special management area for the endangered Stephens' kangaroo rat (SKR).

Full equalization of values of the lands will be achieved through acreage adjustment or cash payment in an amount not to exceed 25% of the value of the lands being transferred out of Federal ownership.

Public lands to be transferred from the United State are subject to the following:

A reservation to the United States of a right-of-way for ditches or canals constructed by the authority of the United States, under the act of August 30, 1890 (43 U.S.C. 945).

The private lands would be accepted subject to exceptions listed in the preliminary title report on file in the Palm Springs-South Coast Resource Area Office.

The exchange is scheduled to be completed in December of 1992.

DATES: By July 16, 1992, interested parties may submit comments to the District Manager, California Desert District Office, 6221 Box Springs Boulevard, Riverside, California 92507. Objections will be reviewed by the State Director, who may sustain, vacate, or modify this realty action. In the absence of objections, this realty action will become the final determination of the Department of the Interior.

Effective upon the date of publication of this Notice in the **Federal Register**, the public lands shall be segregated from entry under the public land laws and the general mining laws. The segregative effect will end upon issuance of patent or two years from the date of first publication, whichever occurs first.

FOR FURTHER INFORMATION CONTACT:

Mary Murphy, Realty Specialist, (619) 251-0812. Information relating to this exchange is available for review at the Palm Springs-South Coast Resource

Office, 63-500 Garnet Avenue, North Palm Springs, California 92258.

Dated: May 21, 1992.

Gerald E. Hillier,

District Manager.

[FR Doc. 92-12696 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-40-M

[OR-110-4212-13; G-2-266]

Realty Actions; Oregon

ACTION: Notice of realty action—(1) Comment period for Environmental Assessment (EA) and plan amendment for Siskiyou Pass/Table Rock Land Exchange; (2) notice of availability of EA for Willard Herzberg Land Exchange.

In accordance with 43 CFR 1610.3-1(d) and 43 CFR 2201.1, notice is given that the Bureau of Land Management (BLM) in the State of Oregon, Medford District, has completed an environmental assessment (EA) for an amendment to the Jackson/Klamath Management Framework Plan (MFP). The purpose of the plan amendment is to make available for exchange certain lands located in Jackson County, Oregon. The MFP amendment will facilitate the Siskiyou Pass/Table Rock exchange proposal by The Nature Conservancy (TNC).

The purpose of the Notice of Realty Action is to: (1) Notify the public of the availability of the EA/plan amendment for the Siskiyou Pass/Table Rock land exchange; (2) to segregate one of the parcels in that exchange from appropriation under the public land laws, including the mining laws, except for exchange. This parcel was not segregated in the earlier notice (FR Doc 91-20114, August 22, 1991, page 41705); and (3) to notify the public of the availability of the EA for the Herzberg exchange.

SUPPLEMENTARY INFORMATION: (1) The Jackson/Klamath MFP proposed plan amendment for the Siskiyou Pass/Table Rock land exchange proposal includes public lands described as follows:

T. 34 S., R. 2 W., Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 T. 35 S., R. 2 W., Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 T. 36 S., R. 1 E., Sec. 3, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 T. 36 S., R. 1 E., Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 T. 36 S., R. 1 E., Sec. 20, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 T. 39 S., R. 2 W., Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 T. 39 S., R. 2 E., Sec. 1, Unnumbered lot containing 40.5 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$;
 T. 39 S., R. 2 E., Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; Willamette Meridian, Jackson County, Oregon.

Aggregating approximately 450.5 acres.

The lands which are being offered by TNC for this exchange are described as follows:

Parcel A (Siskiyou Pass)

T. 41 S., R. 2 E., Sec. 8, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, lying westerly of I-5 and excepting lands now owned by the State of Oregon, Willamette Meridian, Jackson County, Oregon. Acres: 220.77

Parcel B (Table Rock)

T. 36 S., R. 2 W., Sec. 4: Metes & bounds in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Willamette Meridian, Jackson County, Oregon. Acres: 37.65.

The publication of this notice in the **Federal Register** will segregate the following tract of land to the extent that it will not be subject to appropriation under the public land laws, including the mining laws, except for exchange. As provided by 43 CFR 2201.1(b), any subsequently tendered application, allowance of which is discretionary, shall not be accepted, shall not be considered as filed and shall be returned to the applicant. This segregative effect shall terminate upon issuance of patent to such lands, upon publication in the **Federal Register** of a termination of the segregation, or two years from date of this publication, whichever occurs first.

T. 35 S., R. 2 W., Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$

The selected federal lands in this exchange do not contain any special or significant resource values. The non-federal lands to be acquired include a 200-mile tract (parcel A) which is located in the Siskiyou Pass area of the Siskiyou/Cascade mountain ranges. This tract contains habitat for and a large population of *Calochortus greenei*, a Category 2 plant. This parcel also contains habitat and watering sources for wildlife. The exchange also includes a 40-acre tract (parcel B) which is being acquired specifically for the purposes of development of a parking lot, rest room and picnic facilities, and a staging area for the Lower Table Rock hiking trail.

The Herzberg exchange proposal includes public lands administered by the BLM described as follows:

Willamette Meridian, Josephine County, OR

T. 35 S., R. 6 W., Sec. 14, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Aggregating approximately 40 acres.

This parcel has been segregated in the earlier FR notice cited above.

The private land offered by Mr. Herzberg is described as T. 34 S., R. 3 W., Sec. 32: Metes and bounds in the NW $\frac{1}{4}$, Willamette Meridian, Jackson County, Oregon, containing approximately 43 acres. This exchange is being completed in order to facilitate resource management opportunities for wildlife and timber.

Availability/Location of Documents/ Dates.

The environmental analysis for the Siskiyou Pass/Table Rock land exchange and plan amendment is available at the Medford District Office, 3040 Biddle Road, Medford, Oregon 97504. For information, contact Mary Johnson at the above address or call (503) 770-2200. A thirty-day comment period is provided at this time. The comment period will begin with the publication of this notice in the **Federal Register**. All comments must be submitted in writing to the above address.

The environmental analysis for the Herzberg exchange will be available at the above address by July 16, 1992. The BLM is inviting comments for a 30-day period for consideration in preparation of the EA. For further information, contact Don Kreitner at (503) 770-2200. **David A. Jones,**

District Manager.

[FR Doc. 92-12692 Filed 5-29-92; 8:45 am]

BILLING CODE 4310-33-M

Bureau of Mines

Meeting of The Advisory Committee on Mining and Mineral Resources Research

The Advisory Committee on Mining and Mineral Resources Research will meet from 8 a.m. to 5 p.m. (or completion of business) on Thursday, July 16, 1992, in the Conference Room (third floor), Bureau of Mines Headquarters, 810 Seventh Street, NW., Washington, DC. The proposed agenda is:

1. Welcome and introductions.
2. Approval of the minutes of the meeting of October 29, 1991.
3. Review of congressional and administrative actions affecting the Mineral Institute program.
4. Review of funding applications and approval of grant awards.
5. Administrative plan for the next grant award cycle.
6. Discussion of the next Update to the National Plan.
7. New business.

This meeting is open to the public; however, admission past the building lobby will require prior identification. Written statements concerning agenda subjects are welcome. Those wishing admission to the meeting or having written statements to put before the Committee should inform the Office of Mineral Institutes, Bureau of Mines, Mail Stop 1020, 810 Seventh Street, NW., Washington, DC 20241, telephone 202-501-9295, BITNET MININSTS @

GWUVM, no later than noon, Wednesday, July 15, 1992.

Dated: May 28, 1992.

John A. Breslin,
Acting Director.

[FR Doc. 92-12680 Filed 5-29-92; 8:45 am]
BILLING CODE 4310-53-M

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 399]

Cost Recovery Percentage

AGENCY: Interstate Commerce Commission.

ACTION: Hold proceeding in abeyance.

SUMMARY: By decision served May 6, 1992, published at 57 FR 19, 645 (May 7, 1992) the Commission asked interested persons to submit comments by June 5, 1992, on a revised procedure used in costing the I.C.C. waybill sample. On May 19, 1992, the Association of American Railroads (AAR) asked the Commission to extend the comment period by 30 days to July 7, 1992, and republish the notice in this proceeding to clarify whether changes in the Uniform Railroad Costing System are being proposed in this proceeding. This proceeding is held in abeyance pending further Commission order to give the Commission the opportunity to address the issue raised by AAR concerning the scope of this proceeding.

DATES: This notice is effective on June 1, 1992.

FOR FURTHER INFORMATION CONTACT:

William T. Bono, (202) 927-5720.

Robert C. Hasek, (202) 927-6239.

[TDD for hearing impaired: (202) 927-5721]

Decided: May 27, 1992.

By the Commission, Sidney L. Strickland, Jr., Secretary.

Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-12731 Filed 5-29-92; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-3; Sub-No. 102X]

Missouri Pacific Railroad Company—Abandonment Exemption—In Pittsburg, Hughes, and Seminole Counties, OK (Shawnee Branch)

Applicant has filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon its 48.5-mile line of railroad between milepost 370.5, near McAlester, and milepost 417.0, near Wewoka, in

Pittsburg, Hughes, and Seminole Counties, OK.

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.¹

As a condition to use of 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 July 1, 1992. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2),³ and trail use/rail banking

statements under 49 CFR 1152.29 must be filed by June 11, 1992.⁴ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 22, 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: Joseph D. Anthofer, 1416 Dodge St., room 830, Omaha, NE 88179.

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 June 5, 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: May 19, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-12733 Filed 5-29-92; 8:45 am]
BILLING CODE 7035-01-M

[Finance Docket No. 32051]

Washington Central Railroad Company—Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Company (UP) has agreed to grant local trackage rights to Washington Central Railroad Company (Washington Central) over the following segments of UP's Yakima Branch in Yakima County, WA: (1) At Biggam, WA, between milepost 48.2 and milepost 49.52; (2) at Grandview, WA, between milepost 57.3 at Elm Street and milepost 58.75; (3) at Midvale, WA, between milepost 62.75 and milepost 63.75; (4) between Granger, WA, at

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).

⁴ The Commission will accept a late-filed trail use statement so long as it retains jurisdiction to do so.

milepost 73.4 and Zillah, WA, at milepost 78.5; (5) between milepost 94.5 and the end of the line including Yakima Yard; and (6) the Sunnyside Branch between milepost 0.0 and milepost 3.21. Washington Central will be permitted to use the subject line to serve certain shippers as UP's haulage agent, to serve other shippers that are open to reciprocal switching, and to handle traffic that originates and terminates on the subject line. The trackage rights were to become effective on or after May 29, 1992.

As a condition to the use of this exemption, any employees adversely affected by the transaction will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the effectiveness of the exemption. Pleadings must be filed with the Commission and served on: Kevin M. Sheys, Esq., Weiner, McCaffrey, Brodsky & Kaplan, P.C., 1350 New York Avenue NW., suite 800, Washington, DC 20005-4797.

Dated: May 21, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-12732 Filed 5-29-92; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-372X]

Wiregrass Central Railroad Company, Inc.—Abandonment Exemption—In Coffee County, AL

Applicant has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 2.0 miles of its rail line from milepost 821 to the end of Wiregrass' rail line, in Coffee County, AL.

Applicant has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; 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 the use of 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 July 1, 1992 (unless stayed). Petitions to stay that do not involve environmental issues,¹ formal expressions under 49 CFR 1152.27(c)(2),² and trail use/rail banking statements under 49 CFR 1152.29 must be filed by June 11, 1992.³ Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 22, 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:

Kevin M. Sheys, Weiner McCaffrey, Brodsky & Kaplan, P.C., 1350 New York Avenue, NW., Washington, DC 20005-4797.

If the notice of exemption contains false or misleading information, use of this 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 June 5, 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

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.

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: May 21, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.
Sidney L. Strickland, Jr.,
Secretary.

[FR Doc. 92-12734 Filed 5-29-92; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL COMMISSION ON SEVERELY DISTRESSED PUBLIC HOUSING

Meeting

ACTION: Notice of meeting.

SUMMARY: In accordance 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: Wednesday, June 3, 1992. 4 p.m.—6 p.m.

ADDRESSES: Vista Hotel, 1400 M Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Carmelita Pratt, Administrative Officer, The National Commission on Severely Distressed Public Housing, 1111 18th Street, NW., #806, Washington, DC 200365 (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. 92-12861 Filed 5-29-92; 8:45 am]

BILLING CODE 6820-07-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meeting; International Advisory Panel

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 International Advisory Panel (Overview Section) will be held on June 12, 1992 from 9 a.m.—6 p.m. in room 527 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting will be open to the public on a space available basis. The topics will be welcoming remarks and policy discussion.

Any interested person may observe meetings, or portions thereof, which are open to the public, and may be

permitted to participate in the discussions at the discretion of the meeting 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.

Yvonne M. Sabine,
Director, Panel Operations, National Endowment for the Arts.

[FR Doc. 92-12678 Filed 5-29-92; 8:45 am]

BILLING CODE 7537-01-M

Music Advisory Panel; Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Music Advisory Panel (Overview/Special Projects Section) to the National Council on the Arts will be held on June 16-17, 1992 from 9 a.m.-5:30 p.m. and June 18 from 9 a.m.-5 p.m. in room M-14 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

Portions of this meeting will be open to the public on June 16 from 9 a.m.-5:30 p.m. and June 18 from 4:00 p.m.-5:00 p.m. The topics will be introductory remarks, policy discussion and guidelines review.

The remaining portions of this meeting on June 17 from 9 a.m.-5:30 p.m. and June 18 from 9 a.m.-4 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 subsections (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: May 26, 1992.

Yvonne M. Sabine,
Director, Panel Operations, National Endowment for the Arts.

[FR Doc. 92-12679 Filed 5-29-92; 8:45 am]

BILLING CODE 7537-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-312]

Sacramento Municipal Utility District; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-54 issued to Sacramento Municipal Utility District (the licensee) (the District), for operation of the Rancho Seco Nuclear Generating Station located in Sacramento County, California. The request for amendment was submitted by letter dated November 19, 1991.

The licensee has decided to permanently cease operations at the Rancho Seco Nuclear Generating Station. The Rancho Seco Reactor has been defueled and the reactor fuel is currently stored in the onsite spent fuel pool. Facility Operating License No. DPR-54 was modified to a possess-but-not-operate status by amendment dated March 17, 1992. The facility's technical specifications were replaced by a set of permanently defueled technical specifications (PDTs) by amendment dated March 19, 1992.

The proposed amendment would delete Appendix B, Non-Radiological Environmental Technical Specifications from the Rancho Seco license.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the license has provided its analysis of the issue of no significant hazards consideration, which is presented below.

The . . . changes to the [Rancho Seco Technical Specifications] RSTS (deletion of Appendix B) . . . would not:

A. Significantly increase the probability or consequences of an accident previously evaluated because the proposed RSTS changes will not change the way any plant system or component important to safety is operated. The proposed amendment eliminates unnecessary RSTS requirements. Administrative controls deleted in appendix B which were of concern to the Commission are duplicated or exceeded in appendix C.

B. Create the possibility of a new or different type of accident than previously evaluated because implementation of appendix B in the permanently defueled mode) PDTs is duplicative and unnecessary. Acceptable operation of Rancho Seco with regard to environmental impact has been demonstrated. Appropriate administrative controls are included in appendix C.

C. Involve a significant reduction in the margin of safety because the deletion of the remaining appendix B RSTS does not affect any system or component important to safety. The proposed changes do not impact the margin of safety defined in any basis of an RSTS. The non-radiological impact of Rancho Seco has been demonstrated acceptable under criteria established by the Commission.

The appendix C referenced in the licensee's November 19, 1991, analysis was the then set of proposed PDTs. As noted above, the PDTs were incorporated into the Rancho Seco license by amendment dated March 19, 1992. The PDTs replaced the RSTS as appendix A as a result of the March 19, 1992, amendment.

On the basis of the above, the licensee concluded that the proposed changes do not constitute a significant hazard to the public or endanger the health and safety of the public.

The NRC staff has reviewed the licensee's analysis. While the staff does not agree with all of the licensee's above statements, the staff notes that the licensee has stated that deleting the

appendix B technical specifications will not affect any plant system or component important to safety. The programs to be eliminated include monitoring of erosion, noise, cooling tower drift contaminants, and fogging patterns. Historical data has shown that severe erosion of the stream bed or soil banks surrounding the effluent stream has not occurred. Monitoring of noise, drift contaminants, and cooling tower fogging is no longer needed since the plant is permanently shut down. Thus, the staff finds that sufficient information was provided to allow the staff to determine that the three standards of 10 CFR 50.92(c) appear to be satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within thirty (30) days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Directives Review Branch Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By July 1, 1992 the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's

Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC 20555 and at the local public document room located at the Martin Luther King Regional Library, 7340 24th Street Bypass, Sacramento, California 95882. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the

petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If a final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may

be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, by the above date. Where petitions are filed during the last ten (10) days of notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 325-600 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Seymour H. Weiss: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this *Federal Register* notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Jan Schori, Sacramento Municipal Utility District, 6201 S Street, P.O. Box 15870, Sacramento, California 95813, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated November 19, 1991, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the Martin Luther King Regional Library, 7340 24th Street Bypass, Sacramento, California 95882.

Dated at Rockville, Maryland, this 22nd day of May 1992.

For the Nuclear Regulatory Commission.
Seymour H. Weiss,
Director, Non-Power Reactors,
Decommissioning and Environmental Project
Directorate, Division of Reactor Projects—
III/IV/V, Office of Nuclear Reactor
Regulation.

[FR Doc. 92-12750 Filed 5-29-92; 8:45 am]

BILLING CODE 7590-01-M

RAILROAD RETIREMENT BOARD

Computer Matching and Privacy Protection Act of 1988; RRB Records used in Computer Matching

AGENCY: Railroad Retirement Board (RRB).

ACTION: Notice of Records Used in Computer Matching Programs; Notification to individuals who are beneficiaries under the Railroad Retirement Act.

SUMMARY: As required by the Computer Matching and Privacy Protection Act of 1988, RRB is issuing public notice of its use and intent to use, in ongoing computer matching programs, information obtained from the Social Security Administration (SSA) of the amount of wages reported to SSA and the amount of benefits paid by that agency.

The purpose of this notice is to advise individuals applying for or receiving benefits under the Railroad Retirement Act of the use made by RRB of this information obtained from SSA by means of a computer match.

ADDRESSES: Interested parties may comment on this publication by writing to Ms. Beatrice Ezerski, Secretary to the Board, 844 Rush Street, Chicago, Illinois 60611-2092.

FOR FURTHER INFORMATION CONTACT: Mr. LeRoy Blommaert, Privacy Act Officer, 844 Rush Street, Chicago, Illinois 60611-2092, telephone number (312) 751-4548.

SUPPLEMENTARY INFORMATION: The Computer Matching and Privacy Protection Act of 1988, Pub. L. 100-503, requires a Federal agency participating in a computer matching program to publish a notice regarding the establishment of a matching program. The required notice was first published at 54 FR 26282 (June 22, 1989). New agreements are being negotiated for continuing the matching program beyond the initial 18-month and additional 12-month periods; hence, the need for a new notice.

Name of Participating Agencies

Social Security Administration and Railroad Retirement Board.

Purpose of the Match

The RRB will, on a daily basis, obtain from SSA a record of the wages reported to SSA from persons who have applied for benefits under the Railroad Retirement Act and a record of the amount of benefits paid by that agency to persons who are receiving or have applied for benefits under the Railroad Retirement Act. That wage information is needed to compute the amount of the tier I annuity component provided by sections 3(a), 4(a) and 4(f) of the Railroad Retirement Act (45 U.S.C. 231b(a), 45 U.S.C. 231c(a) and 45 U.S.C.

231c(f)). This information is available from no other source.

In addition, the RRB will receive from SSA the amount of certain social security benefits which the RRB pays on behalf of SSA. Section 7(b)(2) of the Railroad Retirement Act (45 U.S.C. 231f(b)(2)) provides that the RRB shall make the payment of certain social security benefits. The RRB also requires this information in order to adjust the amount of any annuity due to the receipt of a social security benefit. Section 10(a) of the Railroad Retirement Act (45 U.S.C. 231i(a)) permits the RRB to recover any overpayment from the accrual of social security benefits. This information is not available from any other source.

Finally, the RRB will receive from SSA once a year a copy of SSA's Master Benefit Record for earmarked RRB annuitants. Section 7(b)(7) of the Railroad Retirement Act (45 U.S.C. (b)(7)) requires that SSA provide the requested information. The RRB needs this information to make the necessary cost-of-living computation quickly and accurately for those RRB annuitants who are also SSA beneficiaries.

Authority for Conducting the Match

Section 7(b)(7) of the Railroad Retirement Act (45 U.S.C. 231f(h)(7)) provides that the Social Security Administration shall supply information necessary to administer the Railroad Retirement Act.

Categories of Records and Individuals Covered

All applicants for benefits under the Railroad Retirement Act and current beneficiaries will have a record of their wages and the amount of their social security benefits requested from the Social Security Administration.

Inclusive Dates of the Matching Program

These matches will commence on July 1, 1992, and will run for the full 18 months of the agreement.

The notice we are giving here is in addition to any individual notice.

A copy of this notice will be furnished to both Houses of Congress and the Office of Management and Budget.

By authority of the Board.

Dated: May 22, 1992.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 92-12665 Filed 5-29-92; 8:45 am]

BILLING CODE 7590-01-M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Cincinnati Stock Exchange, Incorporated

May 26, 1992.

The above named national securities exchange has filed applications with the Securities and Exchange Commission ("Commission") pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and rule 12f-1 thereunder for unlisted trading privileges in the following securities:

BankAmerica Corp.

Depository Shares (Rep. 1/20 of 11% Pfd. Stock, Series 1) (File No. 7-8479)

Blackstone Investment Quality Term Trust, Inc.

Common Stock, \$0.01 Par Value (File No. 7-8480)

Brazilian Equity Fund, Inc.

Common Stock, \$0.001 Par Value (File No. 7-8481)

Capital Re Corp.

Common Stock, \$0.01 Par Value (File No. 7-8482)

Cash America International, Inc.

Common Stock, \$0.10 Par Value (File No. 7-8483)

Chicago & North Western Holdings Corp.

Common Stock, \$0.01 Par Value (File No. 7-8484)

Citicorp

Depository Shares (Rep. 1/10 of 9.08% Pfd. Stock, Series 14) (File No. 7-8485)

Coltec Industries, Inc.

Common Stock, \$0.01 Par Value (File No. 7-8486)

Dames & Moore, Inc.

Common Stock, \$0.01 Par Value (File No. 7-8487)

Empresas ICA Sociedad Comtroloadora, S.A. de C.V.

American Depository Shares (Rep. 1 Ord. Participating Cert.) (File No. 7-8488)

First Data Corp.

Common Stock, \$0.01 Par Value (File No. 7-8489)

Liberty Term Trust, Inc.-1999

Common Stock, \$0.001 Par Value (File No. 7-8490)

Merry Land & Investment Co.

Common Stock, No Par Value (File No. 7-8491)

Morgan Stanley Group, Inc.

Depository Shares (Rep. 1/8 Sh of 8 3/4% Cum. Pfd. Stk., No Par Value) (File No. 7-8492)

MuniYield Insured Fund, Inc.

Common Stock, \$0.10 Par Value (File No. 7-8493)

Santander Overseas Bank, Inc.

Non. Cum. Gtd. Pfd. Ser. B, \$25.00 Par Value (File No. 7-8494)

UGI Corp. Holding Co.

Common Stock, No Par Value (File No. 7-8495)

Venture Stores, Inc.

\$3.25 Depository Shares (Rep. 1/10 of Cum. Conv. Pfd. Stk.) (File No. 7-8496)

Waste Management International Plc
American Depository Shares (Rep. 2 Ord. Shares of 10 p.) (File No. 7-8497)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before June 18, 1992, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-12675 Filed 5-29-92; 8:45 am]

BILLING CODE 8010-01-M

Stock on NASDAQ/NMS will be more beneficial to its stockholders than the present listing on the Amex because:

(1) The Company believes that the NASDAQ/NMS system of competing market makers will result in increased visibility and sponsorship for its Common Stock than is presently the case with the single specialist on the Amex;

(2) The Company believes that the NASDAQ/NMS system will offer the Company's stockholders more liquidity than is presently available on the Amex and less volatility in quoted prices per share when trading volume is slight;

(3) The Company believes that the NASDAQ/NMS system will offer the opportunity for the Company to secure its own group of market makers and expand the capital base available for trading in the Common Stock; and

(3) The Company believes that the firms making a market in the Company's Common Stock on the NASDAQ/NMS system will also be inclined to issue research reports concerning the Company, thereby providing institutional research and advisory reports.

Any interested person may, on or before June 18, 1992, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchanges and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-12674 Filed 5-29-92; 8:45 am]

BILLING CODE 8010-01-M

[File No. 1-9591]

Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (WorldCorp, Inc., Common Stock, \$1.00 Par Value)

May 26, 1992.

WorldCorp, Inc. ("Company") has filed an application with the Securities and Exchange Commission, ("Commission") pursuant to section 12(d) of the Securities Exchange Act of

1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the above specified security from listing and registration on the Pacific Stock Exchange, Inc. ("PSE").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

According to the Company, the volume of shares of its common stock traded on the PSE is negligible. The Company has determined that it has no significant advantages in having its shares listed on the PSE. The Company also wishes to avoid the substantial annual listing fees charged by the PSE.

Any interested person may, on or before June 18, 1992, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchanges and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,
Secretary.

[FR Doc. 92-12673 Filed 5-29-92; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended May 22, 1992

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: 48160.

Date filed: May 21, 1992.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 18, 1992.

Description: Application of Turks Air, Ltd., pursuant to section 402 of the Act and subpart Q of the Regulations, applies for a foreign air carrier permit to engage in nonscheduled foreign air transportation of property only, between a point or points in the Turks and Caicos Islands and Miami, Florida; and property only off-route charter services.

Docket Number: 48163.

Date filed: May 22, 1992.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: June 19, 1992.

Description: Application of Aero Sur, S.A., pursuant to section 402 of the Act and subpart Q of the Regulations applies for a foreign air carrier permit to enable it to engage in non-scheduled and charter foreign air transportation of passengers, property and mail from a point or points in Argentina to a point in the United States and return.

Dated: May 26, 1992.

Phyllis T. Kaylor,

Documentary Services Division.

[FR Doc. 92-12707 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-62-M

Federal Highway Administration

Environmental Impact Statement: Berkeley and Jefferson Counties, WV

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Berkeley and Jefferson Counties, West Virginia.

FOR FURTHER INFORMATION CONTACT:

Billy R. Higginbotham, Division

Administrator, Federal Highway Administration, 550 Eagan Street, Suite 300, Charleston, West Virginia 25301, Telephone: (304) 348-3093.

Ben L. Hark, Environmental Section

Chief, Roadway Design Division, West Virginia Department of Transportation, room A-830 Building 5, Capitol Complex, Charleston, West Virginia 25305, Telephone: (304) 558-3236.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the West Virginia Department of Transportation, will prepare an environmental impact statement (EIS) on a proposal to

improve West Virginia Route 9 (WV)

between Charles Town and Martinsburg. The proposed improvement would provide a four-lane controlled access roadway for WV 9 from the existing Charles Town Bypass to just east of South Queen Street in Martinsburg.

Improvements to the WV Rte. 9 corridor between Charles Town and Martinsburg are considered to adequately provide for a safe and efficient transportation system to serve the existing and future transportation needs of the area and to sustain and encourage local and regional economic development. Alternatives under consideration for the environmental impact statement include (1) No Build; (2) widening portions of the existing two-lane highway to four lanes; and (3) constructing a four-lane, controlled access highway along new alignment.

A scoping meeting will be scheduled in the near future. Comments from appropriate Federal, State and local agencies and interested private organizations and citizens, will be solicited as part of the scoping process. A public meeting and a public hearing will be scheduled later in the process. Notice will be given of the time and place of the meetings and hearings. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultant on Federal programs and activities apply to this program.)

Billy R. Higginbotham,
Division Administrator.

[FR Doc. 92-12895 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-22-M

Environmental Impact Statement: SR 525, SR 99 to SR 526, Snohomish County, WA

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for a proposed highway project in Snohomish County, Washington.

FOR FURTHER INFORMATION CONTACT: Barry F. Morehead, Federal Highway Administration, Evergreen Plaza

Building, 711 South Capitol Way, suite 501, Olympia, Washington, 98501, Telephone: (206) 753-2120; E.R. Burch, State Design Engineer, Washington State Department of Transportation, Transportation Building, Olympia, Washington, 98504, Telephone: (206) 753-6141; or Ronald Q. Anderson, District Administrator, Washington State Department of Transportation, District 1, 15325 SE 30th Place, Bellevue, Washington, 98007-8538, Telephone (206) 764-4020.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Washington State Department of Transportation (WSDOT) will prepare an EIS on a proposal to improve a 3.7 mile portion of SR 525. The improvements will include widening the roadway and adding curb, gutter, and sidewalks or shoulders, and modifying three signals. Letters describing the proposed action and soliciting comments will be sent to the appropriate federal, state, and local agencies as well as citizens and organizations that have expressed interest in this project. A series of meetings with the public, interested community groups, and governmental agencies will be held beginning in the summer of 1992. In addition, advertisements offering interested persons the opportunity to attend and offer comments at a public hearing will be published prior to publication of the draft environmental impact statement. Public notice of actions related to the proposal which identify the date, time, place of meetings, and note the length of review periods will be published when appropriate.

To ensure that the full range of issues related to this proposed project are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of federal programs and activities apply to this program.)

Issued on: May 22, 1992.

Sharon R. Price,

Area Engineer, Olympia, Washington.

[FR Doc. 92-12694 Filed 5-29-92; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: May 22, 1992.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: New.

Form Number: IRS Form PSC-T-072.

Type of Review: New Collection.

Title: Reduce Unnecessary Filings (RUF) Worksheet "Do I Need to File Worksheet".

Description: During 1990 the IRS received approximately 1.5 million individual tax returns from taxpayers who were not required to file. The Service will notify these taxpayers encouraging them not to file a return if they do not meet the filing requirements outlined on the worksheet. This effort is in line with IRS initiatives—reducing taxpayer burden—Compliance 2000 initiative (simplifying instructions for taxpayers).

Respondents: Individual or households.

Estimated Number of Respondents:

1,200,000.

Estimated Burden Hours Per Respondent: 30 Minutes.

Frequency of Response: Annually.

Estimated Total Reporting Burden: 600,000 hours.

Clearance Officer: Garrick Shear (202) 535-4297, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395-6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Dale A. Morgan,

Department Reports, Management Officer.

[FR Doc. 92-12676 Filed 5-29-92; 8:45 am]

BILLING CODE 4830-01-M

Public Information Collection Requirements Submitted to OMB for Review

Dated: May 28, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Customs Service

OMB Number: 1515-0104.

Form Number: None.

Type of Review: Extension.

Title: Declaration of Ultimate Consignee that Articles Were Exported for Temporary Scientific or Educational Purposes.

Description: This information in the declaration is needed to insure duty free entry of scientific or educational materials which have been exported for scientific or educational purposes.

Respondents: Businesses or other for-profit, Small businesses or organizations.

Estimated Number of Responses/Recordkeepers: 55.

Estimated Burden Hours Per Response/Recordkeeper: 10 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 41 hours.

Clearance Officer: Ralph Meyer, (202) 566-9182, U.S. Customs Service, Paperwork Management Branch, Room 6316, 1301 Constitution Avenue, NW., Washington, DC 20229.

OMB Reviewer: Milo Sunderhauf, (202) 395-6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer. [FR Doc. 92-12725 Filed 5-29-92; 8:45 am]

BILLING CODE 4820-02-M

Public Information Collection Requirements Submitted to OMB for Review

Dated: May 28, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to

OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0092.

Form Number: IRS Form 1041 and related Schedules D, J and K-1.

Type of Review: Revision.

Title: U.S. Fiduciary Income Tax Return; Capital Gains and Losses; Trust Allocation of an Accumulation Distribution; Beneficiary's Share of Income, Deductions, Credits, etc.

Description: Internal Revenue Code (IRC) section 6012 requires that an annual income tax return be filed for estates and trusts. Data is used to determine that the estates, trusts, and beneficiaries filed the proper returns and paid the correct tax. IRC section 59 requires the fiduciary to recompute the distributable net income on a minimum tax basis.

Respondents: Individuals or households, Businesses or other for-profit.

Estimated Number of Respondents: 2,500,000.

Estimated Burden Hours Per Respondent:

	Form 1041	Sched- ule D	Sched- ule J	Sched- ule K-1
Record- keep- ing. Learn- ing about the law or the form. Prepar- ing the form. Copy- ing, as- sem- bling send- ing the form to the IRS.	2 hr./ 11 min. 2 hr./ 37 min. 2 hr./ 22 min. 35 min.	46 min..... 36 min..... 1 hr./9 min. -----	1 hr./58 min.. 23 min..... 1 hr..... -----	34 min. 20 min.

Frequency of Response: Annually.

Estimated Total Reporting Burden: 244,345,058 hours.

OMB Number: 1545-1125.

Form Number: IRS Form 8803.

Type of Review: Extension.

Title: Limit on Alternative Minimum Tax for Children Under Age 14.

Description: Form 8803 is used to compute the alternative minimum tax (AMT) of a child under age 14, which is the smaller of the child's AMT as figures under IRC section 55 and 59(j)(1) or the child's share of allocable parental tax under section 59(j)(2)(A).

Respondents: Individuals or households.

Estimated Number of Respondents/ Recordkeepers: 100

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping—13 minutes

Learning about the law or the form—5 minutes

Preparing the form—26 minutes

Copying, assembling, and sending the form to the IRS—17 minutes

Frequency of Response: Annually.

Estimated Total Reporting/ Recordkeeping Burden: 104 hours.

Clearance Officer: Garrick Shear, (202) 535-4297, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf, (202) 395-6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer. [FR Doc. 92-12726 Filed 5-29-92; 8:45 am] BILLING CODE 4830-01-M

Office of the Secretary

Cancellation of Treasury Order

AGENCY: Department of the Treasury.

ACTION: Cancellation of Treasury Order.

SUMMARY: Treasury Order 122-02, "Delegation of Authority to the Treasurer of the United States to Designate Financial Institutions as Depositories of Public Money for Statue of Liberty-Ellis Island Commemoration Coin Program," dated November 21, 1985, has been revoked by the Deputy Secretary as of May 14, 1992.

Dated: May 26, 1992.

Robert T. Harper,

Director, Office of Management Support Systems. [FR Doc. 92-12877 Filed 5-29-92; 8:45 am] BILLING CODE 4810-25-M

[Number: 27-12]

Directive; Organization and Functions of the Office of Inspector General

Date: May 26, 1992.

1. Purpose. This directive describes the organization and functions of the Office of Inspector General (OIG).

2. The Inspector General is appointed by the President and reports to the Secretary through the Deputy Secretary. The Inspector General is responsible for ensuring a comprehensive audit and investigative program for the Department, subject to subsection 8C(a) of the Inspector General Act of 1978, as amended, and for performing the following principal functions.

a. Audits and conducts inquiries into the programs and operations of: The Departmental Offices (DO); the Bureau of Alcohol, Tobacco and Firearms (ATF); the Office of the Comptroller of the Currency (OCC); the U.S. Customs Service (Customs); the Bureau of Engraving and Printing (BEP); the Federal Law Enforcement Training Center (FLETC); the Financial Management Service (FMS); the U.S. Mint (Mint); the Bureau of the Public Debt (Public Debt); the U.S. Savings Bonds Division (Savings Bonds); the U.S. Secret Service (Secret Service); and the Office of Thrift Supervision (OTS). The Inspector General has authority to audit any operation, including the Internal Revenue Service (IRS).

b. Investigates allegations of criminal and other misconduct by employees or other persons in connection with the programs and operations of OCC, DO, BEP, FLETC, FMS, Mint, Public Debt, Savings Bonds, and OTS; investigates or oversees other case matters, as appropriate, throughout the Department; and coordinates cases with the Office of the Chief Inspector at the IRS and the Offices of Internal Affairs and Inspection at ATF, Customs and Secret Service, when necessary.

c. Exercises oversight responsibility for the activities of the Office of the Chief Inspector at the IRS and the Offices of Internal Affairs and Inspection at ATF, Customs, and Secret Service.

d. Represents the Department on the President's Council on Integrity and Efficiency (PCIE).

e. Handles referrals from the Office of Special Counsel.

f. Promotes integrity awareness among employees in conjunction with the Designated Agency Ethics Official.

g. Coordinates and recommends policies designed to promote economy, efficiency and integrity in the

administration of Departmental and bureau programs and activities.

h. Advises and assists management in preventing and detecting fraud, waste, and abuse in Departmental programs and operations.

i. Acts as the Inspector General to the Thrift Depositor Protection Oversight Board.

3. *Organization Structure.* The OIG is organizationally placed within DO but is independent of DO and all other offices and bureaus within the Department. Under the supervision of the Inspector General and Deputy Inspector General are four Assistant Inspectors General (AIGs) for: Audit; Investigations; Oversight and Quality Assurance; and Policy, Planning, and Resources. (See Attachment 1).

4. *The Duty Inspector General* assists the Inspector General in conducting, supervising and coordinating audits, investigations, inquiries, and the administrative and support services necessary to accomplish the OIG mission. The Deputy Inspector General acts for the Inspector General when the Inspector General is absent and also works closely with the AIGs to:

- a. Establish priorities;
- b. Provide direction or guidance on projects of special significance; and
- c. Coordinate personnel assignments to projects involving staffs or two or more of the AIGs.

5. *The Counsel to the Inspector General.* As provided in Treasury Order (TO) 107-04, "The General Counsel," dated July 25, 1989, or any successor Order, the Counsel to the Inspector General, an official of the Department's Legal Division and under the supervision of the General Counsel, provides all administrative legal services within the OIG.

6. *The Assistant Inspector General for Audit (AIGA)* is responsible for the following functions.

- a. Manages OIG audit activities, including multi-bureau audits.
- b. Coordinates and participates with the Assistant Inspector General for Investigations and the Assistant Inspector General for Oversight and Quality Assurance on efforts requiring joint audit and investigative activities.

- c. Supervises the Deputy Assistant Inspector General for Audit (Audit Operations) and the Deputy Assistant Inspector General for Audit (Audit Program Services).

(1) *The Deputy Assistant Inspector General for Audit (Audit Operations) (DAIG-AO)* has Treasurywide audit responsibilities, which include all Departmental and bureau program areas, and is responsible for the following functions.

(a) Manages, directs and coordinates the execution of all audits throughout the OIG regional network.

(b) Assists the AIGA with planning and developing audit policies, program goals and objectives.

(c) Provides oversight to the Regional Inspectors General for Audit with regional, multi-region, and nationwide audits. (See OIG field structure at Attachment 2)

(2) *The Deputy Assistant Inspector General for Audit (Audit Program Services) (DAIGA-APS)* is responsible for the following functions.

(a) Develops tactical, strategic, and annual audit plans.

(b) Develops proposals for audit work to be conducted by the OIG.

(c) Provides technical program information in support of audit execution.

(d) Maintains liaison with principal Departmental managers and outside audit organizations.

(e) Assists the AIGA in planning and developing audit policies, program goals and objectives carried out through Audit Program Directors who report to the DAIGA-APS and are responsible for:

1. Providing all technical support, research, planning and liaison duties within their assigned functional areas of responsibility;

2. Conducting long-range and/or issue area planning;

3. Performing research to identify audit issue areas/program needs and specific audits to meet those needs;

4. Monitoring audit progress and implementation of corrective actions;

5. Preparing Office of Management and Budget/congressional testimony;

6. Conducting liaison activities with external organizations; and

7. Supporting audit operations by developing and sharing functional expertise.

(3) *The Director of Audit Program Analysis* is responsible for the following functions.

(a) Analyzes and recommends improvements in the policy, procedures, functions, organization, and operations of the Office of Audit (OA).

(b) Monitors to OA planning processes and recommends changes to meet OA objectives.

(c) Maintains and operates OA's Management Accountability System and issues periodic reports.

(d) Coordinates the development of the OA annual budget, develops and issues quarterly budget allocations within the OA, monitors budgetary expenditures, and recommends appropriate management actions.

(e) Responds to recurring and ad hoc data calls as assigned.

7. *The Assistant Inspector General for Investigations (AIGI)* is responsible for the following functions.

a. Investigates allegations of criminal violations of Federal statutes and violations of other laws and regulations as set forth in TO 114-01.

b. Conducts liaison activities with law enforcement bureau internal affairs and inspection offices.

c. Promotes integrity awareness among employees in coordination with the Designated Agency Ethics Official.

d. Coordinates and participates with the AIGA and the Assistant Inspector General for Oversight and Quality Assurance on efforts requiring joint audit and investigative activities.

e. Supervises the Deputy Assistant Inspector General for Investigations and the Regional Inspectors General for Investigations.

(1) *The Deputy Assistant Inspector General for Investigations* manages the investigative activities performed by the OIG and is responsible for liaison activities with law enforcement bureau internal affairs and inspection offices on investigative matters.

(2) *The Regional Inspectors General for Investigations* are responsible for managing, directing and coordinating investigative activities within their assigned geographic regions.

8. *The Assistant Inspector General for Oversight and Quality Assurance (AIGO)* is responsible for the following functions.

a. Provides oversight to internal investigations performed by ATF, Customs, Secret Service, and for the internal audits and internal investigations performed by the Chief Inspector, IRS.

b. Directs a quality assurance program to ensure that internal OIG audit, investigative, administrative, and management programs are carried out in an efficient and effective manner.

c. Directs studies and/or projects of special interest or which cut across organizational or functional lines.

d. Coordinates and participates with the AIGA and AIGI on those efforts requiring joint audit and investigative activities.

e. Supervises the following organizations: Oversight; Quality Assurance; and Special Projects.

(1) *The Director of Oversight* is responsible for the following functions.

(a) Establishes and directs oversight programs of the internal audit and investigative programs of IRS.

(b) Provides oversight for the internal affairs or inspection operations of ATF, Customs, and Secret Service.

(c) Provides continual feedback on the individual internal affairs and inspection programs regarding their response to the workload and threat assessment associated with each law enforcement environment.

(2) *The Director of Quality Assurance* is responsible for the following functions.

(a) Manages the quality assurance program through which evaluations are made of the audit, investigative and management functions of the OIG.

(b) Recommends changes in OIG audit and investigative, administrative and management policies and procedures as a result of quality assurance reviews and activities.

(3) *The Director of Special Projects* is responsible for responding to issues of special interest, concern and/or immediacy, by conducting reviews, studies and analysis involving Treasury or its bureaus.

9. *The Assistant Inspector General for Policy, Planning, and Resources (AIG-PPR)* is responsible for the following functions.

a. Coordinates policy, planning, and resource activities including personnel, budget training, facilities management and ADP services.

b. Develops and maintains OIG policies and procedures.

c. Coordinates OIG planning efforts, congressional and PCIE liaison activities.

d. Prepares semiannual and other accomplishment reports.

e. Responds to PCIE and other data calls.

f. Operates the OIG Hotline.

g. Coordinates the OIG's legislative and regulatory review activities.

h. Supervises the following organizations: Policy, Planning, and Programs; Management Resources; and ADP Support Programs and Technology.

(1) *The Director of Policy, Planning, and Programs* is responsible for the following functions.

(a) Initiates and maintains OIG policies and procedures and coordinates OIG planning efforts.

(b) Compiles the semiannual report for the Secretary and the Congress and other OIG accomplishment reports; and serves as Treasury's PCIE liaison.

(c) Coordinates PCIE and other data requests and provides technical assistance to Departmental managers of Treasury audit follow-up, Federal Managers' Financial Integrity Act, and information systems risk management programs.

(d) Operates the OIG Hotline.

(e) Coordinates legislative and regulatory review activities within the OIG.

(2) *The Director of Management Resources* is responsible for the following functions.

(a) Supervises the management and administrative programs and functions of the OIG, such as the formulation, presentation and execution of an OIG budget, the personnel management and training programs, the Freedom of Information Act and Privacy Act activities.

(b) Develops OIG policy and procedures for administrative services, including space, property, travel, procurement, printing and graphics, accounting, and all other miscellaneous services.

(3) *The Director of ADP Support Programs and Technology* is responsible for the following functions.

(a) Provides technical assistance in accomplishing audits and investigations of automated systems.

(b) Implements and maintains all OIG automated information systems, including the OIG Management Information System.

(c) Evaluates, acquires, develops and maintains software and hardware systems to support the mission of the OIG.

(d) Represents the OIG for ADP technical matters.

(e) Develops long-range OIG information systems plans, strategies, and budget requirements.

(f) Provides advice to the Inspector General on establishing OIG information systems and information resource management policy and procedures.

10. Authority. 5 U.S.C. App. 3, Inspector General Act of 1978, as amended.

11. References.

a. TO 114-01, "Office of Inspector General," dated May 16, 1989.

b. Treasury Directive 40-01, "Responsibilities of and to the Inspector General," dated December 17, 1986.

c. TO 107-04, "The General Counsel," dated July 25, 1989.

12. *Office of Primary Interest. Office of Inspector General.*

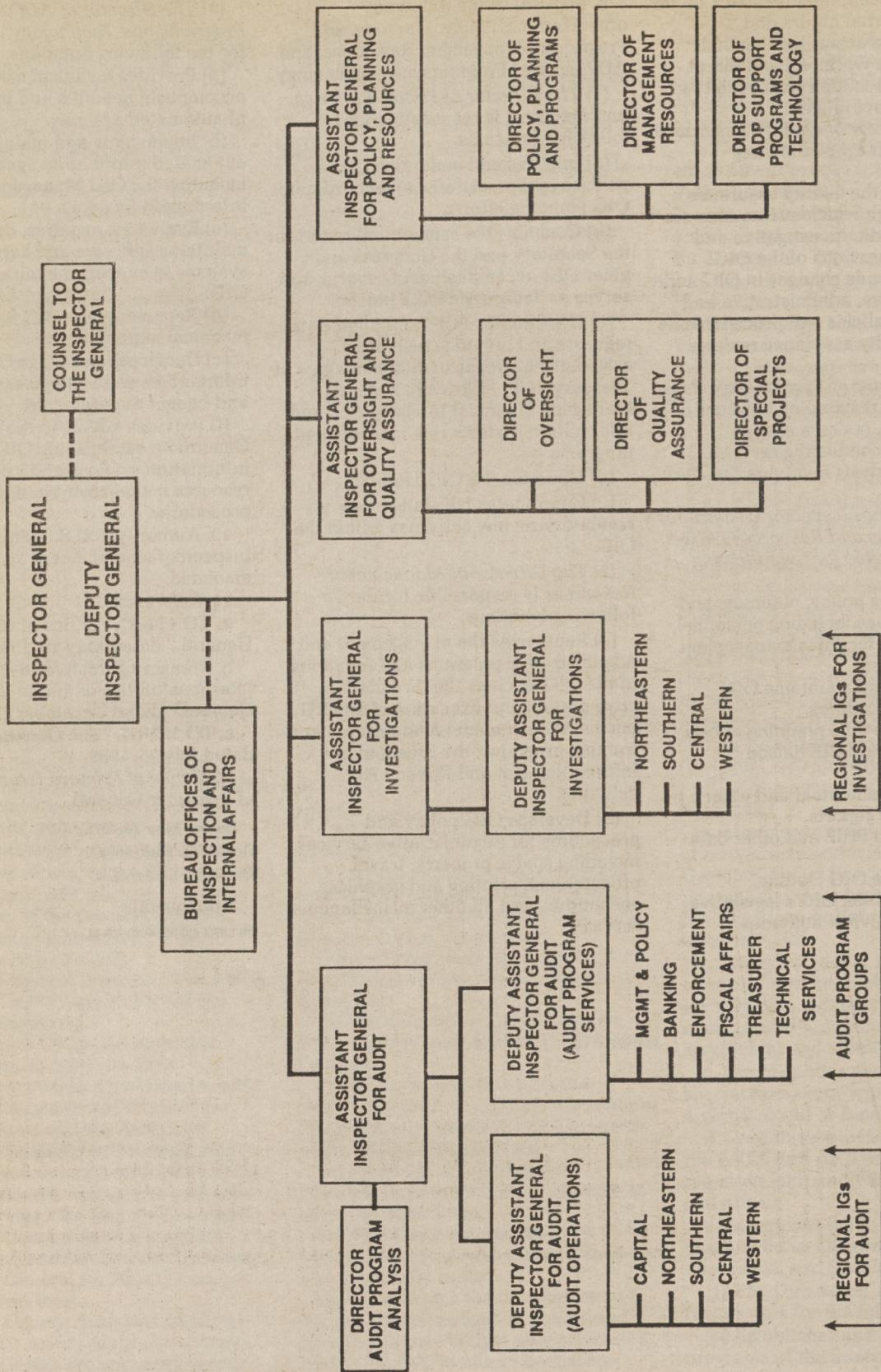
Dated: May 26, 1992.

Donald E. Kirkendall,
Inspector General.

Attachments

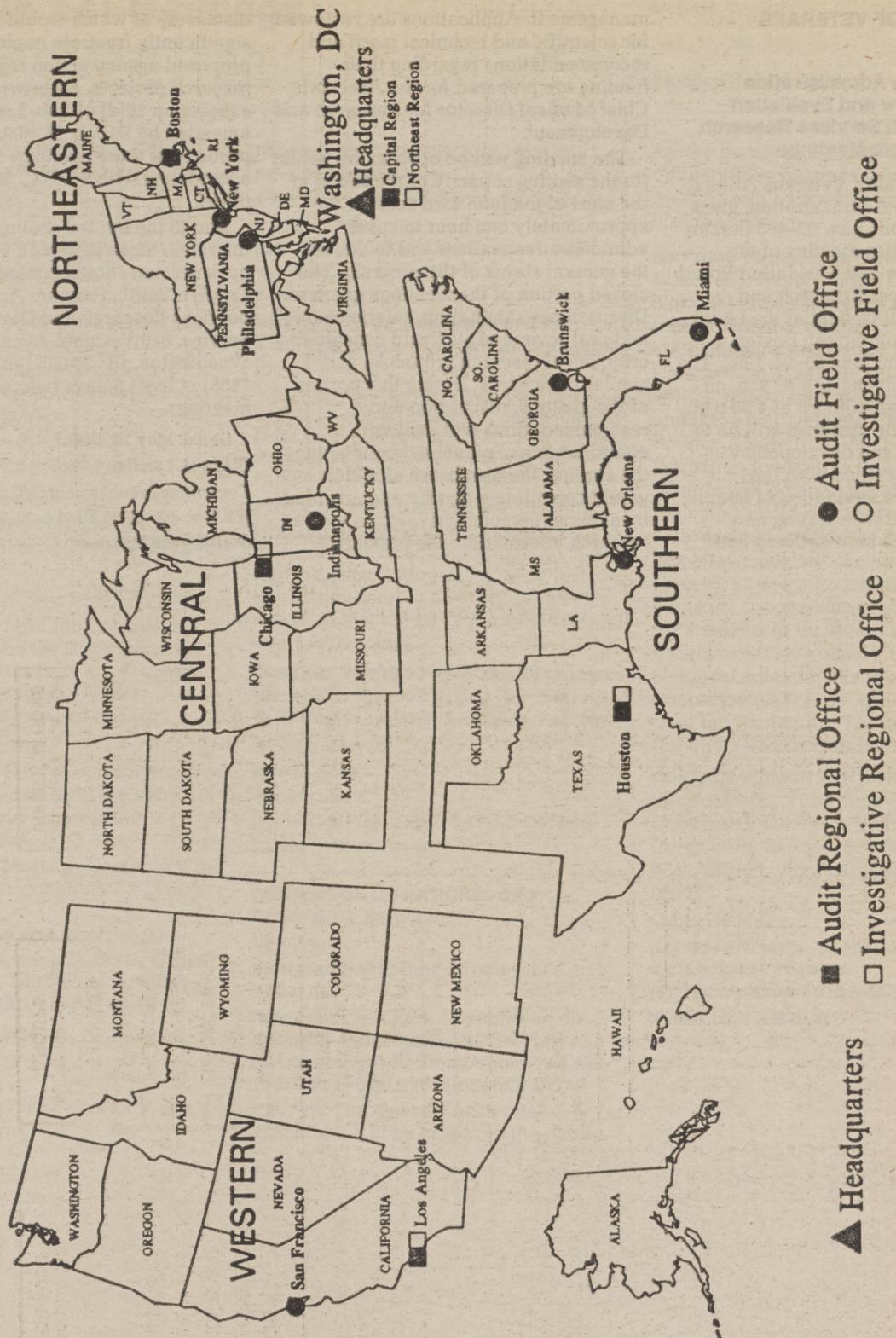
BILLING CODE 4810-25-M

Office of Inspector General



Office of Inspector General

Field Structure



[FR Doc. 92-12727 Filed 5-29-92; 8:45 am]
 BILLING CODE 4810-25-C

DEPARTMENT OF VETERANS AFFAIRS**Veterans Health Administration Scientific Review and Evaluation Board for Health Services Research and Development; Meetings**

The Department of Veterans Affairs, Veterans Health Administration, gives notice under Public Law 92-463 that an advisory committee meeting of the Scientific Review and Evaluation Board for Health Services Research and Development will be held at the Lenox Hotel, 710 Boylston Street, Boston, Massachusetts, on June 23-24, 1992. The meetings will convene at 8:30 a.m. on June 23 and 24 and adjourn at 4:30 p.m. The purpose of the meetings will be to review research and development applications concerned with the measurement and evaluation of health care systems and with testing new methods of health care delivery and

management. Applications are reviewed for scientific and technical merit and recommendations regarding their funding are prepared for the Associate Chief Medical Director for Research and Development.

The meeting will be open to the public (to the seating capacity of the room) at the start of the June 23rd session for approximately one hour to cover administrative matters and to discuss the general status of the program. The closed portion of the meetings involves: Discussion, examination, reference to, and oral review of staff and consultant critiques of research protocols, and similar documents. During this portion of the meeting, discussion and recommendations will deal with qualifications of personnel conducting the studies, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, as well as research information, the premature

disclosure of which would be likely to significantly frustrate implementation of proposed agency action regarding such research projects. As provided by subsection 10(d) of Pub. L. 92-463, as amended by Pub. L. 94-409, closing portions of these meetings is in accordance with 5 U.S.C. 552b(c)(6) and (9)(B).

Due to the limited seating capacity of the room, those who plan to attend the open session should contact Mrs. Carolyn Smith, Program Analyst, Health Services Research and Development Service, 810 Vermont Avenue, NW., Washington, DC 20420, (phone: 202/535-7158) at least 5 days before the meetings.

Dated: May 19, 1992.

Diane H. Landis,

Committee Management Officer.

[FR Doc. 92-12664 Filed 5-29-92; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 57, No. 105

Monday, June 1, 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).

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 10:00 a.m., Wednesday, June 3, 1992.

LOCATION: Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. *Pride in Public Service*

The Commission will present the Pride in Public Service Award to June's recipient.

2. *Choking Hazards (Small Human Figures)*

The staff will brief the Commission on options to address the risk of choking injuries and deaths from small human figures and other toys of similar dimensions with rounded ends.

3. *Ibuprofen—Final Rule*

The staff will brief the Commission on a final rule requiring child-resistant packaging for over-the-counter ibuprofen products.

For a Recorded Message Containing the Latest Agenda Information, Call (301) 504-0709.

CONTACT PERSON FOR ADDITIONAL INFORMATION:

Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, MD 20207, (301) 504-0800.

Dated: May 27, 1992.

Sheldon D. Butts,
Deputy Secretary.

[FR Doc. 92-12823 Filed 5-28-92; 1:47 pm]
BILLING CODE 6355-01-M

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

TIME AND DATE: 10:00 a.m., Wednesday, June 3, 1992.

PLACE: Room 600, 1730 K Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. *Eagle Nest, Incorporated*, Docket No. WEVA 91-293-R (Issues include whether the judge erred in concluding that Eagle Nest's violation of 30 C.F.R. § 75.305 was not of a significant and substantial nature.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR § 2706.150(a)(3) and § 2706.160(e).

CONTACT PERSON FOR MORE INFO: Jean Ellen (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Dated: May 27, 1992.

Jean H. Ellen,
Agenda Clerk.

[FR Doc. 92-12862 Filed 5-28-92; 2:41 pm]
BILLING CODE 6735-01-M

COMMISSION ON NATIONAL AND COMMUNITY SERVICE

Meeting

TIME AND DATE: June 6 from 9:30 a.m. to 6:30 p.m.

PLACE: Office of the Commission on National and Community Service, National Press Building, room 499, 459 14th Street NW., Washington, DC.

STATUS: The meeting, with one exception, will be closed to the public

for the purpose of conducting deliberations on grant applications. The meeting will be open to the public from 9:30 to 10:45 a.m.

MATTERS TO BE CONSIDERED: The Board of Directors of the Commission on National and Community Service will meet to conduct deliberations on grant applications submitted to the Commission in March 1992. The Board will be reviewing applications submitted under the National and Community Service Act, Subtitle B2 (Higher Education Innovative Projects). Grant awards will be announced at a later time. Matters to be discussed during the open session include the minutes of the last Board meeting, the Executive Director's report, which will include plans for announcement of grants and for meetings of the Board of Directors in fiscal year 1993, a report on the status of technical amendments to the Commission's legislation, and reports from the Evaluation, Planning, and Communications Committees.

CONTACT PERSON FOR MORE INFORMATION:

Terry Russell, General Counsel, Commission on National and Community Service, 529 14th Street NW., Washington, DC 20045, (202-724-0600).

Catherine Milton,

Executive Director, Commission on National and Community Service.

[FR Doc. 92-12790 Filed 5-28-92; 4:39 pm]
BILLING CODE 6820-BA-M

Corrections

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 HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Program Announcement for HIV/AIDS Dental Reimbursement Program

Correction

In notice document 92-11572 beginning on page 21122 in the issue of Monday, May 18, 1992, make the following corrections:

1. On page 21122, in the 3rd column, under **Eligibility**, beginning with the 11th line, remove "ible" and the remaining lines.
2. On page 21123, in the first column, remove the first six lines.

BILLING CODE 1505-01-D

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 890

RIN 3260-AD23

Federal Employees Health Benefits Program; Opportunity for Certain Annuitants to Reenroll

Correction

In proposed rule document 92-8708 beginning on page 13667 in the issue of Friday, April 17, 1992, make the following correction:

On page 13668, in the second column, in the third full paragraph, in the fifth line, "voluntary" should read "involuntary".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 91-ANE-43; Amendment 39-8086; AD 91-24-01]

Airworthiness Directives; General Electric Company CF6-6 Turbofan Engines

Correction

In rule document 92-10288 beginning on page 19079 in the issue of Monday, May 4, 1992, in the first column, the Docket number should read as set forth above.

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 139

[Docket No. 24812; Amdt. No. 139-19]

Airport Certification; Extension of Certain Compliance Dates

Correction

In rule document 92-9322 beginning on page 15162, in the issue of Friday, April 24, 1992, make the following correction:

On page 15163, in the second column, in the third line, "January 1, 1993" should read "January 1, 1994".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 91-AWP-16]

Proposed Alteration of VOR Federal Airway V-186; CA

Correction

In proposed rule document 92-10908 beginning on page 20219 in the issue of

Federal Register

Vol. 57, No. 105

Monday, June 1, 1992

Tuesday, May 12, 1992, make the following correction:

§ 71.1 [Corrected]

On page 20220, in the first column, in the last paragraph, in the second line, "Filmore" should read "Fillmore".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 92-AAL-1]

Proposed Alteration and Designation of VOR Federal Airways; AK

Correction

In proposed rule document 92-11047 beginning on page 20217 in the issue of Tuesday, May 12, 1992, make the following correction:

§ 71.1 [Corrected]

On page 20218, in the first column, in the heading of last paragraph, "VC-482" should read "V-482".

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 91-AWA-10]

Proposed Alteration of Jet Route J-167 and Revocation of Jet Route J-529; AK

Correction

In proposed rule document 92-11048 beginning on page 20218 in the issue of Tuesday, May 12, 1992, make the following correction:

§ 71.1 [Corrected]

On page 20219, in the first column, in the last line, in two places after "AK", the colons should be semicolons.

BILLING CODE 1505-01-D



Monday
June 1, 1992

Part II

Department of Education

**Research in Education of Individuals With
Disabilities Program; Notice Inviting
Applications for New Awards for Fiscal
Year 1992**

DEPARTMENT OF EDUCATION

[CFDA No.: 84.023]

Research in Education of Individuals With Disabilities Program; Notice Inviting Applications for New Awards for Fiscal Year 1992

Purpose of Program: To assist research and related activities, and to conduct research, surveys, or demonstrations, relating to the education of and early intervention services for infants, toddlers, children, and youth with disabilities.

Eligible Applicants: Eligible applicants are State and local educational agencies, institutions of higher education, and other public agencies and nonprofit private organizations.

Applications Available: June 8, 1992.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 85, and 86; (b) The regulations for this program in 34 CFR part 324; and (c) When published in final form the notice of proposed priorities.

Four proposed priorities under the Research in Education of Individuals with Disabilities Program were announced in the January 28, 1992 **Federal Register**. The four priorities were: (1) Initial Career Awards; (2) Research on Self-Determination in Individuals with Disabilities; (3) Including Children with Disabilities as a Part of Systemic Efforts to Restructure Schools; and (4) Ombudsperson Projects for Children and Youth with Disabilities. It is the policy of the Department of Education not to solicit applications before the publication of final priorities. However, for priorities 1, 2, and 3 it is essential to solicit applications on the basis of the notice of proposed priorities as published in the **Federal Register** on January 28, 1992 (57 FR 3250-3257), because the Department's authority to obligate these funds will expire on September 30, 1992. It is anticipated that a notice inviting applications for priority 4, Ombudsperson Projects for Children and Youth with Disabilities, will be announced at the same time the final priorities are published in the **Federal Register**.

The public comment period for the notice of proposed priorities ended on March 30, 1992. Twenty-one parties submitted comments. A summary of the comments and responses related to priority 4 "Ombudsperson Projects for Children and Youth with Disabilities" will be included with the publication of the final priorities. A summary of the

comments and responses for priorities 1, 2, and 3 follows.

The first commenter encouraged the inclusion of psychoeducational assessments and intervention services, and the integration of services such as physical therapy, occupational therapy, speech therapy, etc., with educational programs as specific topics of interest under priority 1. As written, the priority supports projects to conduct research and related activities consistent with the purpose of the program as stated in the program regulations at 34 CFR 324.1. The purpose of the program is stated very broadly and includes support to: (1) advance and improve the knowledge base and improve the practice of professionals, parents, and others providing early intervention, special education, and related services, including professionals who work with children with disabilities in regular education environments, to provide children with disabilities effective instruction and enable them to learn successfully; and (2) research and related activities, surveys, or demonstrations relating to physical education or recreation, including therapeutic recreation, for children with disabilities. The Secretary concurs that the activities recommended by the commenter are important, and believes that they are included under the rubric of the broad purpose statements, and that to specify only those activities proposed by the commenter would be overly prescriptive.

The second commenter recommended that priority 2: (1) Funding recognize the divergent needs of varying disability populations, particularly students with mental retardation and learning disabilities; (2) projects extend and augment the self determination projects funded through the Secondary Education and Transition Services Branch; and (3) projects include the involvement of individuals with disabilities as well as their families. The priority as written recognizes the divergent needs of varying disability populations, and requires projects, in identifying the individual variables of self-determination, to be sensitive to individual characteristics affecting self-determination such as age, level of functioning, cultural differences, and nature of disability. Because self-determination has been identified as a goal by individuals with the full array of disabling conditions, including individuals with cognitive deficits, the Secretary believes that it should be left to the applicant to delineate the subject characteristics in their study.

In response to the commenter's second recommendation, the priority as

written requires collaboration with other projects to maximize project benefits. The Secretary prefers not to limit or prescribe which projects are worthy of collaboration.

With respect to the commenter's third recommendation, the Secretary notes that the priority, as written, requires the participation of individuals with disabilities, as well as parents of individuals with disabilities, in project activities (e.g., developing the conceptual framework, and in identifying the individual variables of self-determination).

The third commenter stated that concepts such as self-determination are personal and subjective and heavily influenced by culture. The commenter recommended that in attempting to provide educators with a vehicle for defining and measuring self-determination as an explicit educational goal in priority 2, the cultural background and language experience of a people must be validated. The Secretary believes that this concern is addressed in the development of the approach and its subsequent field testing. As written, the priority requires projects to be sensitive to individual characteristics affecting self-determination, such as: age, level of functioning, cultural differences, and nature of disability, and further requires projects to sample the domains of school, home, work, and community.

The fourth commenter recommended that priority 3 specifically state that school restructuring, whether at the State, district, or building level, must have the ultimate goal of ensuring that students with disabilities be fully included in all aspects of school life, including education provided in supported, heterogeneous, age-appropriate, regular classrooms with students who do not have disabilities, as well as in all other curricular and extracurricular programs and activities of the school. The purpose of the priority is to develop and implement systemic changes at the school level required to incorporate effective practices for children with disabilities into broader school-based educational reform and restructuring initiatives. In the "Activities" section of the priority, projects are required to "****" specify the diverse educational outcomes that the school is committed to achieving for *all children* (emphasis added), including children with disabilities." Also, an inclusionary orientation is reflected in the requirement under "Project Planning" that states the reform and restructuring activities must reflect principles for effecting systemic change

as well as systemic features that facilitate the participation and achieve better educational outcomes for children with disabilities. The Secretary believes that the priority, as written, provides for the inclusion of children with disabilities in all aspects of school life.

The fifth commenter recommended that priority 3: (1) Encourage applicants to address the needs of children with disabilities who are included in restructured environments within inner city schools; (2) support and encourage research that will lead to the design of effective support systems to ensure success for students with disabilities in restructured environments; (3) permit a wide range of use of funds to provide supports such as personnel, consultation, technology, assistive devices, inservice training, travel,

university collaboration, program development, and dissemination of results; (4) support funding for parent education, travel, purchase of reference materials, and childcare, in an effort to maximize opportunities for full parental participation; and (5) support active student involvement in the projects. The purpose of this priority is to support model projects that develop and implement systemic change at the school level. With the exception of research, activity (6), the priority allows for an applicant to propose and justify the types of activities recommended by the commenter. The Secretary believes that the specific use of funds and their justification should be defined by the applicant, not prescribed by the Department.

The sixth commenter stated that system change should not result in the placement of all children with learning disabilities in regular classrooms because the nature of the disability in an individual child may be such that the child cannot learn appropriately in that setting. The Secretary concurs, and does not believe that the priority, as written, requires such an approach.

Based on the comments received on priorities 1, 2, and 3, the only changes expected in the final priorities are of a technical editorial nature. Applicants are advised to submit their applications based on the priorities as proposed. If changes are made in the final priorities, applicants will be provided the opportunity to amend or resubmit their applications.

RESEARCH PRIORITIES FOR FISCAL YEAR 1992

Title and CFDA No.	Deadline for transmittal of applications	Available funds	Estimated size of awards (per year) ¹	Estimated number of awards	Project period in months
Initial Career Awards (CFDA No. 84.023N).....	07/09/92	\$300,000	\$75,000	4	Up to 36.
Research on Self-Determination in Individuals With Disabilities (CFDA No. 84.023J),	07/13/92	800,000	200,000	4	Up to 24
Including Children With Disabilities as a Part of Systemic Efforts to Restructure Schools (CFDA No. 84.023R).	07/13/92	1,050,000	150,000	7	Up to 48.

¹ Amounts listed are the estimated funding levels for the first 12 months of the projects. Multi-year projects are likely to be level funded unless there are increases in costs attributable to significant changes in activity level.

Note.—The Department of Education is not bound by any estimates in this notice, except as otherwise provided by statute.

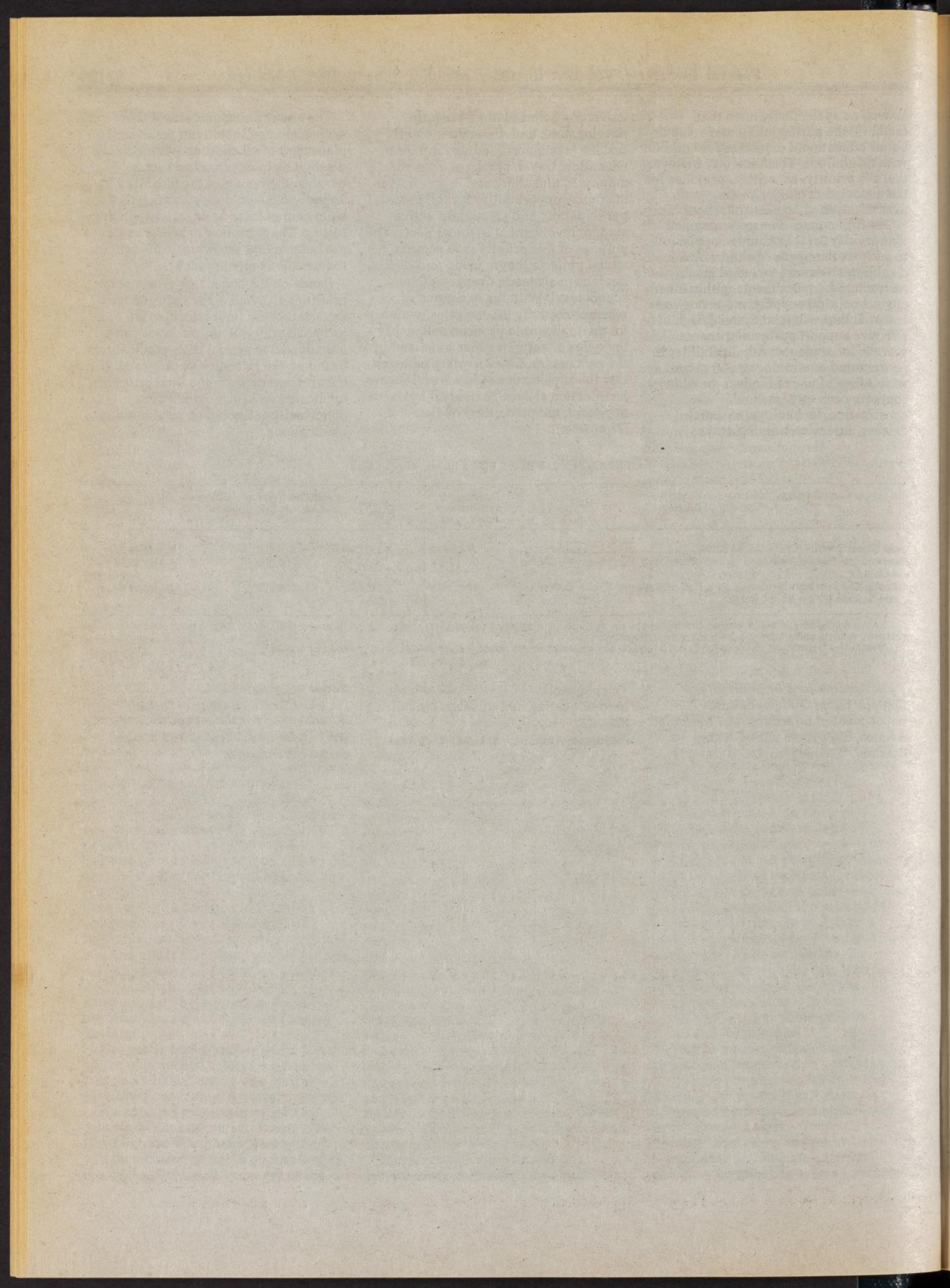
For Applications or Information
Contact: Linda Glidewell, U.S.
Department of Education, 400 Maryland
Avenue, SW., room 3524, Switzer
Building, Washington, DC 20202-2640.

Telephone: (202) 732-1099. Deaf and hard of hearing individuals may call (202) 732-6153.

Program Authority: 20 U.S.C. 1441-1443.

Dated: May 26, 1992.

Robert R. Davila,
Assistant Secretary, Office of Special Education and Rehabilitative Services.
 [FR Doc. 92-12690 Filed 5-29-92; 8:45 am]
BILLING CODE 4000-01-M



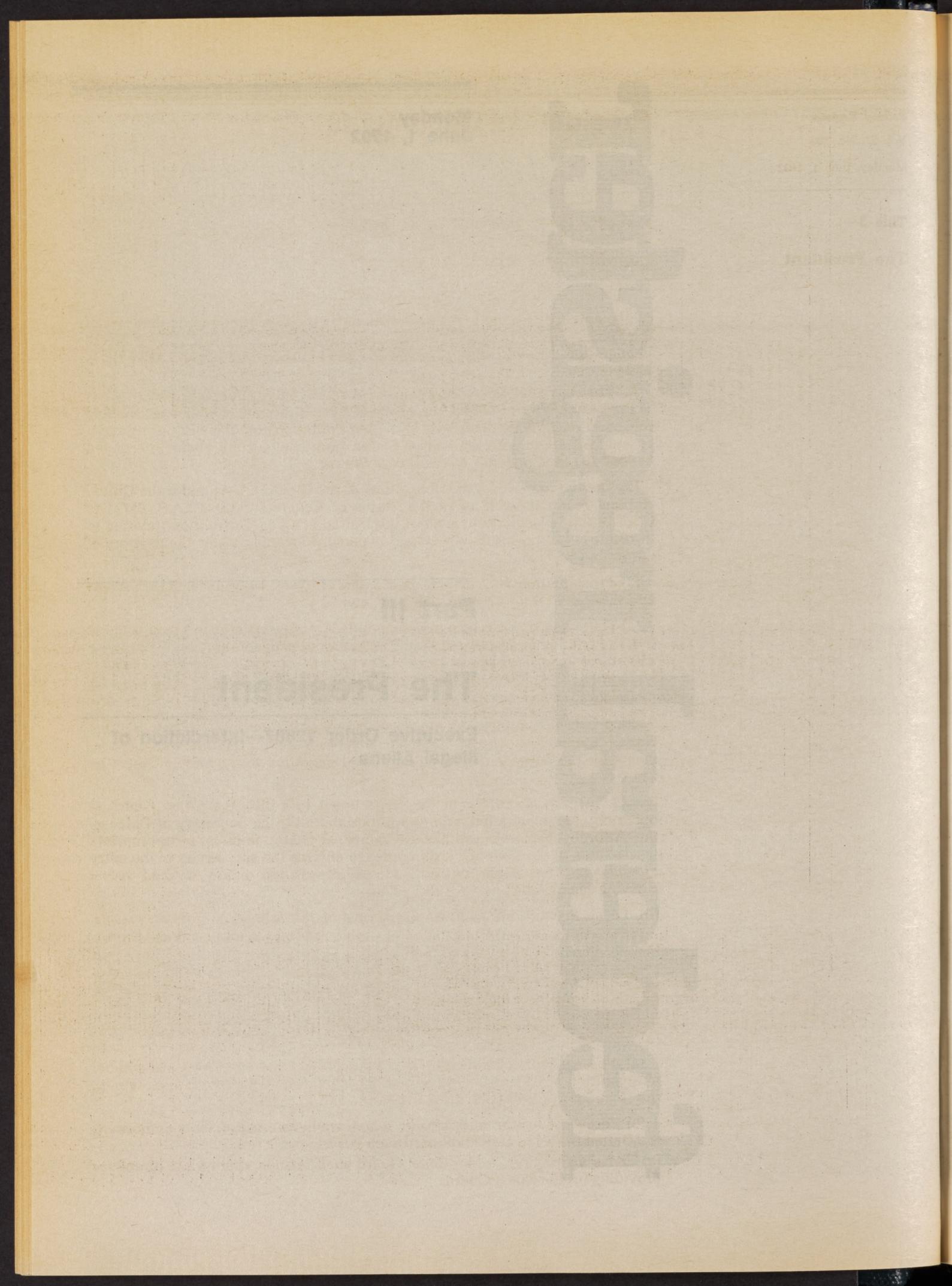
Monday
June 1, 1992



Part III

The President

Executive Order 12807—Interdiction of
Illegal Aliens



Presidential Documents

Title 3—

Executive Order 12807 of May 24, 1992

The President

Interdiction of Illegal Aliens

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 212(f) and 215(a)(1) of the Immigration and Nationality Act, as amended (8 U.S.C. 1182(f) and 1185(a)(1)), and whereas:

(1) The President has authority to suspend the entry of aliens coming by sea to the United States without necessary documentation, to establish reasonable rules and regulations regarding, and other limitations on, the entry or attempted entry of aliens into the United States, and to repatriate aliens interdicted beyond the territorial sea of the United States;

(2) The international legal obligations of the United States under the United Nations Protocol Relating to the Status of Refugees (U.S. T.I.A.S. 6577; 19 U.S.T. 6223) to apply Article 33 of the United Nations Convention Relating to the Status of Refugees do not extend to persons located outside the territory of the United States;

(3) Proclamation No. 4865 suspends the entry of all undocumented aliens into the United States by the high seas; and

(4) There continues to be a serious problem of persons attempting to come to the United States by sea without necessary documentation and otherwise illegally;

I, GEORGE BUSH, President of the United States of America, hereby order as follows:

Section 1. The Secretary of State shall undertake to enter into, on behalf of the United States, cooperative arrangements with appropriate foreign governments for the purpose of preventing illegal migration to the United States by sea.

Sec. 2. (a) The Secretary of the Department in which the Coast Guard is operating, in consultation, where appropriate, with the Secretary of Defense, the Attorney General, and the Secretary of State, shall issue appropriate instructions to the Coast Guard in order to enforce the suspension of the entry of undocumented aliens by sea and the interdiction of any defined vessel carrying such aliens.

(b) Those instructions shall apply to any of the following defined vessels:

(1) Vessels of the United States, meaning any vessel documented or numbered pursuant to the laws of the United States, or owned in whole or in part by the United States, a citizen of the United States, or a corporation incorporated under the laws of the United States or any State, Territory, District, Commonwealth, or possession thereof, unless the vessel has been granted nationality by a foreign nation in accord with Article 5 of the Convention on the High Seas of 1958 (U.S. T.I.A.S. 5200; 13 U.S.T. 2312).

(2) Vessels without nationality or vessels assimilated to vessels without nationality in accordance with paragraph (2) of Article 6 of the Convention on the High Seas of 1958 (U.S. T.I.A.S. 5200; 13 U.S.T. 2312).

(3) Vessels of foreign nations with whom we have arrangements authorizing the United States to stop and board such vessels.

(c) Those instructions to the Coast Guard shall include appropriate directives providing for the Coast Guard:

(1) To stop and board defined vessels, when there is reason to believe that such vessels are engaged in the irregular transportation of persons or violations of United States law or the law of a country with which the United States has an arrangement authorizing such action.

(2) To make inquiries of those on board, examine documents and take such actions as are necessary to carry out this order.

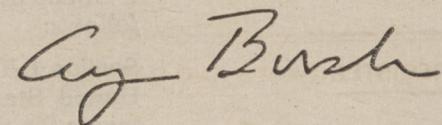
(3) To return the vessel and its passengers to the country from which it came, or to another country, when there is reason to believe that an offense is being committed against the United States immigration laws, or appropriate laws of a foreign country with which we have an arrangement to assist; provided, however, that the Attorney General, in his unreviewable discretion, may decide that a person who is a refugee will not be returned without his consent.

(d) These actions, pursuant to this section, are authorized to be undertaken only beyond the territorial sea of the United States.

Sec. 3. This order is intended only to improve the internal management of the Executive Branch. Neither this order nor any agency guidelines, procedures, instructions, directives, rules or regulations implementing this order shall create, or shall be construed to create, any right or benefit, substantive or procedural (including without limitation any right or benefit under the Administrative Procedure Act), legally enforceable by any party against the United States, its agencies or instrumentalities, officers, employees, or any other person. Nor shall this order be construed to require any procedures to determine whether a person is a refugee.

Sec. 4. Executive Order No. 12324 is hereby revoked and replaced by this order.

Sec. 5. This order shall be effective immediately.



THE WHITE HOUSE,
May 24, 1992.

[FR Doc. 92-12893]

Filed 5-28-92; 5:03 pm]

Billing code 3195-01-M

Editorial note: For the White House statement on the Haitian refugees, see issue 22 of the *Weekly Compilation of Presidential Documents*.

Reader Aids

i

Federal Register

Vol. 57, No. 105

Monday, June 1, 1992

INFORMATION AND ASSISTANCE

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CFR PARTS AFFECTED DURING JUNE

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "P L U S" (Public Laws Update Service) on 202-523-6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202-512-2470).

S. 1182/P.L. 102-292

Fishlake National Forest
Enlargement Act. (May 26, 1992; 106 Stat. 181; 2 pages)
Price: \$1.00

S. 452/P.L. 102-293

To authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, and for other purposes. (May 27, 1992; 106 Stat. 183; 2 pages) Price: \$1.00

S. 749/P.L. 102-294

To rename and expand the boundaries of the Mound City Group National Monument in Ohio. (May 27, 1992; 106 Stat. 185; 2 pages) Price: \$1.00

Last List May 26, 1992

FEDERAL REGISTER PAGES AND DATES, JUNE

23043-23134.....1

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, stock numbers, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

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Title	Stock Number	Price	Revision Date
1, 2 (2 Reserved)	(869-017-00001-9).....	\$13.00	Jan. 1, 1992
3 (1991 Compilation and Parts 100 and 101)	(869-017-00002-7).....	17.00	¹ Jan. 1, 1992
4.....	(869-017-00003-5).....	16.00	Jan. 1, 1992
5 Parts:			
1-699	(869-017-00004-3).....	18.00	Jan. 1, 1992
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52	(869-017-00010-8).....	24.00	Jan. 1, 1992
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210-299	(869-017-00012-4).....	26.00	Jan. 1, 1992
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1120-1199.....	(869-017-00019-1).....	9.50	Jan. 1, 1992
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10 Parts:			
0-50	(869-013-00029-3).....	21.00	Jan. 1, 1991
51-199	(869-017-00030-2).....	18.00	Jan. 1, 1992
200-399	(869-017-00031-1).....	13.00	⁴ Jan. 1, 1987
400-499	(869-017-00032-9).....	20.00	Jan. 1, 1992
500-End	(869-017-00033-7).....	28.00	Jan. 1, 1992
11.....	(869-017-00034-5).....	12.00	Jan. 1, 1992
12 Parts:			
1-199	(869-017-00035-3).....	13.00	Jan. 1, 1992
200-219	(869-017-00036-1).....	13.00	Jan. 1, 1992
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13.....	(869-017-00041-8).....	25.00	Jan. 1, 1992

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60-139	(869-017-00043-4).....	22.00	Jan. 1, 1992
140-199	(869-017-00044-2).....	11.00	Jan. 1, 1992
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17 Parts:			
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20 Parts:			
1-399	(869-013-00063-3).....	16.00	Apr. 1, 1991
400-499	(869-013-00064-1).....	25.00	Apr. 1, 1991
500-End	(869-013-00065-0).....	21.00	Apr. 1, 1991
21 Parts:			
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170-199	(869-013-00068-4).....	17.00	Apr. 1, 1991
200-299	(869-013-00069-2).....	5.50	Apr. 1, 1991
300-499	(869-013-00070-6).....	28.00	Apr. 1, 1991
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800-1299.....	(869-013-00073-1).....	18.00	Apr. 1, 1991
1300-End	(869-013-00074-9).....	7.50	Apr. 1, 1991
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1700-End	(869-013-00082-0).....	13.00	⁵ Apr. 1, 1990
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2-29	(869-013-00095-1).....	21.00	Apr. 1, 1991
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600-End	(869-013-00101-0)	6.50	Apr. 1, 1991	41 Chapters:			
27 Parts:				1, 1-1 to 1-10		13.00	³ July 1, 1984
1-199	(869-013-00102-8)	29.00	Apr. 1, 1991	1, 1-11 to Appendix, 2 (2 Reserved)		13.00	³ July 1, 1984
200-End	(869-013-00103-6)	11.00	Apr. 1, 1991	3-6		14.00	³ July 1, 1984
28	(869-013-00104-4)	28.00	July 1, 1991	7		6.00	³ July 1, 1984
29 Parts:				8		4.50	³ July 1, 1984
0-99	(869-013-00105-2)	18.00	July 1, 1991	9		13.00	³ July 1, 1984
100-499	(869-013-00106-1)	7.50	July 1, 1991	10-17		9.50	³ July 1, 1984
500-899	(869-013-00107-9)	27.00	July 1, 1991	18, Vol. I, Parts 1-5		13.00	³ July 1, 1984
900-1899	(869-013-00108-7)	12.00	July 1, 1991	18, Vol. II, Parts 6-19		13.00	³ July 1, 1984
1900-1910 (§§ 1901.1 to				18, Vol. III, Parts 20-52		13.00	³ July 1, 1984
1910.999)	(869-013-00109-5)	24.00	July 1, 1991	19-100		13.00	³ July 1, 1984
1910 (§§ 1910.1000 to				1-100	(869-013-00153-2)	8.50	⁷ July 1, 1990
end)	(869-013-00110-9)	14.00	July 1, 1991	101	(869-013-00154-1)	22.00	July 1, 1991
1911-1925	(869-013-00111-7)	9.00	⁶ July 1, 1989	102-200	(869-013-00155-9)	11.00	July 1, 1991
1926	(869-013-00112-5)	12.00	July 1, 1991	201-End	(869-013-00156-7)	10.00	July 1, 1991
1927-End	(869-013-00113-3)	25.00	July 1, 1991	42 Parts:			
30 Parts:				1-60	(869-013-00157-5)	17.00	Oct. 1, 1991
1-199	(869-013-00114-1)	22.00	July 1, 1991	61-399	(869-013-00158-3)	5.50	Oct. 1, 1991
200-699	(869-013-00115-0)	15.00	July 1, 1991	400-429	(869-013-00159-1)	21.00	Oct. 1, 1991
700-End	(869-013-00116-8)	21.00	July 1, 1991	430-End	(869-013-00160-5)	26.00	Oct. 1, 1991
31 Parts:				43 Parts:			
0-199	(869-013-00117-6)	15.00	July 1, 1991	1-999	(869-013-00161-3)	20.00	Oct. 1, 1991
200-End	(869-013-00118-4)	20.00	July 1, 1991	1000-3999	(869-013-00162-1)	26.00	Oct. 1, 1991
32 Parts:				4000-End	(869-013-00163-0)	12.00	Oct. 1, 1991
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1-39, Vol. III		18.00	² July 1, 1984	1-199	(869-013-00165-6)	18.00	Oct. 1, 1991
1-189	(869-013-00119-2)	25.00	July 1, 1991	200-499	(869-013-00166-4)	12.00	Oct. 1, 1991
190-399	(869-013-00120-6)	29.00	July 1, 1991	500-1199	(869-013-00167-2)	26.00	Oct. 1, 1991
400-629	(869-013-00121-4)	26.00	July 1, 1991	1200-End	(869-013-00168-1)	19.00	Oct. 1, 1991
630-699	(869-013-00122-2)	14.00	July 1, 1991	46 Parts:			
700-799	(869-013-00123-1)	17.00	July 1, 1991	1-40	(869-013-00169-9)	15.00	Oct. 1, 1991
800-End	(869-013-00124-9)	18.00	July 1, 1991	41-69	(869-013-00170-2)	14.00	Oct. 1, 1991
33 Parts:				70-89	(869-013-00171-1)	7.00	Oct. 1, 1991
1-124	(869-013-00125-7)	15.00	July 1, 1991	90-139	(869-013-00172-9)	12.00	Oct. 1, 1991
125-199	(869-013-00126-5)	18.00	July 1, 1991	140-155	(869-013-00173-7)	10.00	Oct. 1, 1991
200-End	(869-013-00127-3)	20.00	July 1, 1991	156-165	(869-013-00174-5)	14.00	Oct. 1, 1991
34 Parts:				166-199	(869-013-00175-3)	14.00	Oct. 1, 1991
1-299	(869-013-00128-1)	24.00	July 1, 1991	200-499	(869-013-00176-1)	20.00	Oct. 1, 1991
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400-End	(869-013-00130-3)	26.00	July 1, 1991	47 Parts:			
35	(869-013-00131-1)	10.00	July 1, 1991	0-19	(869-013-00178-8)	19.00	Oct. 1, 1991
36 Parts:				20-39	(869-013-00179-6)	19.00	Oct. 1, 1991
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40 Parts:				2 (Parts 252-299)	(869-013-00186-9)	10.00	Dec. 31, 1991
1-51	(869-013-00138-9)	27.00	July 1, 1991	3-6	(869-013-00187-7)	19.00	Oct. 1, 1991
52	(869-013-00139-7)	28.00	July 1, 1991	7-14	(869-013-00188-5)	26.00	Oct. 1, 1991
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86-99	(869-013-00143-5)	29.00	July 1, 1991	*100-177	(869-013-00191-5)	23.00	Dec. 31, 1991
100-149	(869-013-00144-3)	30.00	July 1, 1991	178-199	(869-013-00192-3)	17.00	Dec. 31, 1991
150-189	(869-013-00145-1)	20.00	July 1, 1991	200-399	(869-013-00193-1)	22.00	Oct. 1, 1991
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400-424	(869-013-00149-4)	23.00	July 1, 1991	50 Parts:			
425-699	(869-013-00150-8)	23.00	⁶ July 1, 1989	1-199	(869-013-00197-4)	21.00	Oct. 1, 1991
700-789	(869-013-00151-6)	20.00	July 1, 1991	200-599	(869-013-00198-2)	17.00	Oct. 1, 1991
790-End	(869-013-00152-4)	22.00	July 1, 1991	600-End	(869-013-00199-1)	17.00	Oct. 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, 1991. 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.

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June 3	June 18	July 6	July 20	August 3	September 1
June 4	June 19	July 6	July 20	August 3	September 2
June 5	June 22	July 6	July 20	August 4	September 3
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June 9	June 24	July 9	July 24	August 10	September 8
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June 15	June 30	July 15	July 30	August 14	September 14
June 16	July 1	July 16	July 31	August 17	September 14
June 17	July 2	July 17	August 3	August 17	September 15
June 18	July 6	July 20	August 3	August 17	September 16
June 19	July 6	July 20	August 3	August 18	September 17
June 22	July 7	July 22	August 6	August 21	September 21
June 23	July 8	July 23	August 7	August 24	September 21
June 24	July 9	July 24	August 10	August 24	September 22
June 25	July 10	July 27	August 10	August 24	September 23
June 26	July 13	July 27	August 10	August 25	September 24
June 29	July 14	July 29	August 13	August 28	September 28
June 30	July 15	July 30	August 14	August 31	September 28

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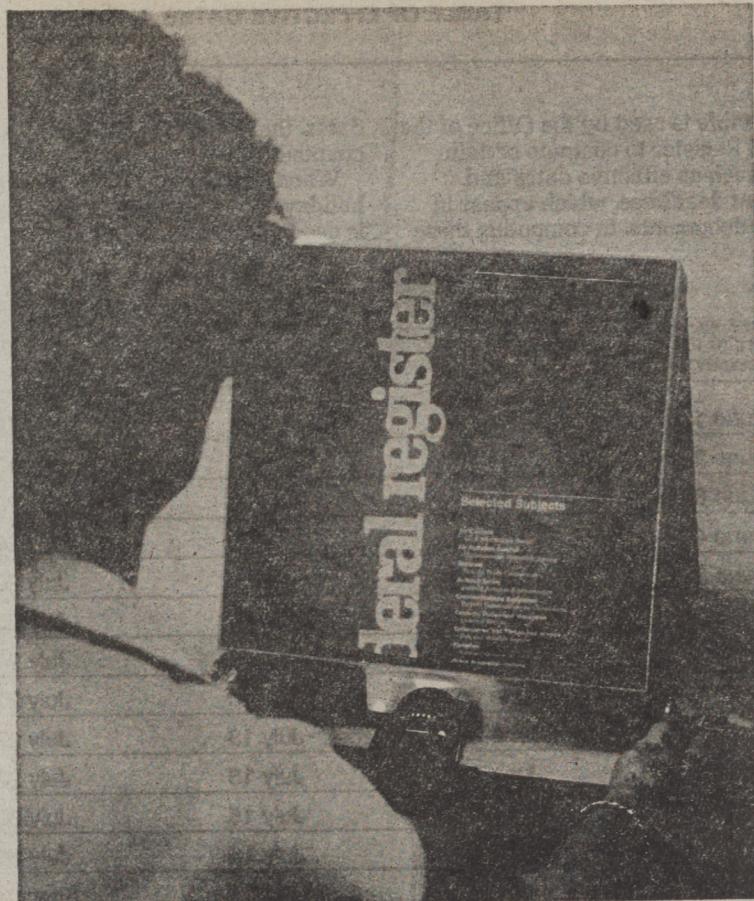
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