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# federal register

Wednesday  
January 26, 1994

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# Federal Register

**Briefings on How To Use the Federal Register**  
For information on briefings in Washington, DC, see  
announcement on the inside cover of this issue.



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## THE FEDERAL REGISTER

### WHAT IT IS AND HOW TO USE IT

- FOR:** Any person who uses the Federal Register and Code of Federal Regulations.
- WHO:** The Office of the Federal Register.
- WHAT:** Free public briefings (approximately 3 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
  2. The relationship between the Federal Register and Code of Federal Regulations.
  3. The important elements of typical Federal Register documents.
  4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

## WASHINGTON, DC

### (TWO BRIEFINGS)

- WHEN:** February 17 at 9:00 am and 1:30 pm
- WHERE:** Office of the Federal Register, 7th Floor Conference Room, 800 North Capitol Street NW, Washington, DC (3 blocks north of Union Station Metro)
- RESERVATIONS:** 202-523-4538



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**Electronic Bulletin Board**Free **Electronic Bulletin Board** service for Public Law numbers and **Federal Register** finding aids is available on 202–275–1538 or 275–0920.

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

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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.

## DEPARTMENT OF AGRICULTURE

### Farmers Home Administration

#### 7 CFR Part 2018

#### Extension of the Delegation of Authority for Freedom of Information Act and Privacy Act Requests

**AGENCY:** Farmers Home Administration, USDA.

**ACTION:** Final rule.

**SUMMARY:** The purpose of this amendment to the Farmers Home Administration (FmHA) regulations is to expand the delegation of authority to include the Freedom of Information/Privacy Act Specialist and Management Analyst positions located in the Freedom of Information/Torts Section at the National Office, and the State Administrative Officers/Administrative Program Chiefs. This action is necessary due to a noticeable increase in Freedom of Information requests that must be processed. The intended effect is to speed up the processing of the Freedom of Information Act requests.

**EFFECTIVE DATE:** January 26, 1994.

**FOR FURTHER INFORMATION CONTACT:** Dorothy Hinden, Freedom of Information Officer, General Services Staff, Farmers Home Administration (FmHA), USDA, room 6847, South Agriculture Building, 14th and Independence Avenue SW., Washington, DC 20250-0700, Telephone (202) 720-9638.

#### SUPPLEMENTARY INFORMATION:

##### Background

The State Directors, District Directors, County Supervisors and the Freedom of Information Officer are the only positions currently delegated authority to respond to requests under the Freedom of Information Act (FOIA). During the last several years there has been a noticeable increase in FOIA

requests made to FmHA. To speed up processing these requests, it will be necessary to expand the delegation of authority to include the Administrative Officers and Administrative Program Chief for each state and two additional professional positions, Freedom of Information/Privacy Act Specialist and Management Analyst, located in the FmHA Freedom of Information/Torts Section at the National Office.

#### Classification

This action has been reviewed under USDA procedures which implement Executive Order 12886. The action is exempt from those requirements because it involves only internal Agency management. While it is USDA policy to publish for comment rules relating to public property, loans, grants, benefits, or contracts notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules, this action involves only internal Agency management. Therefore, publication for comment is unnecessary.

#### List of Subjects in 7 CFR Part 2018

Administrative practice and procedure, Freedom of information.

Accordingly, part 2018 of chapter XVIII, title 7, Code of Federal Regulations, is amended as follows:

#### PART 2018—GENERAL

1. The authority citation for part 2018 continues to read as follows:

**Authority:** 5 U.S.C. 552.

#### Subpart F—Availability of Information

2. The introductory paragraph of § 2018.254 is revised to read as follows:

##### § 2018.254 Requests for records.

Requests for records are to be submitted in accordance with 7 CFR 1.3 and may be made to the appropriate County Supervisor, District Director, State Administrative Officer, State Administrative Program Chief, State Director, or the Freedom of Information/Privacy Act Specialist, Management Analyst, or Freedom of Information Officer. The last three positions are located in the General Services Staff, Farmers Home Administration, Washington, DC 20250-0700. The phrase "FOIA REQUEST" should appear on the outside of the envelope in capital letters. Requests should be as specific as possible in describing the

records being requested. The Freedom of Information Officer, Freedom of Information/Privacy Act Specialist, Management Analyst, each State Administrator Officer, each Administrative Program Chief, each State Director, each District Director, and each County Supervisor are delegated authority to act respectively at the National, state, district, or county level on behalf of Farmers Home Administration to:

\* \* \* \* \*

Dated: December 14, 1993.

**Bob Nash,**

*Under Secretary, Small Community and Rural Development.*

[FR Doc. 94-1603 Filed 1-25-94; 8:45 am]

BILLING CODE 3410-07-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 93-NM-231-AD; Amendment 39-8806; AD 94-02-08]

#### Airworthiness Directives; McDonnell Douglas Model MD-11 Series Airplanes

**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 McDonnell Douglas Model MD-11 series airplanes. This action requires an inspection to detect chafing damage to certain wiring in the main avionics rack, repair or replacement of damaged wiring, and modification of the wiring installation. This amendment is prompted by a report of a chafed wire harness found on the main avionics rack on one airplane that resulted in arcing damage to the wire harness and adjacent structure. The actions specified in this AD are intended to prevent chafing of the main avionics rack wiring, which could result in arcing and a fire in the wire bundle; this could lead to damage to aircraft systems and loss of associated aircraft functions.

**DATES:** Effective February 10, 1994.

The incorporation by reference of certain publications listed in the

regulations is approved by the Director of the Federal Register as of February 10, 1994.

Comments for inclusion in the Rules Docket must be received on or before March 28, 1994.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 93-NM-231-AD, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, P.O. Box 1771, Long Beach, California 90846-0001, Attention: Business Unit Manager, Technical Publications, C1-HDR (54-60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Brett Portwood, Aerospace Engineer, Systems & Equipment Branch, ANM-132L, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3229 East Spring Street, Long Beach, California 90806-2425; telephone (310) 988-5347; fax (310) 988-5210.

**SUPPLEMENTARY INFORMATION:** Recently, one operator of McDonnell Douglas Model MD-11 series airplanes reported one instance of the auto ground spoiler failing to arm on one airplane. Investigation revealed two wires that had burnt in half and several charred wires on shelf 3 of the aft section of the main avionics rack. These wires apparently had chafed and shorted on the screws that attach the wire bundle trough assembly to the rack. Additionally, the protective tape was worn from the attach screw heads. The operator then conducted a fleet inspection and found additional wire chafing at the same location on another airplane. The operator also found worn protective tape (exposed screw heads) at various locations on the avionics racks on other airplanes. Chafing of the wiring in the main avionics rack, if not detected and corrected in a timely manner, could result in arcing and a fire in the wire bundle; this could lead to damage to aircraft systems and the loss of associated aircraft functions.

The FAA has reviewed and approved McDonnell Douglas MD-11 Alert Service Bulletin A24-75, dated

December 22, 1993, that describes procedures for performing a visual inspection to detect chafing damage to the wire harness located on the aft side of the main avionics rack on shelves 1 through 4. It also describes procedures for repairing or replacing damaged wiring, and modifying the wiring installation by bonding nylon sheets between the wire harnesses and the protective tape on the screw heads.

Since an unsafe condition has been identified that is likely to exist or develop on other Model MD-11 series airplanes of the same type design, this AD is being issued to prevent chafing of the main avionics rack wiring, which could result in arcing and fire in the wire bundle, and lead to damage to aircraft systems and the subsequent loss of associated aircraft functions. This AD requires a detailed visual inspection to detect chafing damage to the wire harnesses located on the aft side of the main avionics rack on shelves 1 through 4. Any damaged wiring must be replaced or repaired prior to further flight. Additionally, operators are required to modify the wiring installation by bonding nylon sheets between the wire harnesses and the protective tape on the screw heads. The actions are required to be accomplished in accordance with the service bulletin described previously.

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

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 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 93-NM-231-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 that must be issued immediately to correct an unsafe condition in aircraft, and is not a "significant regulatory action" under Executive Order 12866. 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. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

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

**94-02-08 McDonnell Douglas:** Amendment 39-8806. Docket 93-NM-231-AD.

**Applicability:** Model MD-11 series airplanes; manufacturer's fuselage numbers 447 through 558, inclusive; certificated in any category.

**Compliance:** Required as indicated, unless accomplished previously.

To prevent chafing of the main avionics rack wiring, which could result in arcing and a fire in the wire bundle, damage to aircraft systems, and subsequent loss of associated aircraft functions, accomplish the following:

(a) Within 30 days after the effective date of this AD, conduct a one-time detailed visual inspection to detect chafing damage to the wire harnesses located on the aft side of the main avionics rack on shelves 1 through 4, left and right sides, in accordance with McDonnell Douglas MD-11 Alert Service Bulletin A24-75, dated December 22, 1993.

(b) If no damage is detected during the inspection required by paragraph (a) of this AD, prior to further flight, modify the wiring installation in accordance with the service bulletin.

(c) If any damage is detected during the inspection required by paragraph (a) of this AD, prior to further flight, accomplish the requirements of paragraphs (c)(1), (c)(2), and (c)(3) of this AD in accordance with the service bulletin:

- (1) Repair or replace the damaged wiring;
- (2) Modify the wiring installation; and
- (3) Perform a return-to-service test of the affected wiring system.

(d) 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, Los Angeles Aircraft Certification Office (ACO). Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

**Note:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(e) 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.

(f) The inspection, repair, replacement, and modification shall be done in accordance with McDonnell Douglas MD-11 Alert Service Bulletin A24-75, dated December 22, 1993. 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 McDonnell Douglas Alert Service Bulletin A24-75, dated December 22, 1993. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington; or at the Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3229 East Spring Street, Long Beach, California; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(g) This amendment becomes effective on February 10, 1994.

Issued in Renton, Washington, on January 14, 1994.

**John J. Hickey,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 94-1464 Filed 1-25-94; 8:45 am]

**BILLING CODE 4910-13-U**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 178**

[Docket No. 93F-0361]

**Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 4-[[5-[[[4-(aminocarbonyl)phenyl]amino]carbonyl]-2-methoxyphenyl]azo]-N-(5-chloro-2,4-dimethoxyphenyl)-3-hydroxy-2-naphthalenecarboxamide (C.I. Pigment Red 187) as a colorant for all polymers intended for use in contact with food. This action is in response to a petition filed by Hoechst Celanese Corp.

**DATES:** Effective January 26, 1994; written objections and requests for a hearing by February 25, 1994.

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

**FOR FURTHER INFORMATION CONTACT:** Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9500.

**SUPPLEMENTARY INFORMATION:** In a notice published in the *Federal Register* of October 29, 1993 (58 FR 58172), FDA announced that a food additive petition (FAP 3B4402) had been filed by Hoechst

Celanese Corp., 500 Washington St., Coventry, RI 02186, proposing that § 178.3297 *Colorants for polymers* (21 CFR 178.3297) be amended to provide for the safe use of 4-[[5-[[[4-(aminocarbonyl)phenyl]amino]carbonyl]-2-methoxyphenyl]azo]-N-(5-chloro-2,4-dimethoxyphenyl)-3-hydroxy-2-naphthalenecarboxamide (C.I. Pigment Red 187) as a colorant in all polymers intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed use of the additive is safe and that the regulations in § 178.3297 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this regulation may at any time on or before February 25, 1994, file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any

particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects in 21 CFR Part 178**  
Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

**PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS**

1. The authority citation for 21 CFR part 178 continues to read as follows:

**Authority:** Secs. 201, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

Section 178.3297 is amended in the table in paragraph (e) by alphabetically adding a new entry under the headings "Substances" and "Limitations" to read as follows:

**§ 178.3297 Colorants for polymers.**

\* \* \* \* \*  
(e) \* \* \*

Substances	Limitations
4-[[5-[[[4-(Aminocarbonyl) phenyl] amino]carbonyl]-2-methoxyphenyl]azo]-N-(5-chloro-2,4-dimethoxyphenyl)-3-hydroxy-2-naphthalene-carboxamide (C.I. Pigment Red 187, CAS Reg. No. 59487-23-9).	For use at levels not to exceed 1 percent by weight of polymers. The finished articles are to contact foods only under conditions of use B through H described in Table 2 of § 176.170(c) of this chapter.

Dated: January 11, 1994.  
**Fred R. Shank,**  
Director, Center for Food Safety and Applied Nutrition.  
[FR Doc. 94-1422 Filed 1-25-94; 8:45 am]  
BILLING CODE 4160-01-F

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**  
[OPP-300293A; FRL-4740-7]  
RIN 2070-AB78

**Orthoarsenic Acid; Revocation of Tolerance**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule.

**SUMMARY:** This document revokes the tolerance in 40 CFR 180.180 for residues of the pesticide orthoarsenic acid (commonly known as arsenic acid) in or on the raw agricultural commodity cottonseed. EPA is initiating this action because all registered uses of arsenic acid on cotton have been canceled.  
**EFFECTIVE DATE:** This regulation becomes effective January 26, 1994.

**ADDRESSES:** Written objections or hearing requests, identified by the document control number, [OPP-300293A], may be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control

number and submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring copy of objections and hearing requests to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

**FOR FURTHER INFORMATION CONTACT:** By mail: Ann Sibold, Special Review and Reregistration Division (7508W), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Special Review Branch, Crystal Station #1, 3rd Floor, Arlington, VA 22202, Telephone: (703)-308-8033.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of September 22, 1993 (58 FR 49267), EPA issued a proposal to revoke the tolerance for arsenic acid on cottonseed because the use of arsenic acid on cotton was voluntarily canceled. A previous notice in the Federal Register of May 6, 1993 (58 FR 26975) had acknowledged that existing stocks of Elf Atochem North America and Voluntary Purchasing Groups arsenic acid products could be sold until October 31, 1993, and applied by end users until December 31, 1993. Because use will continue through the end of 1993, all treated raw cottonseed may not clear processing mills and feed markets until July 1, 1995. Therefore, to effect

the revocation, EPA proposed to establish an expiration date for the tolerance of July 1, 1995. EPA predicts there will be an insignificant or no economic impact from revoking this tolerance because EPA is allowing ample time for legally treated commodities, i.e., treated prior to December 31, 1993, to pass through the channels of trade.

EPA believes that arsenic acid is not used on cotton grown in other countries and imported into the United States. Once the tolerance for arsenic acid on cottonseed is revoked, it will be unlawful to import into the United States any cottonseed treated with arsenic acid.

After legally treated cottonseed has cleared the market, residues of arsenic acid resulting from pesticide application are not expected to be detected. Therefore, action levels to cover residues of arsenic acid from past uses of the pesticide will not be recommended.

No public comments or requests for referral to an advisory committee were received in response to the proposed rule. Therefore, based on the information considered by the Agency and discussed in detail in the September 22, 1993 proposal and in this final rule, the Agency is hereby revising 40 CFR 180.180 for residues of orthoarsenic acid to stipulate that the 4-ppm tolerance for orthoarsenic acid in or on cottonseed expires on July 1, 1995.

Any person adversely affected by this regulation revoking the tolerance may, within 30 days after publication of this document in the Federal Register, file written objections and/or a request for a

hearing with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of any objections and hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on each such issue, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

#### Executive Order 12866

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to all the requirements of the Executive Order (i.e., Regulatory Impact Analysis, review by the Office of Management and Budget (OMB)). Under section 3(f), the order defines "significant" as those actions likely to lead to a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also known as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlements, grants, user fees, or loan programs; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order.

The Agency believes that the domestic use of arsenic acid is limited and will end this year with the voluntary cancellation and termination of the provision for sale and use of existing stocks. Further, its use, if any,

on imported commodities is insignificant. Since the tolerance is being revoked 18 months after the last legal domestic use on cotton, impacts are expected to be minimal.

For those reasons, pursuant to the terms of this Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

#### Regulatory Flexibility Act

This rulemaking has been reviewed under the Regulatory Flexibility Act of 1980 (Pub. L. 96-354, 94 Stat. 1164; 5 U.S.C. 601 *et seq.*), and it has been determined that it will not have a significant economic impact on a substantial number of small businesses, small governments, or small organizations. The reasons for this conclusion are discussed in the September 22, 1993 proposal.

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 11, 1994.

Victor J. Kimm,

Acting Assistant Administrator for Prevention, Pesticides and Toxic Substances.

Therefore, 40 CFR part 180 is amended as follows:

#### PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By revising § 180.180 to read as follows:

#### § 180.180 Orthoarsenic acid.

A tolerance that expires on July 1, 1995, of 4 parts per million of combined As<sub>2</sub>O<sub>3</sub> is established for residues of the defoliant orthoarsenic acid in or on the raw agricultural commodity cottonseed.

[FR Doc. 94-1619 Filed 1-25-94; 8:45 am]

BILLING CODE 6560-50-F

#### 40 CFR Part 180

[OPP-300312A; FRL-4747-7]

RIN 2070-AB78

#### Vinyl Acetate-Ethylene Copolymer; Tolerance Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** This document establishes an exemption from the requirement of a tolerance for residues of vinyl acetate-ethylene copolymer (CAS Reg. No. 24937-78-8) when used as an inert ingredient (component of water-soluble film) in pesticide formulations applied to growing crops only. This regulation was requested by Air Products and Chemicals, Inc.

**EFFECTIVE DATE:** This regulation becomes effective January 26, 1994.

**ADDRESSES:** Written objections, identified by the document control number, [OPP-300312A], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. A copy of any objections and hearing requests filed with the Hearing Clerk should be identified by the document control number and submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring copy of objections and hearing requests to: Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202. Fees accompanying objections shall be labeled "Tolerance Petition Fees" and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251.

**FOR FURTHER INFORMATION CONTACT:** By mail: Connie Welch, Registration Support Branch, Registration Division (7508W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Westfield Building North, 6th Fl., 2800 Crystal Drive, Arlington, VA 22202, (703)-308-8320.

**SUPPLEMENTARY INFORMATION:** In the Federal Register of November 24, 1993 (58 FR 62072), EPA issued a proposed rule giving notice that Air Products and Chemicals, Inc., 7201 Hamilton, Blvd., Allentown, PA 18195-1501, had submitted pesticide petition (PP) 3E4275 to EPA proposing to amend 40 CFR 180.1001(d) to establish an exemption from the requirement of a tolerance for residues of vinyl acetate-ethylene copolymer (CAS Reg. No. 24937-78-8) when used as an inert ingredient (component of water-soluble film) in pesticide formulations applied to growing crops only.

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125, and include, but are not limited to, the following types of ingredients (except when they have a

pesticidal efficacy of their own): solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not intended to imply nontoxicity; the ingredient may or may not be chemically active.

There were no comments or requests for referral to an advisory committee received in response to the proposed rule.

The data submitted with the proposal and other relevant material have been evaluated and discussed in the proposed rule. Based on the data and information considered, the Agency concludes that the tolerance exemption will protect the public health. Therefore, the tolerance exemption is established as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections and/or request a hearing with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on

which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

Under Executive Order 12866 (58 FR 51735, Oct. 4, 1993), the Agency must determine whether the regulatory action is "significant" and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines a "significant regulatory action" as an action that is likely to result in a rule (1) having an annual effect on the economy of \$100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities (also referred to as "economically significant"); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations or recipients thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or

the principles set forth in this Executive Order.

Pursuant to the terms of the Executive Order, EPA has determined that this rule is not "significant" and is therefore not subject to OMB review.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (46 FR 24950).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 11, 1994.

**Douglas D. Camp**,  
*Director, Office of Pesticide Programs.*

Therefore, 40 CFR part 180 is amended as follows:

**PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

2. Section 180.1001(d) is amended by adding and alphabetically inserting the inert ingredient, to read as follows:

**§ 180.1001 Exemptions from the requirement of a tolerance.**

\* \* \* \* \*  
(d) \* \* \*

Inert ingredients	Limits	Uses
Vinyl acetate-ethylene copolymer (CAS Reg. No. 24937-78-8); minimum number average molecular weight 69,000.	.....	Component of water-soluble film.

\* \* \* \* \*

[FR Doc. 94-1620 Filed 1-25-94; 8:45 am]  
BILLING CODE 6560-50-F

## GENERAL SERVICES ADMINISTRATION

### 48 CFR Parts 538 and 552

[APD 2800.12A, CHGE51]

#### General Services Administration Acquisition Regulation; Contractor Identification of Products With Environmental Attributes

**AGENCY:** Office of Acquisition Policy,  
GSA.

**ACTION:** Interim rule with request for  
comments.

**SUMMARY:** The General Services Administration Acquisition Regulation (GSAR) is revised to further policies expressed in various statutes and executive orders that are intended to promote technological innovation and the development of products that reduce energy consumption, conserve natural resources, and are less harmful to consumers and the environment. Established executive branch policy requires Federal agencies to adopt policies that encourage industries to develop such products and to maximize their use. This change to the GSAR prescribes a clause for inclusion in multiple award schedules that encourages offerors to identify those products that they market commercially with environmentally beneficial claims.

**DATES:** *Effective Date:* January 28, 1994.

*Comment Date:* Comments on the interim rule should be submitted to the address below on or before March 28, 1994 to be considered in the formulation of the final rule.

**ADDRESSES:** Interested parties should submit written comments to Ms. Marjorie Ashby, General Services Administration, Office of GSA Acquisition Policy, 18th and F Sts., NW., Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** Paul Linfield, Office of GSA Acquisition Policy (202) 501-1224.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Various statutes, including the Energy Policy and Conservation Act, as amended (42 U.S.C. 6201 et seq.), the Energy Policy Act of 1992 (Pub. L. 102-486), the Clean Air Act Amendments of 1990 (Pub. L. 101-549), and the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901

et seq.), require Federal agencies to consider energy-efficiency and other environmental considerations in their procurement practices. These requirements are reinforced in a number of executive orders, including Executive Orders 11912, 12759, 12843, 12845 and 12873. As a major procuring agency, the GSA, through its multiple awards schedule programs, provides encouragement to suppliers to produce products with environmental attributes and can assist Federal agencies in meeting their responsibilities expressed in the various statutes and executive orders through the identification of those products.

##### B. Executive Order 12866

This rule was reviewed by the Office of Management and Budget (OMB) in accordance with Executive Order 12866, Regulatory Planning and Review.

##### C. Regulatory Flexibility Act

Under multiple award schedules, contractors currently are required to submit certain marketing information with their offers and to publish and distribute to ordering agencies commercial catalogs and/or pricelists. This rule requests the voluntary identification of certain information currently submitted by contractors.

##### D. Paperwork Reduction Act

This regulation contains information collection and/or recordkeeping requirements that have been approved by OMB under section 3504(h) of the Paperwork Reduction Act and assigned OMB Control No. 3090-0250, Zero Burden Information Collection (expires 11/30/95). GSA believes that the time and financial resources necessary for members of the public to comply with the requirements of this rule are limited to those that are ordinarily incurred in the normal course of business activities. Specifically, contractors normally prepare catalogs and pricelists that are furnished to prospective buyers as a means of marketing and advertising the contractor's products.

Comments on the information collection requirement in this rule may be directed to the Office of Information and Regulatory Affairs of OMB. Attention: Desk Officer for GSA, Washington, DC 20503, and to Ms. Marjorie Ashby, Office of GSA Acquisition Policy, room 4006, 18th and F Sts., NW., Washington, DC 20405.

##### E. Determination To Issue an Interim Rule

A determination has been made under the authority of the Administrator of General Services (GSA) to issue the

regulation as an interim rule. Compelling reasons require the promulgation of this rule before affording the public an opportunity to comment in order to meet certain implementation dates established in Executive Order 12843 and 12845, dated April 21, 1993. Pursuant to Public Law 98-577 and FAR 1.501, public comments received in response to this interim rule will be considered in formulating the final rule.

##### List of Subjects in 48 CFR Parts 538 and 552

Government procurement.

Therefore, 48 CFR parts 538 and 552 are amended to read as follows:

1. The authority citation for 48 CFR parts 538 and 552 continues to read as follows:

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

##### PART 538—GSA SCHEDULE CONTRACTING

2. Section 538.203-71 is amended by adding paragraph (d) to read as follows:

##### 538.203-71 Contract clauses.

\* \* \* \* \*

(d) The contracting officer shall insert the clause at 552.238-75, Identification of Energy-Efficient Office Equipment and Supplies Containing Recovered Materials or Other Environmental Attributes, in solicitations and contracts awarded under the multiple award schedule program unless the contracting officer concludes that the solicitation does not include items that are marketed commercially and have environmentally beneficial features.

##### PART 552—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

3. Section 552.238-75 is added to read as follows:

##### 552.238-75 Identification of Energy-Efficient Office Equipment and Supplies Containing Recovered Materials or Other Environmental Attributes.

As prescribed in 538.203-71(d), insert the following clause:

##### Identification of Energy-Efficient Office Equipment and Supplies Containing Recovered Materials or Other Environmental Attributes (Jan. 1994)

(a) *Definitions.* Energy-efficient office equipment, as used in this clause, means office equipment that provide equivalent or better performance and value to users, but uses significantly less energy than competing models.

Recovered materials, as used in this clause, means waste material and by-products which have been recovered or diverted from solid waste, but such term does not include those

materials and by-products generated from, and commonly reused, within an original manufacturing process (42 U.S.C. 6903(19)).

(b) The offeror is encouraged to identify in its offer and include in any commercial catalogs and pricelists submitted to the Contracting Officer, energy-efficient office equipment and supplies that contain recovered material or other environmental attributes. An example of energy-efficient office equipment is microcomputers and associated equipment identified by the Environmental Protection Agency's (EPA's) Energy Star Logo. Supplies that contain recovered materials and other environmental attributes include products identified in EPA procurement guidelines (40 CFR Parts 248 through 253) and products that are either degradable, ozone safe, recyclable, contain

low volatile organic content compounds, or contribute to source reduction. Such supplies shall satisfy the guidance contained in 16 CFR Part 260, Guides for the Use of Environmental Marketing Claims.

(c) An offeror, in identifying an item with an environmental attribute, shall possess evidence or rely upon a reasonable basis to substantiate the claim (see 16 CFR 260.5). The Government will accept an offeror's claim of an item's environmental attribute on the basis of—

(1) Participation in a Federal agency sponsored program, e.g., EPA's Energy Star Computer program;

(2) Verification by an independent organization that specializes in certifying such claims; or

(3) Possession of competent and reliable evidence. For any test, analysis, research, study or other evidence to be "competent and reliable," it must have been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

(End of Clause)

Dated: November 15, 1993.

**Richard H. Hopf, III,**

*Associate Administrator, Office of Acquisition Policy.*

[FR Doc. 94-1453 Filed 1-25-94; 8:45 am]

BILLING CODE 6820-61-M

# Proposed Rules

Federal Register

Vol. 59, No. 17

Wednesday, January 26, 1994

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 VETERANS AFFAIRS

### 38 CFR Part 13

RIN 2900-AD35

#### Full Disclosure of Beneficiary's Income and Assets

AGENCY: Department of Veterans Affairs.

ACTION: Proposed regulations.

**SUMMARY:** Action is being taken to amend Department of Veterans Affairs (VA) regulations to reflect changes in the law which require certain fiduciaries of incompetent beneficiaries of veterans' benefits to report non-VA income in conjunction with required formal or informal accountings. Under current regulation, fiduciaries recognized by VA are not required to divulge non-VA income and assets that the fiduciary may be holding on behalf of incompetent VA beneficiaries. These amendments will permit implementation of the law, allow for a greater degree of protection of the income and estates of incompetent VA beneficiaries and reduce the incidence of waste, fraud and abuse of VA benefits by certain Federal fiduciaries, and court-appointed fiduciaries.

**DATES:** Comments must be received on or before March 28, 1994. This amendment is proposed to be effective 30 days after the date of publication of the final rule. Comments will be available for public inspection until April 6, 1994.

**ADDRESSES:** Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Secretary of Veterans Affairs (271A), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) until April 6, 1994. Any person visiting Department of Veterans Affairs Central Office in

Washington, DC for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 170. Such visitors to any VA field stations will be informed that records are available for inspection only in Central Office and furnished the address and the above room number. A copy of any comments that concern information collection requirements should also be sent to the Office of Management and Budget at the address contained in the Paperwork Reduction section of this preamble.

**FOR FURTHER INFORMATION CONTACT:** Ronald Weaver, Program Analyst, Fiduciary and Equal Opportunity Staff, Department of Veterans Affairs, Veterans Benefits Administration, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-2091.

**SUPPLEMENTARY INFORMATION:** Public Law 99-576, section 505 amended 38 U.S.C. 5502(b) (formerly 38 U.S.C. 3202(b)) to permit the Secretary of Veterans Affairs to require a fiduciary to disclose, as part of the accounting process, any financial information which is available to the fiduciary concerning the non-VA income and assets of an incompetent beneficiary of VA benefits. The particular regulations to be amended deal specifically with the responsibilities of Federal fiduciaries and court-appointed fiduciaries, and the authority of the Veterans Services Officers at VA Regional Offices to request an accounting from a fiduciary. Each regulation would be amended to include the requirement that non-VA income and assets be subject to inclusion in VA requested formal or informal accountings.

These changes will greatly enhance VA's ability to prevent waste, fraudulent use or abuse of the VA benefits of an incompetent beneficiary by the VA recognized fiduciary. The changes will permit VA to formalize a procedure that has only been informal and unenforceable in the past, namely the request for a total accounting of income and assets managed by a fiduciary.

#### The Paperwork Reduction Act

These regulatory amendments contain new information collection requirements as VA will be requiring fiduciaries to provide a type of information which we have not previously required. As required by section 3504(h) of the Paperwork

Reduction Act, the Department of Veterans Affairs is submitting to the Office of Management and Budget (OMB) a request that it approve this information collection requirement. Organizations and individuals desiring to submit comments for consideration by OMB on this proposed information collection requirement should address them to the Office of Information and Regulatory Affairs, OMB Room 3002, New Executive Office Building, Washington, DC 20503, Attention: Joseph F. Lackey.

The Secretary hereby certifies that these regulatory amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. Therefore, pursuant to 5 U.S.C. 605(b), these regulatory amendments are exempt from the initial and final regulatory flexibility analyses requirements of §§ 603 and 604. The reason for this certification is that the additional information fiduciaries are being asked to provide is that which they already have but have not previously provided, requiring no additional data collection. In addition, the number of fiduciaries who will be reporting additional income to comply with the proposed change is expected to be only 1% or approximately 300 of the approximately 30,000 fiduciaries who submit accountings.

There is no Catalog of Federal Domestic Assistance Program number.

#### List of Subjects in 38 CFR Part 13

Administrative practices and procedures, Estates, Fraud, Handicapped, Infants and children, Investigations, Surety bonds, Trusts and trustees, Veterans.

Approved: October 22, 1993.

*Jesse Brown,*  
Secretary of Veterans Affairs.

For the reasons set forth in the preamble, 38 CFR part 13 is proposed to be amended as follows:

#### PART 13—VETERANS BENEFITS ADMINISTRATION, FIDUCIARY ACTIVITIES

1. The authority citation for part 13 continues to read as follows:

**Authority:** 72 Stat. 1114, 1232, as amended, 1237; 38 U.S.C. 501(a), 5502, 5503, 5711, unless otherwise noted.

**§ 13.59 [Amended]**

2. In § 13.59, paragraph (a), the last sentence is removed.

3. Section 13.100, paragraph (a)(1), is revised and an authority citation is added to read as follows: § 13.100, paragraph (b) and its authority citation are revised to read as follows:

**§ 13.100 Supervision of fiduciaries.**

(a) \* \* \*

(1) Require an accounting, formal or informal, of Department of Veterans Affairs benefits paid to the authorized payees listed under § 13.55(b) (3), (4), (6), (7) or (8). Such accounting will include all information available to the fiduciary concerning the beneficiary's income and estate derived from non-Department of Veterans Affairs sources.

(Authority: 38 U.S.C. 5502)

\* \* \* \* \*

(b) *Court-appointed fiduciaries.* In court-appointed fiduciary cases, the Veterans Services Officer will take such informal action as may be necessary to assure that the needs of the beneficiary are provided for and Department of Veterans Affairs benefits are prudently administered and adequately protected. Formal or informal accountings may be required from such fiduciaries, with or without judicial proceedings. If an accounting is required such accounting will include all information requested, including all information available to the fiduciary concerning the beneficiary's income and estate derived from non-Department of Veterans Affairs sources.

(Authority: 38 U.S.C. 501, 5502)

\* \* \* \* \*

[FR Doc. 94-1538 Filed 1-25-94; 8:45 am]

BILLING CODE 8320-01-M

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**ENVIRONMENTAL PROTECTION AGENCY**
**40 CFR Parts 72 and 73**

[FRL-4829-1]

**Acid Rain Program: Permits and Allowance System Proposed Regulations; Change in Public Comment Period for the Proposed Revisions to the Rules**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rules; change in public comment period.

**SUMMARY:** On November 18, 1993, EPA published proposed regulations revising 40 CFR parts 72 and 73, the Permits and Allowance System rules of the Acid Rain Program. The original comment

period for the proposal was to have ended January 3, 1994. By notice published on December 30, 1993, EPA extended the public comment period to end on January 19, 1994. In response to requests from interested parties, EPA is again extending the public comment period, which will end on February 10, 1994. In addition to the questions set forth in the November 18, 1993 notice of proposed rulemaking, EPA is requesting that commenters address whether and, if so, under what circumstances allowances allocated by EPA to substitution or compensating units under the January 11, 1993 regulations would be given back to EPA at some future date.

**DATES:** Notice is hereby given that comments on the proposed revisions to the Permits and Allowance System rules published November 18, 1993 in the **Federal Register** (58 FR 60649-60968) must be submitted in writing and in duplicate to EPA by February 10, 1994.

**ADDRESSES:** Send comments to EPA Air Docket Section (LE-131), Attention: Docket No. A-93-40, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. Comments received on this proposal will be available for reviewing and copying from 8 a.m. to 4 p.m., Monday through Friday, excluding Federal holidays, in room M-1500, Waterside Mall, 401 M Street, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** The Acid Rain Hotline at (202) 233-9620 or Dwight C. Alpern, Attorney-advisor, at (202) 233-9151, Acid Rain Division (6204J), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

**SUPPLEMENTARY INFORMATION:** In the November 18, 1993 notice of proposed rulemaking, EPA requested comment on whether certain substitution plans and reduced utilization plans with compensating units should be approved, and allowances allocated to approved substitution and compensating units, for 1995 under the January 11, 1993 regulations and whether action on these compliance options for 1996-99 should be deferred pending completion of the instant rulemaking proceeding. Comment was also requested concerning whether approval of these compliance options should be for some shorter or longer period, with action on them for the remaining portion of Phase I being deferred.

In extending the public comment on this and other requests for comment set forth in the November 18, 1993 proposal, EPA notes that interested parties have requested that the Agency seek additional comment concerning

whether any allowances allocated by EPA to substitution or compensating units under the January 11, 1993 regulations should be returned to EPA at some future time. Consequently, EPA requests such comment. If commenters maintain that a return of allowances should be required, the commenters should discuss what should be the period during which allowances may be retained (e.g., how many years) and when that period should begin. For example, the allowances could be allocated to a unit's Allowance Tracking System account for one or more years in Phase I and at the same time an equivalent number of allowances could be deducted from the Allowance Tracking System account for one or more future years. As an alternative, the deduction from the account for one or more future years could be made as the allowances are used or transferred.

Dated: January 19, 1994.

**Carol M. Browner,**

*Administrator, U.S. Environmental Protection Agency.*

[FR Doc. 94-1624 Filed 1-25-94; 8:45 am]

BILLING CODE 6560-50-M

**40 CFR Part 761**

[OPPTS-66015A; FRL-4752-6]

**Polychlorinated Biphenyls (PCBs); Notice of Informal Hearing on the Reclassification of PCB and PCB-Contaminated Transformers**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of Informal Hearing.

**SUMMARY:** On November 18, 1993 EPA's Office of Pollution Prevention and Toxics published a proposed rule to amend the requirements that govern the reclassification of certain PCB and PCB-Contaminated Transformers to a lower regulatory status as a PCB-Contaminated ( $\geq 50$  to  $< 500$  ppm PCBs) or a Non-PCB ( $< 50$  ppm PCBs) Transformer. In that notice, EPA said it would hold an informal hearing if requested. EPA received a request for a hearing on the proposed rule from the Electric Apparatus Service Association (EASA). Therefore, EPA will hold a half-day informal, public hearing.

**DATES:** The hearing will take place on March 9, 1994 from 9 a.m. to 1 p.m. Reply comments should be received on or before March 23, 1994. Written requests to participate in the hearing must be received on or before February 16, 1994.

**ADDRESSES:** The hearing will be held at EPA Headquarters, 401 M St., SW.,

Washington DC, in conference room number 17 in the Washington Information Center (WIC). Three copies of the request to participate in the informal hearing, identified with the docket number OPPTS-66015A must be submitted to: OPPT Document Control Officer, Attn: TSCA Docket Receipts (7407), Office of Pollution Prevention and Toxics, Rm. G-99, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. See **SUPPLEMENTARY INFORMATION** for the type of information that must be included in the request and who may participate. Requests for a waiver to participate in the informal hearing by those organizations that did not file main comments must be sent to EPA Headquarters Hearing Clerk, Mail Code 1900, 401 M St., SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Rm. E-543B, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551, FAX: (202) 554-5603 (document requests only).

**SUPPLEMENTARY INFORMATION:** The procedures for rulemaking under section 6 of the Toxic Substances Control Act (TSCA) are identified in 40 CFR part 750, subpart A. The following summarizes the procedures and logistics associated with this informal hearing pursuant to 40 CFR part 750. Participants and/or commenters are advised to see 40 CFR part 750 for greater detail.

Each person or organization desiring to participate in the informal hearing shall file a written request to participate with the OPPT Document Control Officer, TSCA Docket Receipts (see **ADDRESSES** above). The request shall be received on or before February 16, 1994. The request shall include: (1) A brief statement of the interest of the person or organization in the proceeding; (2) a brief outline of the points to be addressed; (3) an estimate of the time required; and (4) if the request comes from an organization, a nonbinding list of the persons to take part in the presentation. An organization that has not filed main comments on the rulemaking will not be allowed to participate in the hearing, unless a waiver of this requirement is granted by the Record and Hearing Clerk (see **ADDRESSES** above) or the organization is appearing at the request of EPA or under subpoena (40 CFR 750.6(a)).

A panel of EPA employees shall preside at the hearing, and one panel member will chair the proceedings. The panel may question any individual or group participating in the hearing on any subject relating to the rulemaking. Cross-examination will normally not be permitted at this stage. However, persons in the hearing audience may submit questions in writing for the hearing panel to ask the participants, and the hearing panel may, at their discretion, ask these questions (40 CFR 750.7(a) and (b)). See 40 CFR 750.7(c) for the rule governing the submission of additional material by the hearing participants.

After the close of the hearing, any participant in the hearing may submit a written request for cross-examination. The request shall be received by EPA no later than 1 week after a full transcript of the hearing becomes available (to determine when the transcript is available, interested persons may contact the Environmental Assistance Division (see **FOR FURTHER INFORMATION CONTACT** above)). See 40 CFR 750.8 for a description of the information that shall be included in such a request.

Interested persons may file reply comments. Reply comments shall be received on or before March 23, 1994, and shall be restricted to comments on: (1) Other comments; (2) material in the hearing record; and (3) material which was not and could not possibly have been available to the commenting party a sufficient time before main comments were due on January 3, 1994. (40 CFR 750.4(a) and (b)). Extensions of time for filing reply comments may be granted pursuant to 40 CFR 750.4(c). Reply comments and a transcript of the hearing will be placed in the Nonconfidential Information Center as part of the rulemaking record for the proposed rule (docket number OPPTS-66015). A full list of these materials is available for inspection and copying in the TSCA Nonconfidential Information Center from 12 noon to 4 p.m. However, any information claimed as Confidential Business Information (CBI) that is part of the record for this rulemaking is not available for public review. A public version of the record, from which information claimed as CBI has been excluded, is available for inspection. The address for the TSCA Docket Receipts appears under the **"ADDRESSES"** section of this notice.

#### List of Subjects in 40 CFR Part 761

Environmental protection, Hazardous substances, Labeling, Polychlorinated biphenyls, Reporting and Recordkeeping requirements.

Dated: January 18, 1994.

**Mark Greenwood,**  
Director, Office of Pollution Prevention and Toxics.

[FR Doc. 94-1616 Filed 1-25-94; 8:45 am]  
BILLING CODE 6560-50-F

#### 40 CFR Part 799

[OPPTS-42150A; FRL-4756-9]

#### Acetophenone, Phenol, N,N-Dimethylaniline, Ethyl Acetate and 2,6-Dimethylphenol; Proposed Test Rule Correction and Extension of Public Comment Period

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; correction and extension of public comment period.

**SUMMARY:** EPA is extending the public comment period for 30 days, from January 21, 1994 to February 22, 1994, and correcting a proposed test rule published in the *Federal Register* of November 22, 1993 (58 FR 61654) requiring manufacturers and processors of five chemicals (acetophenone, phenol, N,N-dimethylaniline, ethyl acetate, and 2,6-dimethylphenol) to conduct testing for certain chemical fate, health and environmental effects. **DATES:** Submit written comments on or before February 22, 1994.

**ADDRESSES:** Submit written comments identified by the document control number [OPPTS-42150] and the chemical specific document number in triplicate to: TSCA Nonconfidential Information Center (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, East Tower, Rm. G-99, 401 M St., SW., Washington, DC 20460. A public version of the administrative record supporting this action, without confidential business information (CBI), is available for inspection at the above address in Rm. G-102, from 12 noon to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division, (7408), Office of Pollution Prevention and Toxics, Rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

#### SUPPLEMENTARY INFORMATION:

##### I. Extension of Comment Period

On November 22, 1993, EPA promulgated a proposed rule, 40 CFR 799.4450, that would require testing of five chemicals for certain chemical fate,

health and environmental effects under section 4(a) of the Toxic Substances Control Act (TSCA). The chemicals and their chemical-specific docket numbers are: acetophenone, 42150A/42151A; phenol, 42150A/42152A; N,N-dimethylaniline, 42150A/42153A; ethyl acetate, 42150A/42141B; and 2,6-dimethylphenol, 42150A/42154A. EPA has received requests from the Chemical Manufacturers Association for a 30-day extension of the comment period and from the General Electric Company for a 90-day extension. EPA believes that providing an additional 30-day period to prepare written comments is reasonable, and EPA is extending the written comment period for the proposed test rule until February 22, 1994.

## II. Corrections

In addition, EPA is making the following corrections in the proposed rule:

1. On page 61657, in Table 1, third column ("Guideline"), third entry from the bottom (opposite "River die-away testing" in second column), change "(incorporated by reference) ??" to "ASTM E-1279-89."
2. On page 61659, third column, first full paragraph, which is headed "3. Substantial human exposure finding," in the thirteenth line of the paragraph, change "341,516" to "320,914".
3. On page 61670, in § 799.4450, second column, paragraph (d)(2)(i)(A), delete the phrase "and 2,6-dimethylphenol."

### List of Subjects in 40 CFR Part 799

Chemicals, Chemical exports, Environmental protection, Hazardous substances, Reporting and recordkeeping requirements, Testing.

Dated: January 14, 1994.

Charles M. Auer,

Director, Chemical Control Division.

[FR Doc. 94-1617 Filed 1-25-94; 8:45 am]

BILLING CODE 6560-50-F

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 227

#### Listing Endangered and Threatened Species and Designating Critical Habitat: Petition To List Coho Salmon Throughout Its Range in Washington, Oregon, Idaho, and California

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration, Commerce.

**ACTION:** Notice of petition finding and request for information.

**SUMMARY:** NMFS has received a petition to list, either on an emergency basis or through normal listing procedures, coho salmon (*Oncorhynchus kisutch*) throughout its range in Washington, Oregon, Idaho, and California, and to designate critical habitat under the Endangered Species Act of 1973 (ESA). The petition presents substantial scientific information indicating that the request for a non-emergency listing may be warranted. Therefore, NMFS is initiating a status review to determine if the petitioned action is warranted. To ensure that the review is comprehensive, NMFS is soliciting information and data regarding this action. Information received during the comment period for this status review will be used in NMFS' ongoing review of coho salmon populations in California, Oregon, and Washington (including Puget Sound).

**DATES:** Comments and information must be received on March 28, 1994.

**ADDRESSES:** Copies of the petition are available from, and comments should be submitted to, Merritt Tuttle, Chief, Environmental and Technical Services Division, NMFS, 911 NE 11th Avenue, room 620, Portland, OR 97232.

**FOR FURTHER INFORMATION CONTACT:** Garth Griffin, NMFS, Northwest Region (503) 230-5430; Jim Lecky, NMFS, Southwest Region, (310) 980-4015; or Marta Nammack, NMFS, Office of Protected Resources, (301) 713-2322.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4 of the ESA contains provisions allowing interested persons to petition the Secretary of the Interior or the Secretary of Commerce to add a species to or remove a species from the List of Endangered and Threatened Wildlife and to designate critical habitat. Section 4(b)(3)(A) of the ESA (16 U.S.C. 1531-1544) requires that, to the maximum extent practicable, within 90 days after receiving such a petition, the Secretary make a finding whether the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted.

##### Petition Received

On October 20, 1993, the Secretary of Commerce received a petition from The Pacific Rivers Council (PRC) and 22 co-petitioners to list, either on an emergency basis or through normal

listing procedures, coho salmon throughout its range in Washington, Oregon, Idaho, and California, and to designate critical habitat under the ESA. The Assistant Administrator for Fisheries, NOAA (AA), has determined that there is insufficient evidence demonstrating the existence of an emergency posing a significant risk to the well-being of the species and, thus, the request for an emergency rule is denied. The AA makes a finding that the petition presents substantial scientific information indicating that a non-emergency listing may be warranted based on the criteria specified in 50 CFR 424.14(b)(2), and based on evidence presented in the petition that the petitioned populations may qualify as "species" under the ESA, in accordance with NMFS' "Policy on Applying the Definition of Species under the Endangered Species Act to Pacific Salmon" (56 FR 58612, November 20, 1991). Under section 4(b)(3)(A) of the ESA, this finding requires that a review of the status of coho salmon populations in Washington, Oregon, Idaho, and California be conducted to determine if the petitioned action is warranted. In keeping with section 4(b)(3)(B) of the ESA, the Secretary will make his determination on the PRC *et al.* petition within 12 months of the date it was received (October 12, 1993). Information received during this status review will be used in NMFS' ongoing review of coho salmon populations in California, Oregon, and Washington (58 FR 57770, October 27, 1993).

#### Listing Factors and Basis for Determination

Under section 4(a)(1) of the ESA, a species can be determined to be endangered or threatened for any of the following reasons: (1) Present or threatened destruction, modification, or curtailment of its habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) inadequacy of existing regulatory mechanisms; or (5) other natural or manmade factors affecting its continued existence. In addition, under section 4(b)(7) of the ESA, the Secretary of Commerce may at any time issue an emergency regulation if there exists a significant risk to the well-being of the species. In such a case, the Secretary must publish a Federal Register notice detailing the reasons for an emergency listing. Listing determinations are made solely on the best scientific and commercial data available.

### Biological Information Solicited

To ensure that the coho salmon status review is complete and is based on the best available scientific and commercial data, NMFS is soliciting information and comments concerning: (1) Whether or not the populations qualify as "species" under the ESA in accordance with NMFS' "Policy on Applying the Definition of Species Under the Endangered Species Act to Pacific Salmon" (56 FR 58612, November 20, 1991); and (2) whether or not the populations are endangered or threatened based on the above listing criteria. Specifically, NMFS is soliciting information in the following areas: Influence of historical and present hatchery fish releases on naturally spawning populations of coho salmon, separation of hatchery and natural coho salmon escapement, alteration of coho salmon freshwater and marine habitats, disease epizootiology of coho salmon, age structure of coho salmon populations, migration timing and behavior of juvenile and adult coho salmon, and interactions of coho salmon with other salmonids. This information should address all coho salmon populations in California, Oregon, Idaho, and Washington (including Puget Sound). Because a very similar request for information was published in the *Federal Register* (58 FR 57770, October 27, 1993) announcing NMFS' decision

to conduct a review of West Coast coho salmon populations, it is not necessary for parties to submit the same information for this request. Copies of the petition are available (see **ADDRESSES**).

### Critical Habitat

NMFS is also requesting information on areas that may qualify as critical habitat for California, Oregon, Idaho, and Washington populations of coho salmon. Areas that include the physical and biological features essential to the recovery of the species should be identified. Areas outside the present range should also be identified if such areas are essential to the recovery of the species. Essential features should include, but are not limited to: (1) Space for individual and population growth, and for normal behavior; (2) food, water, air, light, minerals, or other nutritional or physiological requirements; (3) cover or shelter; (4) sites for reproduction and rearing of offspring; and (5) habitats that are protected from disturbance or are representative of the historic geographical and ecological distributions of the species.

For areas potentially qualifying as critical habitat, NMFS is requesting information describing: (1) The activities that affect the area or could be affected by the designation, and (2) the economic costs and benefits of additional requirements of management

measures likely to result from the designation.

The economic cost to be considered in the critical habitat designation under the ESA is the probable economic impact "of the [critical habitat] designation upon proposed or ongoing activities" (50 CFR 424.19). NMFS must consider the incremental costs specifically resulting from a critical habitat designation that are above the economic effects attributable to listing the species. Economic effects attributable to listing include actions resulting from section 7 consultations under the ESA to avoid jeopardy to the species and from the taking prohibitions under section 9 of the ESA. Comments concerning economic impacts should distinguish the costs of listing from the incremental costs that can be directly attributed to the designation of specific areas as critical habitat.

Data, information, and comments should include: (1) Supporting documentation such as maps, bibliographic references, or reprints of pertinent publications, and (2) the person's name, address, and association, institution, or business.

Dated: January 18, 1994.

**Herbert W. Kaufman,**  
*Deputy Director, Office of Protected Resources.*

[FR Doc. 94-1634 Filed 1-25-94; 8:45 am]

**BILLING CODE 3510-22-M**

# Notices

Federal Register

Vol. 59, No. 17

Wednesday, January 26, 1994

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.

## COMMISSION ON CIVIL RIGHTS

### Agenda and Notice of Public Meeting of the New York Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the New York Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 5 p.m. on Wednesday, February 16, 1994, at the 2nd Floor Conference Room, Graduate School, University Center, CUNY, NY, 10036-8099. The purpose of the meeting is to plan activities for FY '94.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Dr. Setsuko Nishi at 718-951-5314 or John I. Binkley, Director of the Eastern Regional Office, 202-376-7533 (TDD 202-376-8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, January 14, 1994.  
**Carol-Lee Hurley,**  
*Chief, Regional Programs Coordination Unit.*  
 [FR Doc. 94-1631 Filed 1-25-94; 8:45 am]  
 BILLING CODE 6335-01-P

### Agenda and Notice of Public Meeting of the Wisconsin Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Wisconsin Advisory Committee to the Commission will be held from 9 a.m. until 5 p.m. on Thursday, February 17, 1994, at the Inn on the Park, 22 South Carroll Street, Madison, Wisconsin

53703. The purpose of the meeting is to discuss current civil rights issues in the state.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Kimberly Shankman or Constance M. Davis, Director of the Midwestern Regional Office, 312-353-8311 (TDD 312-353-8326). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, January 14, 1994.  
**Carol-Lee Hurley,**  
*Chief, Regional Programs Coordination Unit.*  
 [FR Doc. 94-1630 Filed 1-25-94; 8:45 am]  
 BILLING CODE 6335-01-P

## DEPARTMENT OF COMMERCE

### Minority Business Development Agency

[I.D. No. 06-10-94004-01]

### Business Development Center Applications: Little Rock MBDC

**AGENCY:** Minority Business Development Agency, Commerce.  
**ACTION:** Notice.

**SUMMARY:** In accordance with Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications under its Minority Business Development Center (MBDC) program. The total cost of performance for the first budget period (12 months) from June 1, 1994 to May 31, 1995 is estimated at \$169,125. The application must include a minimum cost-share of 15% of the total project cost through non-Federal contributions. Cost-sharing contributions may be in the form of cash contributions, client fees, in-kind contributions or combinations thereof. The MBDC will operate in the Little Rock, Arkansas geographic service area.

The funding instrument for this project will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American

Indian tribes and educational institutions.

The MBDC program provides business development services to the minority business community to help establish and maintain viable minority businesses. To this end, MBDC funds organizations to identify and coordinate public and private sector resources on behalf of minority individuals and firms; offer a full range of management and technical assistance to minority entrepreneurs; and to serve as a conduit of information and assistance regarding minority businesses.

Applications will be evaluated on the following criteria: the experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (techniques and methodologies) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programmatically acceptable and responsive. Those applications determined to be acceptable and responsive will then be evaluated by the Director of MBDA. Finally award selections shall be based on the number of points received, the demonstrated responsibility of the applicant, and the determination of those most likely to further the purpose of the MBDA program. Negative audit findings and recommendations and unsatisfactory performance under prior Federal awards may result in an application not being considered for award. The applicant with the highest point score will not necessarily receive the award.

MBDCs shall be required to contribute at least 15% of the total project costs through non-Federal contributions. To assist in this effort, the MBDCs may charge client fees for management and technical assistance (M&TA) rendered. Based on a standard rate of \$50 per hour, the MBDC will charge client fees at 20% of the total cost for firms with gross sales of \$500,000 or less, and 35%

of the total cost for firms with gross sales of over \$500,000.

Quarterly reviews culminating in year-to-date evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the total discretion of MBDA based on such factors as the MBDC's performance, the availability of funds and Agency priorities.

**DATES:** The closing date for applications is February 28, 1994. Applications must be postmarked on or before February 28, 1994.

**ADDRESSES:** Dallas Regional Office, 1100 Commerce St., room 7B23, Dallas, Texas 75242, (214) 767-8001.

**FOR FURTHER INFORMATION CONTACT:** Bobby Jefferson, Acting Regional Director, Dallas Regional Office, telephone (214) 767-8001.

A pre-bid conference will be held on February 17, 1994, in the Earl Cabell Federal Building, room 7B23, 1100 Commerce Street, Dallas, Texas at 10 a.m.

**SUPPLEMENTARY INFORMATION:**

Anticipated processing time of this award is 120 days. Executive Order 12372, "Intergovernmental Review of Federal Programs," is not applicable to this program. The collection of information requirements for this project have been approved by the Office of Management and Budget (OMB) and assigned OMB control number 0640-0006. Questions concerning the preceding information can be answered by the contact person indicated above, and copies of application kits and applicable regulations can be obtained at the above address.

**Pre-Award Costs**—Applicants are hereby notified that if they incur any costs to an award being made, they do so solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal assurance that an applicant may have received, there is no obligation on obligation on the part of the Department of Commerce to cover pre-award costs. Awards under this program shall be subject to all Federal laws, and Federal and Departmental regulations, policies, and procedures applicable to Federal financial assistance awards.

**Outstanding Account Receivable**—No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either the delinquent account is paid in full, repayment schedule is established and at least one payment is received, or other arrangements satisfactory to the Department of Commerce are made.

**Name Check Policy**—All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury or other matters which significantly reflect on the applicant's honesty or financial integrity.

**Award Termination**—The Departmental Grants Office may terminate any grant/cooperative agreement in whole or in part at any time before the date of completion whenever it is determined that the award recipient has failed to comply with the conditions of the grant/cooperative agreement. Examples of some of the conditions which can cause termination are failure to meet cost-sharing requirements; unsatisfactory performance of the MBDC work requirements; and reporting inaccurate or inflated claims of client assistance. Such inaccurate or inflated claims may be deemed illegal and punishable by law.

**False Statements**—A false statement on an application for Federal financial assistance is grounds for denial or termination of funds, and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

**Primary Applicant Certifications**—All primary applicants must submit a completed Form CD-511, "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying."

**Nonprocurement Debarment and Suspension**—Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies.

**Drug Free Workplace**—Grantees (as defined at 15 CFR part 26, section 605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies.

**Anti-Lobbying**—Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000.

**Anti-Lobbying Disclosures**—Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

**Lower Tier Certifications**—Recipients shall require applications/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form, SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to DOC. SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

11.800 Minority Business Development. (Catalog of Federal Domestic Assistance) Dated: January 19, 1994.

**Bobby Jefferson,**  
Acting Regional Director, Dallas Regional Office.

[FR Doc. 94-1579 Filed 1-25-94; 8:45 am]  
BILLING CODE 3510-21-M

[I.D. No. 06-10-84001-01]

**Business Development Center Applications: Shreveport MBDC**

**AGENCY:** Minority Business Development Agency, Commerce.  
**ACTION:** Notice.

**SUMMARY:** In accordance with Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications under its Minority Business Development Center (MBDC) program. The total cost of performance for the first budget period (12 months) from June 1, 1994 to May 31, 1995 is estimated at \$169,125. The application must include a minimum cost-share of 15% of the total project cost through non-Federal contributions. Cost-sharing contributions may be in the form of cash contributions, client fees, in-kind contributions or combinations thereof. The MBDC will operate in the Shreveport, Louisiana geographic service area.

The funding instrument for this project will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American

Indian tribes and educational institutions.

The MBDC program provides business development services to the minority business community to help establish and maintain viable minority businesses. To this end, MBDA funds organizations to identify and coordinate public and private sector resources on behalf of minority individuals and firms; offer a full range of management and technical assistance to minority entrepreneurs; and to serve as a conduit of information and assistance regarding minority business.

Applications will be evaluated on the following criteria: The experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (techniques and methodologies) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programatically acceptable and responsive. Those applications determined to be acceptable and responsive will then be evaluated by the Director of MBDA. Final award selections shall be based on the number of points received, the demonstrated responsibility of the applicant, and the determination of those most likely to further the purpose of the MBDA program. Negative audit findings and recommendations and unsatisfactory performance under prior Federal awards may result in an application not being considered for award. The applicant with the highest point score will not necessarily receive the award.

MBDCs shall be required to contribute at least 15% of the total project costs through non-Federal contributions. To assist in this effort, the MBDCs may charge client fees for management and technical assistance (M&TA) rendered. Based on a standard rate of \$50 per hour, the MBDC will charge client fees at 20% of the total cost for firms with gross sales of \$500,000 or less, and 35% of the total cost for firms with gross sales of over \$500,000.

Quarterly reviews culminating in year-to-date evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the total discretion of MBDA based on such factors as the

MBDC's performance, the availability of funds and Agency priorities.

**DATES:** The closing date for applications is February 28, 1994. Applications must be postmarked on or before February 28, 1994.

**ADDRESSES:** Dallas Regional Office, 1100 Commerce St., Room 7B23, Dallas, Texas 75242, (214) 767-8001.

**FOR FURTHER INFORMATION CONTACT:** Bobby Jefferson, Acting Regional Director, Dallas Regional Office, telephone (214) 767-8001.

A pre-bid conference will be held on February 17, 1994, in the Earl Cabell Federal Building, Room 7B23, 1100 Commerce Street, Dallas, Texas at 10 a.m.

**SUPPLEMENTARY INFORMATION:**

Anticipated processing time of this award is 120 days. Executive order 12372, "Intergovernmental Review of Federal Programs," is not applicable to this program. The collection of information requirements for this project have been approved by the Office of Management and Budget (OMB) and assigned OMB control number 0640-0006. Questions concerning the preceding information can be answered by the contact person indicated above, and copies of application kits and applicable regulations can be obtained at the above address.

**Pre-Award Costs**—Applicants are hereby notified that if they incur any costs to an award being made, they do solely at their own risk of not being reimbursed by the Government. Notwithstanding any verbal assurance that an applicant may have received, there is no obligation on obligation on the part of the Department of Commerce to cover pre-award costs. Awards under this program shall be subject to all Federal laws, and Federal and Departmental regulations, policies, and procedures applicable to Federal financial assistance awards.

**Outstanding Account Receivable**—No award of Federal funds shall be made to an applicant who has an outstanding delinquent Federal debt until either the delinquent account is paid in full, repayment schedule is established and at least one payment is received, or other arrangements satisfactory to the Department of Commerce are made.

**Name Check Policy**—All non-profit and for-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury or other matters which significantly reflect on the

applicant's management honesty or financial integrity.

**Award Termination**—The Departmental Grants Office may terminate any grant/cooperative agreement in whole or in part at any time before the date of completion whenever it is determined that the award recipient has failed to comply with the conditions of the grant/cooperative agreement. Examples of some of the conditions which can cause termination are failure to meet cost-sharing requirements; unsatisfactory performance of the MBDC work requirements; and reporting inaccurate or inflated claims of client assistance. Such inaccurate or inflated claims may be deemed illegal and punishable by law.

**False Statements**—A false statement on an application for Federal financial assistance is grounds for denial or termination of funds, and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

**Primary Applicant Certifications**—All primary applicants must submit a completed Form CD-511, "Certification Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying."

**Nonprocurement Debarment and Suspension**—Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies.

**Drug Free Workplace**—Grantees (as defined at 15 CFR part 26, section 605) are subject to 15 CFR part 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies.

**Anti-Lobbying**—Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitation on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000.

**Anti-Lobbying Disclosures**—Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, appendix B.

**Lower Tier Certifications**—Recipients shall require applications/bidders for subgrants, contracts, subcontracts, or

other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form, SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to DOC. SF-LLL submitted by any tier recipient or subrecipient should be submitted to DOC in accordance with the instructions contained in the award document.

11.800 Minority Business Development  
(Catalog of Federal Domestic Assistance)

Dated: January 19, 1994.

Bobby Jefferson,

Acting Regional Director, Dallas Regional  
Office.

[FR Doc. 94-1580 Filed 1-25-94; 8:45 am]

BILLING CODE 3510-21-M

## National Oceanic and Atmospheric Administration

### Endangered Species; Permits

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

**ACTION:** Notice of receipt two  
applications for scientific research  
permits (P497B, P503M).

Notice is hereby given that the Idaho Cooperative Fish and Wildlife Research Unit (ICFWRU) (P497B) and the Idaho Department of Fish and Game (IDFG) (P503M) have both applied in due form for a permit to take listed species of Snake River salmon as authorized by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) and the NMFS regulations governing listed fish and wildlife permits (50 CFR parts 217-227).

ICFWRU (P497B) requests authorization to lethally take juvenile listed Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) from bypass-collection facilities at the Lower Granite Dam in order to determine the physiological effects of collection, bypass, and transport on wild fish. ICFWRU requests authorization to conduct this research from April 15, to June 1, 1994.

IDFG (P503M) requests authorization to take adult and juvenile listed Snake River spring/summer chinook salmon. IDFG proposes to enumerate and collect length information on upstream migrant adult chinook salmon in Chamberlain Creek and West Fork Chamberlain Creek. They would also conduct parr density monitoring by snorkeling, conduct redd counts, and collect

biological information from carcasses. The latter activities are ongoing, and were previously covered by Permit 823. However, IDFG proposes to combine activities specific to the Chamberlain Basin into a single permit. IDFG requests authorization to conduct this research from March 1 through November 30 annually through 1997.

Written data or views, or requests for a public hearing on these applications should be submitted to the Director, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Hwy., Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on the particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in these application summaries are those of the applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review by interested persons in the following offices by appointment:

Office of Protected Resources,  
National Marine Fisheries Service, 1335  
East-West Hwy., Silver Spring, MD  
20910 (301-713-2322); and  
Environmental and Technical  
Services Division, National Marine  
Fisheries Service, 911 North East 11th  
Ave., room 620, Portland, OR 97232  
(503-230-5400).

Dated: January 14, 1994.

William W. Fox, Jr.,

Director, Office of Protected Resources.

[FR Doc. 94-1633 Filed 1-25-94; 8:45 am]

BILLING CODE 3510-22-M

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Privacy Act of 1974; Amend Systems of Records.

**AGENCY:** Department of the Air Force,  
DOD.

**ACTION:** Amend systems of records.

**SUMMARY:** The Department of the Air Force proposes to amend five systems of records notices to its inventory of systems of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** The amendments will be effective on February 25, 1994, unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to the Assistant Air Force Access Programs Officer, SAF/AAIA, 1610 Air Force Pentagon, Washington, DC 20330-1610.  
**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Gibson at (703) 697-3491 or DSN 227-3491.

**SUPPLEMENTARY INFORMATION:** The complete inventory of Department of Air Force system of records notices subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the *Federal Register* and are available from the address above.

Dated: January 14, 1994.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

### AMENDMENTS F035 AF MP A

#### SYSTEM NAME:

Effectiveness/Performance Reporting  
Systems (February 22, 1993, 58 FR  
10322).

#### CHANGES:

\* \* \* \* \*

#### SYSTEM LOCATION:

Delete entry and replace with  
'Headquarters United States Air Force,  
1040 Air Force Pentagon, Washington,  
DC 20330-1040;

Headquarters Air Force Military  
Personnel Center, 550 C Street W,  
Randolph Air Force Base, TX 78150-  
4703;

National Military Personnel Records  
Center, 9700 Page Boulevard, St. Louis,  
MO 63132-2001.

Headquarters Air Reserve Personnel  
Center, 6760 E. Irvington Place (6600),  
Denver CO 80280-6600.

Headquarters of major commands and  
field operating agencies; consolidated  
base personnel offices; each State  
Adjutant General Office, and Air Force  
Reserve and Air National Guard units.  
Official mailing addresses are published  
as an appendix to the Air Force's  
compilation of record systems notices.'

\* \* \* \* \*

#### RETENTION AND DISPOSAL:

Delete first paragraph and replace  
with 'Copies of effectiveness reports are  
retained until separation or retirement.  
At separation or retirement, data subject  
is presented with field and command  
record copies of his or her reports.

The Headquarters Air Force (HAF)  
copy is a permanent record that is  
forwarded to the National Military  
Personnel Records Center, 9700 Page  
Boulevard, St. Louis, MO 63132-2001.

In the event the member has a Reserve commitment, the HAF copy is sent to Headquarters Air Reserve Personnel Center, 6760 E. Irvington Place (6600), Denver, CO 80280-6600.'

\* \* \* \* \*

**SYSTEM MANAGER(S) AND ADDRESS:**

Delete entry and replace with 'Deputy Chief of Staff for Personnel, Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040;

Chief of Air Force Reserve, Headquarters United States Air Force, 1150 Air Force Pentagon, Washington, DC 20330-1150;

and Director, Air National Guard, 2500 Army Pentagon, Washington, DC 20310-2500.'

\* \* \* \* \*

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with 'Brigadier General Selectee Effectiveness Reports and Colonel and Lieutenant Colonel Promotion recommendations with close out dates on or before January 31, 1991, may be exempt under the provisions of 5 U.S.C. 552a(k)(7) from subsections of 5 U.S.C. 552a(c)(3); (d); (e)(4)(H); and (f), as applicable, but only to the extent that disclosure would reveal the identity of a confidential source. For additional information contact the system manager.

An exemption rule has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in the 32 CFR part 806b.'

**F035 AF MP A**

**SYSTEM NAME:**

Effectiveness/Performance Reporting Systems.

**SYSTEM LOCATION:**

Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040;

Headquarters Air Force Military Personnel Center, 550 C Street W, Randolph Air Force Base, TX 78150-4703; and

National Military Personnel Records Center, 9700 Page Boulevard, St. Louis, MO 63132-2001.

Headquarters Air Reserve Personnel Center, 6760 E. Irvington Place (6600), Denver CO 80280-6600. Headquarters of major commands and field operating agencies; consolidated base personnel offices; each State Adjutant General Office, and Air Force Reserve and Air National Guard units. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Military personnel only.

*Officers:* Applies to Active Duty/Air National Guard/Air Force Reserve personnel serving in grades Warrant Officer (W-1) through Colonel (O-6).

*Enlisted:* Applies to active duty personnel in grades Airman Basic (E-1) through Chief Master Sergeant (E-9), and to Air Force Reserve personnel in grades Staff Sergeant (E-5) through Chief Master Sergeant (E-9).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Officer Effectiveness Reports; Education/Training Reports; Colonels and Lieutenant Colonels Promotion Recommendation Reports; Enlisted Performance Reports for Airman Basic (E-1) through Chief Master Sergeant (E-9); Description of data contained therein: Name; Social Security Number; active and permanent grades; specialty data; organization location and Personnel Accounting Symbol; period of report; number of days of supervision; performance evaluation scales; assessment of potential, and comments regarding ratings.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 8013, Secretary of the Air Force: powers and duties; delegation by; as implemented by Air Force Regulation 36-9, General Officer Promotions and Evaluations; Air Force Instruction 36-2402, Officer Evaluation System; Air Force Instruction 36-2403, Enlisted Evaluation System, and E.O. 9397.

**PURPOSE(S):**

Used to document effectiveness/duty performance history; promotion selection; school selection; assignment selection; reduction-in-force; control roster; reenlistment; separation; research and statistical analyses, and other appropriate personnel actions.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

Non-exempt records from this system may be disclosed to other federal agencies in anticipation of an individual's assignment or upon actual assignment to that agency, to the extent that the information is relevant and necessary to the agency's decision on the matter.

The 'Blanket Routine Uses' published at the beginning of the Air Force's

compilation of record systems notices apply to this system.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Maintained in visible file binders/cabinets.

**RETRIEVABILITY:**

Retrieved by name or Social Security Number.

**SAFEGUARDS:**

Records are accessed by custodian of the record system and by person(s) who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

**RETENTION AND DISPOSAL:**

Copies of effectiveness reports are retained until separation or retirement. At separation or retirement, data subject is presented with field and command record copies of his or her reports. The Headquarters Air Force (HAF) copy is a permanent record that is forwarded to the National Military Personnel Records Center, 9700 Page Boulevard, St. Louis, MO 63132-2001. In the event the member has a Reserve commitment, the HAF copy is sent to Headquarters Air Reserve Personnel Center, 6760 E. Irvington Place (6600), Denver, CO 80280-6600.

*The following exceptions apply:*

*Officers Field Record:* Remove and give to individual when promoted to Colonel, when separated or retired, or destroy when voided by action of the Officer Personnel Records Review Board. When voided by action of the Air Force Board for Correction of Military Records, forward all copies of report to Headquarters United States Air Force (HQ USAF) when directed.

*Command Record:* The command custodian will destroy the reports when voided by action of Officer Personnel Records Review Board. When voided by action of the Air Force Board for Correction of Military Records, forward all copies of report to HQ USAF when directed.

*HAF Record:* Remove reports voided by action of the Officer Personnel Records Review Board from the selection folder and file in the board recorder's office until destruction. Remove reports voided by action of the Air Force Board for Correction of Military Records from selection folder and submit to Board's Secretariat with duplicate and triplicate copies for custody and disposition. Promotion Recommendation Reports are temporary documents maintained only at HQ Air

Force level and are destroyed after their purpose has been served.

**Active Duty Enlisted:**

**Grades E-3 through E-6:** On separation or retirement, Enlisted Performance Reports (EPRs) are forwarded to the National Personnel Records Center, St. Louis, MO unless data subject holds a reserve obligation, in which case they are forwarded to Air Reserve Personnel Center.

**Grades E-7 through E-9:** On separation or retirement, original copies, those retained in Senior NCO selection folders and those in field record closing before January 1, 1967, are forwarded to the National Personnel Records Center, or to Air Reserve Personnel Center if data subject holds a reserve obligation. Duplicate copies closing January 1, 1967 or later (field record) are returned to the member at separation or retirement.

**Non-Active Duty Reserve Enlisted:** Air Force Reserve Forces Noncommissioned Officers Performance Report; upon separation, retirement or assignment to a non-participating reserve status, they are forwarded to Air Reserve Personnel Center for file in the master personnel record and disposed of as a part of that record. Records are destroyed by tearing into pieces, shredding, pulping, macerating or burning.

**SYSTEM MANAGER(S) AND ADDRESS:**

Deputy Chief of Staff for Personnel, Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040;

Chief of Air Force Reserve, Headquarters United States Air Force, 1150 Air Force Pentagon, Washington, DC 20330-1150; and

Director, Air National Guard, 2500 Army Pentagon, Washington, DC 20310-2500.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Deputy Chief of Staff/Personnel, Headquarters United States Air Force, Washington DC 20330-5060; or to the Chief of Air Force Reserve, Headquarters United States Air Force, Washington, DC 20330-1000; or to the Director, Air National Guard, Washington, DC 20310-2500; or directly to agency officials at the respective system location. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to access records about themselves contained in this system should address written inquiries

to the Deputy Chief of Staff/Personnel, Headquarters United States Air Force, Washington DC 20330-5060; or to the Chief of Air Force Reserve, Headquarters United States Air Force, Washington, DC 20330-1000; or to the Director, Air National Guard, Washington, DC 20310-2500; or directly to agency officials at the respective system location. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

**CONTESTING RECORD PROCEDURES:**

The Air Force rules for accessing records, and for contesting and appealing initial agency determinations are published in Air Force Instruction 37-132; 32 CFR part 806b; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

The basis of the ratings is observed on-the-job performance or by the education/training progression of the individual. Further, effectiveness reports may have as an additional source of information Letters of Evaluation.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Brigadier General Selectee Effectiveness Reports and Colonel and Lieutenant Colonel Promotion recommendations with close out dates on or before January 31, 1991, may be exempt under the provisions of 5 U.S.C. 552a(k)(7) from subsections of 5 U.S.C. 552a(c)(3); (d); (e)(4)(H); and (f), as applicable, but only to the extent that disclosure would reveal the identity of a confidential source. For additional information contact the system manager.

An exemption rule has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in the 32 CFR part 806b.

**F035 AF MP P**

**SYSTEM NAME:**

General Officer Personnel Data System (February 22, 1993, 58 FR 10334).

**CHANGES:**

\* \* \* \* \*

**SYSTEM LOCATION:**

Delete entry and replace with 'Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040, and Headquarters Air Force Military Personnel Center, 550 C Street W, Randolph Air Force Base, TX 78150-4703.'

\* \* \* \* \*

**SYSTEM MANAGER(S) AND ADDRESS:**

Delete entry and replace with 'Deputy Chief of Staff for Personnel, Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040.'

\* \* \* \* \*

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with 'Air Force General Officer Promotion and Effectiveness Reports with close out dates on or before January 31, 1991, may be exempt under the provisions of 5 U.S.C. 552a(k)(7) from subsections of 5 U.S.C. 552a(c)(3); (d); (e)(4)(H); and (f), as applicable, but only to the extent that disclosure would reveal the identity of a confidential source. For additional information contact the system manager.

An exemption rule has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in the 32 CFR part 806b.'

**F035 AF MP P**

**SYSTEM NAME:**

General Officer Personnel Data System.

**SYSTEM LOCATION:**

Headquarters United States Air Force, 1040 Air Force Pentagon, Washington, DC 20330-1040, and Headquarters Air Force Military Personnel Center, 550 C Street W, Randolph Air Force Base, TX 78150-4703.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Retired, Active Duty, and Active Status Reserve of the Air Force General Officers.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Promotion board data; 'Career Brief' data/cards; officer military record; photographs; biographies; retirement letters; dependent data; education data; promotion orders; assignment orders; demotion data; frocking letters; case studies; language data; effectiveness reports, and promotion recommendations.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 805, The Air Staff, and Air Force Regulation 36-9, General Officer Promotions and Evaluations.

**PURPOSE(S):**

To record active duty service and performance data about general officers for use in personnel management decisions and officer effectiveness, to include assignments, promotions and retirements.

To provide source data for preparing or compiling personnel management

data to include career profiles, seniority and retirement lists, memorandums for record concerning actions taken on general officers and statistical analyses.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

Non-exempt records from this system may be disclosed to other federal agencies in anticipation of an individual's assignment or upon actual assignment to that agency, to the extent that the information is relevant and necessary to the agency's decision on the matter.

The 'Blanket Routine Uses' published at the beginning of the Department of the Air Force's compilation of systems of records notices apply to this system.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Maintained in visible file binders/cabinets/card files, on microfilm, in computers and on computer output products.

**RETRIEVABILITY:**

Records are retrieved by last name and/or grade.

**SAFEGUARDS:**

Access to these records is given only to the Chief of Staff, Deputy chief of Staff/Personnel, Assistant for General Officer Matters, Chief of Air Force Reserve, Chief National Guard, and other persons responsible for servicing or reviewing the record system in performance of their official duties, who are properly screened and cleared for need-to-know.

**RETENTION AND DISPOSAL:**

Retired General Officer records are maintained indefinitely; retired Lieutenant General, Major General, and Brigadier General Officer records are retained for 3 years, then reviewed to determine if there are any materials of historical value which warrant indefinite retention. If not, records are destroyed by tearing into pieces, shredding, pulping or macerating. Computer records are destroyed by degaussing or overwriting.

**SYSTEM MANAGER(S) AND ADDRESS:**

Deputy Chief of Staff for Personnel, Headquarters United States Air Force,

1040 Air Force Pentagon, Washington, DC 20330-1040.

**NOTIFICATION PROCEDURES:**

Individuals seeking to determine whether this system of records contains information on them should address written inquiries to or visit the Deputy Chief of Staff/Personnel, Headquarters, United States Air Force, Washington, DC 20330-5060. For verification purposes, the individual should provide full name, Social Security Number, and active duty grade.

Individuals may also visit the Office of the Assistant for General Officer Matters, Room 4E212, The Pentagon, Washington, DC, to obtain information. A requester should present a military identification card when appearing in person for information.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to access records about themselves contained in this system should address written requests to or visit the Deputy Chief of Staff/Personnel, Headquarters, United States Air Force, Washington, DC 20330-5060.

Individuals may also visit the Office of the Assistant for General Officer Matters, Room 4E212, The Pentagon, Washington, DC, to obtain information. A requester should present a military identification card when appearing in person for information.

**CONTESTING RECORD PROCEDURES:**

The Air Force rules for access to records and for contesting and appealing initial agency determinations are published in Air Force Instruction 37-132; 32 CFR part 806b; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

Personnel data base; member, and Inspector General's investigations.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Air Force General Officer Promotion and Effectiveness Reports with close out dates on or before January 31, 1991, may be exempt under the provisions of 5 U.S.C. 552a(k)(7) from subsections of 5 U.S.C. 552a(c)(3); (d); (e)(4)(H); and (f), as applicable, but only to the extent that disclosure would reveal the identity of a confidential source. For additional information contact the system manager.

An exemption rule has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in the 32 CFR part 806b. For further information contact the system manager.

**F035 MPC N**

**SYSTEM NAME:**

Assignment Action File (February 22, 1993, 58 FR 10363).

**CHANGES:**

**SYSTEM IDENTIFIER:**

Change system identifier to 'F035 HC E.'

**SYSTEM LOCATION:**

Delete entry and replace with 'Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.'

\* \* \* \* \*

**SYSTEM MANAGER(S) AND ADDRESS:**

Delete entry and replace with 'Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.'

**NOTIFICATION PROCEDURE:**

Delete address and replace with 'Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.'

**RECORD ACCESS PROCEDURES:**

Delete address and replace with 'Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.'

\* \* \* \* \*

**F035 HC E**

**SYSTEM NAME:**

Assignment Action File.

**SYSTEM LOCATION:**

Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Active Duty Chaplains.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Forms used by the Air Force Manpower and Personnel Center (AFMPC) Chaplain's Office for accession and assignments of chaplains on active duty and other chaplain personnel actions. They also contain information and actions pertaining to individuals in the areas of duty Air Force Specialty Code (AFSC) change requests, tour length change requests, humanitarian reassignments and copies of messages directing such actions.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 8013, Secretary of the Air Force: Powers and duties; delegation by;

and 10 U.S.C. 8067, Designation: officers to perform certain professional functions, as implemented by Air Force Instruction 36-2110, Officer Assignments.

**PURPOSE(S):**

Records are used to answer requests for assignment changes, tour length changes, duty AFSC requests, special assignment consideration.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The 'Blanket Routine Uses' published at the beginning of the Air Force's compilation of systems of records notices apply to this system.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Maintained in visible file binders/cabinets.

**RETRIEVABILITY:**

Retrieved by name.

**SAFEGUARDS:**

Records are accessed by custodian of the record system and by persons responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

**RETENTION AND DISPOSAL:**

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

**SYSTEM MANAGER(S) AND ADDRESS:**

Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether this system of records contains information on them should address written inquiries to the Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to access records about themselves contained in this

system should address written requests to the Office of the Chief of Chaplains, Headquarters United States Air Force, 172 Luke Avenue, 3rd Floor, Washington, DC 20330-5113.

**CONTESTING RECORD PROCEDURES:**

The Air Force rules for accessing records and for contesting and appealing initial agency determinations are published in Air Force Instruction 37-132; 32 CFR part 806b; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

Member's application and information retrieved from the Personnel Data System (PDS).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**F045 ATC C****SYSTEM NAME:**

Cadet Records (*February 22, 1993, 58 FR 10382*).

**CHANGES:****SYSTEM IDENTIFIER:**

Change system identifier to 'F045 AETC.'

**SYSTEM LOCATION:**

Delete entry and replace with 'Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110, and portions pertaining to each Reserve Officer Training Corps detachment located at respective detachments. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.'

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Delete entry and replace with 'Air Force Reserve Officer Training Corps (AFROTC) cadets applying for, or enrolled or previously enrolled within the past three years, in the professional officers course or the general military course, if the latter participation was in a scholarship status.'

\* \* \* \* \*

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with '10 U.S.C. 33, Appointment in Regular Component; 10 U.S.C. 103, Senior Reserve Officers' Training Corps; Air Force Instruction 36-2001, Air Force Reserve Officers' Training Corps (AFROTC); Air Force Regulation 45-3, Air Force Reserve Officer Training Corps Field Training Program and E.O. 9397.'

\* \* \* \* \*

**SYSTEM MANAGER(S) AND ADDRESS:**

Delete entry and replace with 'Director of Senior Program, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110, and Commander of appropriate AFROTC detachment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.'

**NOTIFICATION PROCEDURE:**

Delete entry and replace with 'Individuals seeking to determine whether this system of records contains information on themselves should address written inquiries to the AFROTC Detachment Commander at location of assignment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.'

Request for information involving an investigation for disenrollment should be addressed to Commander, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110.

Individual should provide full name and Social Security Number.'

**RECORD ACCESS PROCEDURES:**

Delete entry and replace with 'Individuals seeking to access records about themselves contained in this system should address written requests to the AFROTC Detachment Commander at location of assignment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.'

Request for information involving an investigation for disenrollment should be addressed to Commander, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110.

Requests should include full name and Social Security Number.'

\* \* \* \* \*

**F045 AETC C****SYSTEM NAME:**

Cadet Records.

**SYSTEM LOCATION:**

Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110, and portions pertaining to each Reserve Officer Training Corps detachment located at respective detachments. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Air Force Reserve Officer Training Corps (AFROTC) cadets applying for, or

enrolled or previously enrolled within the past three years, in the professional officers course or the general military course, if the latter participation was in a scholarship status.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Applications for enrollment in the Air Force Reserve Officers' Training Corps (AFROTC) courses, applications for the AFROTC scholarship program, substantiation records of qualification for the courses or programs, acceptances of applications, awards of scholarships, records attesting to medical, academic, moral and civic qualifications, records recording progress in flying instruction, Euro-NATO Joint Jet Pilot Training (ENJJPT) application data, academic curriculum and leadership training, counseling summaries, records of disenrollment from other officer candidate training; records of separation or discharge from officer candidate training; records of separation or discharge of prior service members; financial record data, certification of degree requirements; Regular appointment nomination data, records tendering and accepting commissions, records verifying national agency checks or background investigation, records required or proffered during investigations for disenrollment, legal opinions, letters of recommendations, corroboration by civil authorities, awards, citations; and allied papers.

Field training administration records consist of student assignment/orders, in-processing checklist, counseling records, drill evaluation, weekly quarters inspection, discrepancy reports, student performance reports. Flight instruction program records consist of student eligibility, grade sheets and performance records, training certificates, waiver and elimination actions.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 33, Appointment in Regular Component; 10 U.S.C. 103, Senior Reserve Officers' Training Corps; Air Force Instruction 36-2001, Air Force Reserve Officers' Training Corps (AFROTC); Air Force Regulation 45-3, Air Force Reserve Officer Training Corps Field Training Program and E.O. 9397.

#### PURPOSE(S):

Used for recruiting and qualifying a candidate for acceptance as an AFROTC cadet, continuing the cadet in the program and awarding an Air Force commission.

#### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The 'Blanket Routine Uses' published at the beginning of the Air Force's compilation of record system notices apply to this system.

#### POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

##### STORAGE:

Maintained in file folders, note books/binders, in computers and on computer output products.

##### RETRIEVABILITY:

Retrieved by name, Social Security Number and detachment number.

##### SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties and by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in locked rooms and cabinets. Those in computer storage devices are protected by computer system software.

##### RETENTION AND DISPOSAL:

Records at unit of assignment are destroyed one year after acceptance of commission or one year after disenrollment. Records at HQ AFROTC for disenrolled cadets are destroyed after three years. Computer records are destroyed when no longer needed. Records are destroyed by tearing into pieces, shredding, pulping, macerating or burning. Computer records are destroyed by erasing, deleting or overwriting.

##### SYSTEM MANAGER(S) AND ADDRESS:

Director of Senior Program, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110, and Commander of appropriate AFROTC detachment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

##### NOTIFICATION PROCEDURE:

Individuals seeking to determine whether this system of records contains information on them should address inquiries to the AFROTC Detachment Commander at location of assignment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

Request for information involving an investigation for disenrollment should be addressed to Commander, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110. Requests should include full name and SSN.

#### RECORD ACCESS PROCEDURES:

Individuals seeking to access records about themselves contained in this system should address requests to the AFROTC Detachment Commander at location of assignment. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices.

Request for information involving an investigation for disenrollment should be addressed to Commander, Air Force Reserve Officer Training Corps, 20 North Pine Street, Maxwell Air Force Base, AL 36112-6110. Requests should include full name and SSN.

#### CONTESTING RECORD PROCEDURES:

The Air Force rules for access to records and for contesting and appealing initial agency determinations are published in Air Force Instruction 37-132; 32 CFR part 806b; or may be obtained from the system manager.

#### RECORD SOURCE CATEGORIES:

Sources of records in the system are educational institutions, secondary and higher learning; government agencies; civilian authorities; financial institutions; previous employers; individual recommendations, interviewing officers; and civilian medical authorities.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

Portions of this system may be exempt under the provisions of 5 U.S.C. 552a(k)(5), as applicable, but only to the extent that disclosure would reveal the identity of a confidential source.

An exemption rule for this record system has been promulgated in accordance with the requirements of 5 U.S.C. 553(b) (1), (2), and (3), (c) and (e) and published in 32 CFR part 806b. For additional information contact the system manager.

#### F125 ATC A

##### SYSTEM NAME:

Management Information and Research System (MIRS) (February 22, 1993, 58 FR 10452).

##### CHANGES:

##### SYSTEM IDENTIFIER:

Change system identifier to 'F125 AF SP C.'

**SYSTEM LOCATION:**

Delete entry and replace with 'Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.'

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Delete entry and replace with 'Air Force prisoners who are in confinement or rehabilitation at any Air Force or Federal Correctional and/or Rehabilitation facility.'

\* \* \* \* \*

**RETRIEVABILITY:**

Delete entry and replace with 'Retrieved by Social Security Number.'

\* \* \* \* \*

**SYSTEM MANAGER(S) AND ADDRESS:**

Delete entry and replace with 'Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.'

**NOTIFICATION PROCEDURE:**

Delete entry and replace with 'Individuals seeking to determine whether this system of records contains information on them should address inquiries to the Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.'

**RECORD ACCESS PROCEDURES:**

Delete entry and replace with 'Individuals seeking to access records about themselves contained in this system should address requests to the Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.'

\* \* \* \* \*

**F125 AF SP C****SYSTEM NAME:**

Management Information and Research System (MIRS).

**SYSTEM LOCATION:**

Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Air Force prisoners who are in confinement or rehabilitation at any Air Force or Federal Correctional and/or Rehabilitation facility.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Significant dates, intelligence quotient and achievement scores, psychological tests scores, military

history, discipline involvement, military justice data, personal identifier data, personal history, confinement history, rehabilitation history, performance rating, type of discharge, long or short term return to duty performance data.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 8013, Secretary of the Air Force: Powers and duties; delegation by; Air Force Instruction 31-205, The Air Force Corrections Program, and E.O. 9397.

**PURPOSE(S):**

Uses for statistical analysis to support management decision making to evaluate the effectiveness of and improve program elements, and to provide data for research studies and management reports.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The 'Blanket Routine Uses' published at the beginning of the Air Force's compilation of record systems notices apply to this system.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Maintained in computers and on computer output products.

**RETRIEVABILITY:**

Retrieved by Social Security Number.

**SAFEGUARDS:**

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties and by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in locked rooms and cabinets. Those in computer storage devices are protected by computer system software.

**RETENTION AND DISPOSAL:**

Current data base is maintained while individual is in correction or rehabilitation program or appellate leave.

Historical data base is retained for 20 years. Records are destroyed by tearing into pieces, macerating, pulping, shredding, or burning. Computer records are destroyed by erasing, deleting or overwriting.

**SYSTEM MANAGER(S) AND ADDRESS:**

Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether this system of records contains information on them should address inquiries to the Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.

**RECORD ACCESS PROCEDURES:**

Individuals seeking to access records about themselves contained in this system should address requests to the Commander, Headquarters, Air Force Security Police Agency, 8201 H Avenue, Kirtland Air Force Base, NM 87117-5664.

**CONTESTING RECORD PROCEDURES:**

The Air Force rules for access to records and for contesting and appealing initial agency determinations are published in Air Force Instruction 37-132; 32 CFR part 806b; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

FBI and military records, supervisors, commanders, lawyers, doctors, chaplains, other USAF officials, American Red Cross.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Portions of this system of records may be exempt under the provisions of 5 U.S.C. 552a(j)(2), as applicable, but only during the period the individual is confined or in rehabilitation at an Air Force or Federal correctional facility. For more information contact the system manager.

An exemption rule for this record system has been promulgated in accordance with the requirements of 5 U.S.C. 553 (b)(1), (2), and (3), (c) and (e) and published in 32 CFR part 806b.

[FR Doc. 94-1425 Filed 1-25-94; 8:45 am]

BILLING CODE 5000-04-F

**Department of the Army****Army Science Board; Notice of Open Meeting**

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following Committee Meeting:

**Name of Committee:** Army Science Board, (ASB).

**Date of Meeting:** 10 February 1994.

**Time of Meeting:** 1000-1400.

**Place:** Alexandria, VA.

**Agenda:** The Army Science Board's Analysis, Test and Evaluation Issue Group will meet to conduct a review of the operation of the Operational Test and Evaluation Command. This meeting will be open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (703) 695-0781.

**Sally A. Warner,**

*Administrative Officer, Army Science Board.*  
[FR Doc. 94-1788 Filed 1-25-94; 8:45 am]  
BILLING CODE 3710-08-M

## Department of the Navy

### Intent to Grant Partially Exclusive Patent License; Results MA

**AGENCY:** Department of the Navy, DoD.  
**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to Results MA a revocable, nonassignable, partially exclusive license in the United States to practice the Government-owned invention described in U.S. Patent No. 5,039,228, "Fixtureless Environmental Stress Screening Apparatus" issued August 13, 1991.

Anyone wishing to object to the grant of this license has 60 days from the date of this notice to file written objections along with supporting evidence, if any. Written objections are to be filed with the Office of Naval Research (ONR 00CC3), Ballston Tower One, Arlington, Virginia 22217-5660.

**FOR FURTHER INFORMATION CONTACT:** Mr. R. J. Erickson, Staff Patent Attorney, Office of Naval Research (ONR 00CC3), Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660, telephone (703) 696-4001.

Dated: January 11, 1994.

**Michael P. Rummel,**

*LCDR, JAGC, USN, Federal Register Liaison Officer.*

[FR Doc. 94-1574 Filed 1-25-94; 8:45 am]  
BILLING CODE 3810-AE-M

## DEPARTMENT OF ENERGY

### Renewal of Environmental Management Advisory Board

Pursuant to section 14(a)(2)(A) of Public Law 92-463, the Federal Advisory Committee Act, and in accordance with § 101-6.1015(a) of title 41, Code of Federal Regulations, and following consultation with the

Committee Management Secretariat of the General Services Administration, notice is hereby given that the Environmental Management Advisory Board has been renewed for a 2-year period beginning January 16, 1994. The Board will provide advice to the Assistant Secretary for Environmental Restoration and Waste Management.

The purpose of the Board is to provide the Assistant Secretary for Environmental Restoration and Waste Management with advice and recommendations on both the substance and the process of the Programmatic Environmental Impact Statement and other Environmental Management projects and issues, such as future land use, occupational and public health concerns and management control effectiveness, from the perspectives of affected groups and State and local Governments. Consensus recommendations to the Department of Energy from the Board on pragmatic nationwide resolution of numerous difficult issues will help achieve the Department's objective of an integrated environmental restoration program.

Additionally, the renewal of the Environmental Management Advisory Board has been determined to be essential to the conduct of Department of Energy business and to be in the public interest in connection with the performance of duties imposed on the Department of Energy by law and agreement. The Board will operate in accordance with the provisions of the Federal Advisory Committee Act, the Department of Energy Organization Act (Pub. L. 95-91), and rules and regulations issued in implementation of those Acts.

Further information regarding this Advisory Board may be obtained from Rachel Murphy Samuel at (202) 586-3279.

Issued in Washington, DC on January 18, 1994.

**Marcia L. Morris,**

*Deputy Advisory Committee Management Officer.*

[FR Doc. 94-1607 Filed 1-25-94; 8:45 am]  
BILLING CODE 6450-01-M

### Finding of No Significant Impact: Interim Storage of Plutonium Components at the Pantex Plant, Amarillo, TX

**AGENCY:** United States Department of Energy.

**ACTION:** Finding of No Significant Impact for the Interim Storage of Plutonium Components at the Pantex Plant.

**SUMMARY:** In compliance with the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.*, the Council on Environmental Quality regulations implementing the National Environmental Policy Act, 40 CFR 1500 *et seq.*, and the United States Department of Energy's implementing procedures, 10 CFR 1021, the Department of Energy has prepared an Environmental Assessment (DOE/EA-0812, January 1994) to evaluate the potential environmental impacts of increased interim storage of plutonium components (pits) at the Pantex Plant located in Carson County about 17 miles northeast of Amarillo, Texas.

The Environmental Assessment analyzed the potential environmental impacts of interim storage of up to 20,000 pits at the Pantex Plant until decisions can be implemented on the long-term storage of plutonium required for national security purposes and on the disposition of surplus plutonium. In response to comments received from State and local officials and other stakeholders, the Department has decided to store no more than 12,000 pits at Pantex until it completes a site-wide environmental impact statement covering all current and proposed facilities and activities at Pantex. A Record of Decision for this environmental impact statement will be issued by November 15, 1996. The Department's interim storage decision will enable approximately three more years of nuclear weapons dismantlement activities at Pantex. The Department now envisions that the Pantex Site-Wide Environmental Impact Statement will address all storage requirements, including alternative locations, for all plutonium, highly enriched uranium, tritium, and classified weapons components that result from Pantex dismantlement activities. Scoping meetings for this Environmental Impact Statement will be held in Amarillo, Texas, and at other sites that might be affected by the activities at Pantex by June 30, 1994. In addition, the Reconfiguration Programmatic Environmental Impact Statement is scheduled to be completed in 1995. It will analyze all reasonable long-term pit storage alternatives and discuss the disposition options the Department is considering, and the Record of Decision will include decisions on pit storage locations. The Pantex Site-Wide Environmental Impact Statement will take into account any decisions resulting from the Reconfiguration Programmatic Environmental Impact Statement.

The Department of Energy provided a pre-approval review copy of the

Environmental Assessment to the State of Texas in December 1992.

Subsequently, the State provided the pre-approval Environmental Assessment to interested and affected members of the public. State and public comments were submitted to the Department for consideration during February and March, 1993. In response to these comments, the Department reviewed and revised the Environmental Assessment and added a Comment Response Document. This revised pre-approval Environmental Assessment was issued on November 11, 1993, for public review and comment.

The Department then held a public meeting on December 6, 1993, in Amarillo, Texas, to discuss the revised Environmental Assessment and Comment Response Document and to respond to comments from State and local officials and the public. Subsequent to the public meeting, the Department accepted written comments on the revised pre-approval Environmental Assessment until December 20, 1993. The Environmental Assessment was expanded to include the Department's response to the comments received on the revised Environmental Assessment.

Based upon the analyses in the Environmental Assessment and after careful consideration of all comments from State and local officials and members of the public, the Department of Energy has determined that storage of no more than 12,000 pits at Pantex does not constitute a major Federal action significantly affecting the quality of the human environment, within the meaning of the National Environmental Policy Act. Therefore, an environmental impact statement is not required and the Department issues this Finding of No Significant Impact.

**ADDRESSES AND FURTHER INFORMATION:** Persons requesting additional information regarding this action or desiring a copy of the Environmental Assessment should contact: Mr. Thomas Walton, Public Affairs Officer, Amarillo Area Office, P.O. Box 30030, Amarillo, Texas 79120, (806) 477-3120.

Copies of the Environmental Assessment are available for public review at the following Department of Energy reading rooms:

U.S. Department of Energy, Freedom of Information Reading Room, Forrestal Building, room 1E-190, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-6020.

U.S. Department of Energy, Reading Room, Amarillo College, Lynn Library/Learning Center, P.O. Box

447, Amarillo, Texas 79178, (806) 371-5400.

U.S. Department of Energy, Reading Room, Carson County Library, P.O. Box 339, Panhandle, Texas 79068, (806) 537-3742.

For general information regarding the Department of Energy National Environmental Policy Act process, please contact: Ms. Carol M. Borgstrom, U.S. Department of Energy, Office of National Environmental Policy Act Oversight, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-4600 or (800) 472-2756.

**SUPPLEMENTARY INFORMATION:** The Pantex Plant is located in Carson County, about 17 miles northeast of Amarillo, Texas, and central to the panhandle of Texas. As a component of the national nuclear weapons research, development, and production complex administered by the Department of Energy, the primary mission of Pantex is the assembly, disassembly, and surveillance of nuclear weapons. Within the disassembly portion of the Department of Energy mission, weapons are returned to Pantex from the Department of Defense, disassembled and the plutonium pits stored at Pantex.

Two factors combine to create the need for increased interim storage of pits. First, decisions to reduce the size of the nuclear weapons stockpile have accelerated the accumulation of pits. These pits need to be stored on an interim basis until decisions can be implemented on the long-term storage of plutonium required for national security purposes and on the disposition of surplus plutonium.

Second, pits are no longer being shipped from Pantex to the Rocky Flats Plant, near Golden, Colorado, to be recycled. This function was temporarily halted at the Rocky Flats Plant in 1989 to make improvements in the operations and facilities. In January 1992, pit recycle operations were suspended indefinitely. Subsequently, the Department has decided to no longer maintain a nuclear component production capability at the Rocky Flats Plant.

*Proposed Action Described in the Environmental Assessment and Decision:* The proposed action as described in the Environmental Assessment was to provide additional storage beyond the present pit storage capacity (6,800 pits) for up to 20,000 pits for an interim time period. In response to comments received from State and local officials and other stakeholders, the Department has decided to increase the interim storage of pits at Pantex under this Finding of

No Significant Impact to no more than 12,000 pits. There would not be a need to construct or demolish any additional facilities; nor would there be any increased generation or management of wastes, uncontained plutonium handling, or plutonium processing as a result of this decision. The Department will implement this decision in the same manner as described in the proposed action for storage of 20,000 pits with one exception, the number of magazines that will be utilized.

Approximately 31 magazines will be used instead of 49. The operations will remain the same in that inspections and inventories of pits will be carried out in the same manner, the method of storage will remain as described in the proposed action, and the number of pits stored in each magazine will remain the same.

Two types of magazines exist at Pantex. There are 18 Modified-Richmond magazines, and 42 Steel Arch Construction magazines. Currently, Steel Arch Construction magazines are not utilized for pit storage. Dismantlement activities at Pantex will continue and pit storage will be expanded to include the Zone 4 Steel Arch Construction magazines consistent with the Environmental Assessment and the Final Safety Analysis Report for Zone 4 and all magazines will use the preferred interim storage configurations in the Environmental Assessment. The preferred interim storage configurations are either multiple stacking of containers placed horizontally on pallets or a single layer of containers placed vertically on the floor with aisles to facilitate access for inventory and surveillance activities. Because of its overall advantages, storage eventually will be accomplished using the multiple stacked configuration. After successful completion of the Department's Operational Readiness Review for horizontal stacking, scheduled for mid-February 1994, storage using this configuration will begin. Until then, storage will be undertaken using the vertical configuration previously described. The number of pits that could be held within each of the 18 Modified-Richmond magazines will increase from 378 pits to a maximum of 440 as accomplished by using a horizontal palletized multiple stacking configuration. In addition, each Steel Arch Construction magazine will hold up to 384 or 392 pits, in the vertical single-layer or horizontal palletized multiple stacking configurations, respectively.

These two configurations represent the limiting cases for the numbers of pits held in a single Modified-Richmond

or Steel Arch Construction magazine. In the vertical configuration, individual pit containers may rest on casters rather than on the concrete floor of magazines. This will facilitate inventory operations and worker safety, and accommodate operational needs. In addition, some Steel Arch Construction magazines will be reserved for assembled weapons and component staging activities that have taken place in the past, and will continue in these facilities.

Each pit is clamped in a holding fixture and inserted in a storage container comprised of a carbon or stainless steel drum lined with a nominal three inches of insulating and cushioning material. The pallets for the horizontal multiple stacking configuration are designed to ensure structural integrity and stability. An electric forklift with shielding for radiation protection will be used for storage, retrieval, and inventory operations for the horizontal palletized stacking configuration. The shielded forklift has a passive guidance system (e.g., rail guides, wire guides, etc.), which prevents the forklift from veering from the aisle, and is equipped with a lateral motion, turret-type fork assembly, which allows palletized pit containers to be stacked and retrieved.

**Alternatives:** The Environmental Assessment considers the alternatives of No Action, Combination of the Proposed Action Storage at Pantex with Storage at Other Department of Energy Sites (Savannah River Site, Los Alamos National Laboratory, and the Hanford Site), Supplement No-Action Alternative Storage Capacity with Storage at Other Department of Energy Sites, and Interim Storage at a Department of Defense Facility. Based on the analysis in the Environmental Assessment, none of the alternatives would provide sufficient increased interim storage capacity for pits while continuing disassembly operations at the anticipated rate, and none would meet other programmatic objectives, i.e., to provide an approach that is timely and cost effective and utilizes to the maximum extent practicable existing facilities and infrastructures.

**Environmental Impacts: Routine Operating Conditions:** Under normal operating conditions, the storage of up to 12,000 pits would result in only minor releases of air pollutants associated with equipment engines and a minor increase in particulates (dust) associated with forklift operations in moving security blocks and pit containers to the magazines. There would be no impact to water resources, flood plains, wetlands, cultural resources, or other site features. No new

facilities are required to increase storage capacity. Consequently, there would be no environmental impact due to the need for construction or significant modification of facilities.

The primary impact of routine operations is occupational radiation exposure to workers involved in placement of pits into storage and periodic inspections and inventories of pits stored on an interim basis. Increasing the number of pits from 6,000 to 12,000 will increase the estimated cumulative personnel exposure by approximately 14 percent (from 67.8 person-rem per year as reflected in Appendix F of the Environmental Assessment to approximately 80.4 person-rem per year). For all operations at the Pantex Plant, worker radiation doses are maintained below the annually established Pantex operating limit of 1 rem per year. This limit is well below the federally mandated limit of 5 rem per year. Limiting the number of pits stored at Pantex on an interim basis to a maximum of 12,000 pits would reduce the cumulative Personnel Exposure (person-rem/yr) estimated to occur from the proposed action in Appendix F of the Environmental Assessment from 92.4 person-rem per year to 80.4 person-rem per year. The reduction would result from reducing the total number of magazines inventoried on an annual basis from 40 magazines per year to 24 magazines per year. The handling procedures and rate of fill of the magazines described in the Environmental Assessment remain unchanged. Individual exposures would be maintained well within Federal and Department guidelines. Emphasis will be placed on ensuring that doses to workers will be minimized through implementation of "As Low As Reasonably Achievable" practices.

Additionally, the level of penetrating radiation expected to result from storage of up to 12,000 pits would result in no measurable effect on exposure to an individual occupying a position for an entire year at the nearest Pantex site boundary. Such a level would be indistinguishable from natural background radiation. No adverse health effects would be expected among the general public as a result of routine operations from this action.

**Abnormal Events/Accidents:** The Department of Energy analyzed a series of potential accidents in the Environmental Assessment. By using conservative assumptions (i.e., those that tend to overestimate potential impacts), the Department of Energy attempted to bound all reasonably foreseeable adverse impacts. The Department of Energy analyzed impacts

from abnormal events having a probability of occurrence of greater than one in a million ( $1 \times 10^{-6}$ ).

Potential accident-initiating events considered in the Safety Analysis Report of the Zone 4 magazines were reviewed for potential impact. Included were earthquakes, external explosions, forklift accidents, missiles, tornados, and aircraft crashes. The potential for consequences for an abnormal event/accident range from negligible to marginal. No consequences to the public or the environment would be anticipated. The workers in the immediate vicinity of the accident site could receive a marginal radiation dose. An analysis performed of the likelihood of an aircraft crash into a Modified-Richmond or Steel Arch Construction magazine in Zone 4 indicated an annual probability of less than  $1 \times 10^{-6}$  per year.

Because the Ogallala Aquifer is the primary water source for most of the Texas Panhandle, and in response to the expressed interest of State and local officials and the public regarding possible contamination of the aquifer, the Department of Energy performed additional analyses on potential impacts to the aquifer. The analyses describe the potential for aquifer contamination should plutonium be released to the environment within an 80-km radius of the Pantex Plant. No accident or routine operating condition with a probability greater than  $1 \times 10^{-6}$  was identified that could result in a plutonium release having an impact on the Ogallala Aquifer. In the unlikely event of an accident that resulted in a release of plutonium, it is expected that the majority of the radioactivity (90 percent) deposited on the soil surface would remain in that top layer of soil. Because plutonium is relatively immobile in soils similar to those found at and near the Pantex site, no effects to the Ogallala Aquifer would be expected.

**Determination:** Based upon the analyses in the Environmental Assessment, and after careful consideration of comments received, the Department of Energy has determined that the storage of no more than 12,000 pits at Pantex does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, an Environmental Impact Statement is not required and the Department issues this Finding of No Significant Impact.

Any new Finding of No Significant Impact, if that should prove necessary, that relies on the Environmental Assessment for Interim Storage of Plutonium Components at the Pantex Plant will be issued only after consultation with State and affected

stakeholders regarding DOE's views of the need for a revised Finding of No Significant Impact and after a public meeting in Amarillo to consider the proposed Finding of No Significant Impact. If a new Finding of No Significant Impact is issued, it will respond to comments received during the consultation and public meeting process.

Issued at Washington, DC, this January 19, 1994.

Tara O'Toole,  
Assistant Secretary, Environment, Safety and Health.

[FR Doc. 94-1610 Filed 1-25-94; 8:45 am]

BILLING CODE 6450-01-P

**Energy Information Administration**

**Agency Information Collection Under Review by the Office of Management and Budget**

AGENCY: Energy Information Administration, DOE.

ACTION: Notice of request submitted for review by the Office of Management and Budget.

**SUMMARY:** The Energy Information Administration (EIA) has submitted the energy information collection(s) listed at the end of this notice to the Office of Management and Budget (OMB) for review under provisions of the Paperwork Reduction Act (Pub. L. No. 96-511, 44 U.S.C. 3501 *et seq.*). The listing does not include collections of information contained in new or revised regulations which are to be submitted under section 3504(h) of the Paperwork Reduction Act, nor management and procurement assistance requirements collected by the Department of Energy (DOE).

Each entry contains the following information: (1) The sponsor of the collection; (2) Collection number(s); (3) Current OMB docket number (if applicable); (4) Collection title; (5) Type of request, e.g., new, revision, extension, or reinstatement; (6) Frequency of collection; (7) Response obligation, i.e., mandatory, voluntary, or required to obtain or retain benefit; (8) Affected public; (9) An estimate of the number of respondents per report period; (10) An estimate of the number of responses per respondent annually; (11) An estimate of the average hours per response; (12) The estimated total annual respondent burden; and (13) A brief abstract describing the proposed collection and the respondents.

**DATES:** Comments must be filed on or before February 25, 1994. If you anticipate that you will be submitting

comments but find it difficult to do so within the time allowed by this notice, you should advise the OMB DOE Desk Officer listed below of your intention to do so, as soon as possible. The Desk Officer may be telephoned at (202) 395-3084. (Also, please notify the EIA contact listed below.)

**ADDRESSES:** Address comments to the Department of Energy Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, 726 Jackson Place NW., Washington, DC 20503. (Comments should also be addressed to the Office of Statistical Standards at the address below.)

**FOR FURTHER INFORMATION AND COPIES OF RELEVANT MATERIALS CONTACT:** Jay Casselberry, Office of Statistical Standards, (EI-73), Forrestal Building, U.S. Department of Energy, Washington, DC 20585. Mr. Casselberry may be telephoned at (202) 254-5348.

**SUPPLEMENTARY INFORMATION:** The energy information collection submitted to OMB for review was:

1. Federal Energy Regulatory Commission
2. FERC-538
3. 1902-0061
4. Gas Pipeline Certificates: Initial Service
5. Extension
6. On occasion
7. Mandatory
8. Businesses or other for-profit
9. 1 respondent
10. 1 response
11. 320 hours per response
12. 320 hours

13. FERC-538 is an application filing to request the Commission to order an interstate natural gas pipeline to provide service to the LDC/municipality or natural gas company. Data is needed to determine if such connection/service would be in the public interest.

**Statutory Authority:** Section 2(a) of the Paperwork Reduction Act of 1980, (Pub. L. 96-511), which amended Chapter 35 of Title 44 United States Code (See 44 U.S.C. 3506(a) and (c)(1)).

Issued in Washington, DC, January 14, 1994.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

[FR Doc. 94-1609 Filed 1-25-94; 8:45 am]

BILLING CODE 6450-01-P

**Federal Energy Regulatory Commission**

[Docket No. ER90-525-010 et al.]

**New England Power Company et al.; Electric Rate and Corporate Regulation Filings**

January 13, 1994.

Take notice that the following filings have been made with the Commission:

**1. New England Power Co.**

[Docket Nos. ER90-525-010 and ER91-565-004]

Take notice that on January 6, 1994, New England Power Company (NEP) filed an amended refund compliance report associated with certain refund obligations under Docket Nos. ER90-525-000 *et al.* and ER91-565-000 *et al.* NEP has revised the calculation of its refund amounts to correct the allocation of its purchased power tracker refund to customers under Docket No. ER90-525-000 *et al.* NEP stated that the revised allocation will result in increases and decreases in the amount of the refund among individual customers.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**2. Western Mass Electric Co.**

[Docket No. ER92-67-006]

Take notice that on January 6, 1994, Western Mass Electric Company tendered for filing its refund report in the above-referenced docket.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**3. Boston Edison Co.**

[Docket Nos. ER93-150-002 and EL93-10-002]

Take notice that Boston Edison Company (Boston Edison) of Boston Massachusetts on December 29, 1993, filed revised decommissioning charges in compliance with the Federal Energy Regulatory Commission's December 3, 1993 order in Docket Nos. ER93-150-001 and EL93-10-001 which apply to those privately-owned and municipally-owned utilities who have long-term capacity and energy entitlements in its Pilgrim Nuclear Power Station. The names of the customers and the rate schedule numbers of their contracts are:

Customer	Rate schedule number
Commonwealth Electric Company	68
Montaup Electric Company .....	69
Reading Municipal Light Department .....	113

Customer	Rate schedule number
Boylston Municipal Light Department .....	77
Holyoke Gas & Electric Department .....	79
Hudson Light & Power Department .....	83
Littleton Electric Light & Water Department .....	85
Marblehead Municipal Light Department .....	87
Middleborough Municipal Gas and Electric Department .....	102
North Attleboro Electric Department .....	89
Peabody Municipal Plant .....	91
Shrewsbury Municipal Light Plant .....	93
Templeton Municipal Lighting Plant .....	95
Wakefield Municipal Light Department .....	97
West Boylston Municipal Light Department .....	99
Westfield Gas & Electric Light Department .....	81

Boston Edison states that its filing has been served on each affected customer and on the Massachusetts Department of Public Utilities, and has been posted as required by the Commission's regulations.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 4. Milford Power Limited Partnership

[Docket No. ER93-493-001]

Take notice that on December 29, 1993, Milford Power Limited Partnership tendered for filing its compliance filing in the above-referenced docket.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 5. Northeast Utilities Service Co.

[Docket Nos. ER93-545-000 and ER93-219-002]

Take notice that on December 30, 1993, Northeast Utilities Service Company (NUSCO), on behalf of the Utilities System Companies, filed a Service Agreement for firm transmission service to MASSPOWER under NUSCO's Tariff No. 1. The Service Agreement will supersede a Firm Transmission Service Agreement between the parties on file with the Commission.

NUSCO states that copies of its submission have been mailed or delivered to MASSPOWER.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 6. Northeast Utilities Service Co.

[Docket Nos. ER93-902-000 and ER93-915-000]

Take notice that on December 21, 1993, Northeast Utilities Service Company (NU) tendered for filing an Errata to its December 2, 1993, supplemental filing. The Errata affect only Attachment F of that filing which is the Affidavit of Charles E. Olson regarding return on equity issues.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 7. Tampa Electric Co.

[Docket No. ER93-959-000]

Take notice that on January 4, 1994, Tampa Electric Company (Tampa Electric) filed an amendment to its initial filing in the above-referenced docket. The amendment provides more information about the tendered Interconnection Agreement, as amended, between Tampa Electric and Auburndale Power Partners, Limited Partnership (Auburndale).

Tampa Electric continues to propose an effective date of February 3, 1994, for the Transmission Service Agreement and Interconnection Agreement, as amended, tendered with its initial filing. Copies of the filing have been served of Auburndale and the Florida Public Service Commission.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 8. Iowa Southern Utilities Co.

[Docket No. ER94-49-000]

Take notice that Iowa Southern Utilities Company (ISU) on December 30, 1993, tendered for filing an amendment to its October 25, 1993 initial filing in the above docket. The amendment included support for the cost of service for Iowa Southern's FERC Electric Tariff Rate No. 52 (Interruptible Wholesale Power) and clarification of the circumstances under which energy charges would be imposed.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 9. Kentucky Power Co.

[Docket No. ER94-61-000]

Take notice that on January 5, 1994, Kentucky Power Company (Kentucky Power) filed, as an amendment to the filing made in this Docket on October 28, 1993, revised Original Sheet No. 6 to proposed tariff MRS-D. The amendment was submitted to correct a clerical error in the original filing. Kentucky Power requests an effective date of January 1, 1994.

Kentucky Power states that a copy of its filing was served upon the City of Olive Hill, Kentucky and the Kentucky Public Service Commission.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 10. Portland General Electric Co.

[Docket No. ER93-133-000]

Take notice that on December 30, 1993, Portland General Electric Company (PGE) tendered for filing, as supplements to Filing No. 50 of its November 9, 1992 filing in Docket No. ER93-133-000, containing a Letter of Agreement under which Bonneville Power Administration has an option to lease certain transmission assets.

Under the provisions of 18 CFR 35.11 and the Commission's order issued July 30, 1993, in Docket No. PL93-2-002, PGE respectfully requests that the Commission grant waiver of the notice requirements of 18 CFR 35.2 to allow the Letter Agreement to become effective December 28, 1985.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### 11. Northeast Utilities Service Co.

[Docket No. ER94-48-000]

Take notice that on January 3, 1994, Northeast Utilities Service Company (NUSCO) tendered for filing a revised Letter Agreement requested by the Commission staff in the above-referenced docket.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

#### Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

Lois D. Cashell,  
Secretary.

[FR Doc. 94-1577 Filed 1-25-94; 8:45 am]

BILLING CODE 6717-01-P

[Docket No. ER93-154-000, et al.]

**Pacific Gas and Electric Co., et al.;  
Electric Rate and Corporate Regulation  
Filings**

January 13, 1994.

Take notice that the following filings have been made with the Commission:

**1. Pacific Gas and Electric Co.**

[Docket No. ER93-154-000]

Take notice that on December 22, 1993, Pacific Gas and Electric Company tendered for filing an amendment in the above-referenced docket.

*Comment date:* January 27, 1994, in accordance with Standard Paragraph E at the end of this notice.

**2. Idaho Power Co.**

[Docket No. ER94-444-000]

Take notice that on January 3, 1994, Montana Power Company (Montana) tendered for filing with the Federal Energy Regulatory Commission pursuant to 18 CFR 35.13, a Certificate of Concurrence in the Idaho Power Company filing in the above referenced Docket.

A copy of the filing was served upon Idaho Power Company.

*Comment date:* January 27, 1994, in accordance with Standard Paragraph E at the end of this notice.

**3. PacifiCorp Co.**

[Docket No. ER94-888-000]

Take notice that PacifiCorp, on January 5, 1994, tendered for filing on behalf of Arizona Public Service Company, (AS) and itself, Amendment No. 1 to the September 21, 1990 Transmission Agreement between PacifiCorp and APS, PacifiCorp Rate Schedule FERC No. 308 and APS Rate Schedule FERC No. 184.

Copies of this filing have been supplied to Arizona Public Service Company, Public Utility Commission of Oregon, Utah Public Service Commission and the Arizona Corporation Commission. PacifiCorp requests waiver of prior notice and that an effective date of October 1, 1993 be assigned to Amendment No. 1.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**4. Delmarva Power & Light Co.**

[Docket No. ER94-889-000]

Take notice that on January 5, 1994, Delmarva Power & Light Company (DPL) tendered for filing as an initial rate under Section 205 of the Federal Power Act and part 35 of the regulations issued thereunder, an Agreement between DPL and Atlantic City Electric Company (Atlantic) dated December 16, 1993.

DPL states that the Agreement sets forth the terms and conditions for the sale of short-term energy which it expects to have available for sale from time to time and the purchase of which will be economically advantageous to Atlantic. DPL requests that the Commission waive its standard notice period and allow this Agreement to become effective on February 14, 1994.

DPL states that a copy of this filing has been sent to Atlantic and will be furnished to the New Jersey Board of Regulatory Commissioners, the Delaware Public Service Commission, the Maryland Public Service Commission, and the Virginia State Corporation Commission.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**5. Carolina Power & Light Co.**

[Docket No. ER94-897-000]

Take notice that on January 10, 1994, Carolina Power & Light Company (CP&L) filed, pursuant to section 205 of the Federal Power Act and part 35 of the Commission's Regulations, an Amendment to the Application for Power Service between the City of Camden, South Carolina (Camden) and Carolina Power & Light Company (the Amendment), and Resale Service Schedule RS93-1, applicable to full requirements wholesale electric service provided by CP&L to Camden. CP&L states that the Amendment revises the term and termination provisions under the Application, and the new RS93-1 revises the rates, terms and conditions under which CP&L will provide service to Camden. Upon the effective date, CP&L states that Camden no longer will take service under existing Resale Service Schedule RS88-2B. CP&L has requested an effective date of March 11, 1994.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**6. Central and South West Services, Inc.**

[Docket No. ER94-898-000]

Take notice that on January 10, 1994, Central and South West Services, Inc. (CSW), as agent for the electric utility

operating companies of the Central and South West Corporation (CSW) and El Paso Electric Company (El Paso), tendered for filing under section 205 of the Federal Power Act an agreement to amend the "Restated and Amended Operating Agreement," which forms the basis for the coordinated operations of the CSW electric utility operating companies. The applicants state that El Paso and CSW are also jointly filing an application under section 203 of the Federal Power Act of even date seeking approval of the jurisdictional aspects of a merger transaction in which El Paso will become a wholly owned subsidiary of CSW. The agreement to amend will make El Paso a party to the CSW Restated and Amended Operating Agreement when the merger becomes effective.

Copies of the filing were sent to the Arkansas Public Service Commission, the Louisiana Public Service Commission, the New Mexico Public Utility Commission, the Oklahoma Corporation Commission and the Public Utility Commission of Texas.

*Comment date:* February 8, 1994, in accordance with Standard Paragraph E at the end of this notice.

**7. Robert A. Cornog**

[Docket No. ID-2812-000]

Take notice that on December 27, 1993, Robert A. Cornog (Applicant) tendered for filing an application under section 305(b) of the Federal Power Act to hold the following positions:

Director—Wisconsin Electric Power Company  
Director—Johnson Controls, Inc.

*Comment date:* January 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

Lois D. Cashell,  
Secretary.

[FR Doc. 94-1575 Filed 1-25-94; 8:45 am]

BILLING CODE 6717-01-P

[Docket No. CP94-164-000, et al.]

### Florida Gas Transmission Co., et al.; Natural Gas Certificate Filings

January 13, 1994.

Take notice that the following filings have been made with the Commission:

#### 1. Florida Gas Transmission Co.

[Docket No. CP94-164-000]

Take notice that on December 27, 1993, Florida Gas Transmission Company (FGT), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP94-164-000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon by sale to Fina Natural Gas Company (Fina) three supply laterals located in Hidalgo County, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

FGT proposes to convey to Fina the South McAllen Lateral (22.2 miles of 8-inch line), the Sharyland Lateral (1.2 miles of 3-inch line), the Turnbull-Zoch Lateral (.8 miles of 3-inch line) and all related appurtenant facilities.

FGT states that the proposed abandonment and transfer would not impair any current services being provided by FGT to its existing customers, nor would it disadvantage any FGT customer. FGT further states that the proposed abandonment and transfer would save FGT approximately \$17,000 per year in operating and maintenance costs.

*Comment date:* February 3, 1994, in accordance with Standard Paragraph F at the end of this notice.

#### 2. Williams Natural Gas Co.

[Docket No. CP94-165-000]

Take notice that on December 23, 1993, Williams Natural Gas Company (Williams) in compliance with Article 18 of the General Terms and Conditions of its FERC Gas Tariff, Second Revised Volume No. 1, provided the Commission with a copy of a 30-day notice that Williams provided its customer, Premier Gas Company (Premier), of its intent to suspend all service effective February 1, 1994, for non-payment of outstanding balances unless payment by Premier for such balances is made by January 31, 1994.

Further, Williams' tariff provides that after such failure to pay and application to and authorization by the Federal Energy Regulatory Commission, if the authorization is necessary, Williams may terminate the service agreement and cease all service thereunder. This filing is docketed as listed above and is treated as an application for authorization to abandon.

*Comment date:* February 3, 1994, in accordance with Standard Paragraph F at the end of this notice.

#### 3. El Paso Natural Gas Co.

[Docket No. CP94-176-000]

Take notice that on January 7, 1994, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas 79978 filed in Docket No. CP94-176-000 a request pursuant to Sections 157.205 and 157.208 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205), for authorization to construct and operate a compressor station, with appurtenances, to be installed on an existing lateral line and to tie-in lateral line to a mainline, all new construction located in La Paz County, Arizona, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

El Paso states the proposed facilities, which are estimated to cost approximately \$4,624,000 will permit the delivery by El Paso of increased volumes of natural gas to the Yuma, Arizona area through the Yuma Line for service to Southwest Gas Corporation ("Southwest"), the local distribution company serving the area, and to Arizona Public Service Company (APS). El Paso plans an in-service date for the compressor station and pipeline tie-in of not later than May 1, 1994.

El Paso also states that effective September 1, 1991 and October 1, 1991, Southwest and APS, respectively, elected to convert their firm sales entitlements under their existing Service Agreements to firm transportation service pursuant to the provisions of El Paso's Global Settlement at Docket No. RP88-44-000, et al. This firm transportation service is being rendered pursuant to the terms and conditions of a Transportation Service Agreement ("TSA"), dated August 9, 1991 between El Paso and Southwest and a TSA dated October 24, 1990 between El Paso and APS. These TSAs provide for the firm transportation of Southwest's full requirements of natural gas to consumers situated within the State of Arizona and APS' full requirements of natural gas for use in its power plants situated within the State of Arizona.

*Comment date:* February 28, 1994, in accordance with Standard Paragraph G at the end of this notice.

#### Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

G. 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 Section 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.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94-1576 Filed 1-25-94; 8:45 am]

BILLING CODE 6717-01-P

## Office of Arms Control and Nonproliferation

### Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement for Cooperation Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning Peaceful Uses of Atomic Energy, as amended, and the Agreement for Cooperation Between the Government of the United States of America and the Government of Switzerland Concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement would give approval, which must be obtained under the above-mentioned agreements, for the following transfer of special nuclear materials of United States origin, or of special nuclear materials produced through the use of materials of United States origin, as follows: Switzerland to the United Kingdom for the purpose of reprocessing 112 irradiated fuel assemblies containing approximately 34,701 kilograms of uranium and containing 298 kilograms of the isotope uranium-235 (enriched to approximately 0.86%), and 421 kilograms of plutonium from the Beznau nuclear power station. This subsequent arrangement is designated as RTD/EU(SD)-79.

The United States has received assurance from the Government of Switzerland that the recovered uranium and plutonium will be stored in the United Kingdom, and will not be transferred from the United Kingdom, nor put to any use, without the prior consent of the United States Government.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice and after fifteen days of continuous session of the Congress,

beginning the day after the date on which the reports required by section 131(b)(1) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), are submitted to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate. The two time periods referred to above shall run concurrently.

Issued in Washington, DC on January 19, 1994.

**Edward T. Fei,**

*Acting Director, Office of Nonproliferation Policy, Office of Arms Control and Nonproliferation.*

[FR Doc. 94-1608 Filed 1-25-94; 8:45 am]

BILLING CODE 6450-01-M

## ENVIRONMENTAL PROTECTION AGENCY

[OPP-50573; FRL-4755-1]

### Arthropod Pheromones in Solid Matrix Dispensers; Experimental Use Permits

**AGENCY:** Environmental Protection Agency (EPA)

**ACTION:** Notice.

**SUMMARY:** EPA is announcing in this notice that it is expanding the acreage cut-off for when an Experimental Use Permit (EUP) is required under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) from 10 acres to 250 acres for a class of biological pesticides. This class of pesticides covers arthropod pheromone products in solid matrix dispensers used at rates at or below a total use rate of 150 grams active ingredient (AI)/acre/year. Tests conducted on these pheromone formulations under the conditions specified in this notice would not require an EUP at acreages up to and including 250 acres. Tests conducted on acreages exceeding 250 acres would require an EUP.

**FOR FURTHER INFORMATION CONTACT:** By mail: Phil Hutton, Registration Division, (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 213, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, 707-305-7690.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

In keeping with the Administrator's commitment to reduce the use of higher risk pesticides and provide incentives for the adoption of lower-risk pest management methods, EPA is announcing in this notice a new policy of allowing testing of pheromones in solid matrix dispensers (e.g., twist ties,

plastic tapes, and ropes) on no more than 250 acres to proceed without an EUP. EPA recognizes that alternative pest control strategies, integrated pest management, and reduced risk pesticides, such as pheromones in solid matrix dispensers, are fundamental elements of an overall program to reduce risks to humans and the environment.

Insect species utilize certain volatile compounds, semiochemicals, and pheromones, to communicate with each other (e.g., to locate and attract mates or give alarm). For purposes of this notice, EPA defines a semiochemical as a chemical that transmits messages between living organisms. A pheromone, which is a type of semiochemical, is defined as a compound produced by an arthropod which, alone or in combination with other such compounds, modifies the behavior of other individuals of the same species (40 CFR 152.25(b)(1)). Even very low amounts of these naturally occurring volatile compounds can confuse normal insect behavior thus interrupting mating and preventing reproduction.

These chemicals may pose a relatively low risk alternative for managing insect pest populations. The use of semiochemicals, including pheromones, to attract and trap insects has been a viable pest management technology for a considerable period of time. In 1979, EPA first registered pheromones for use in traps for the purpose of mass trapping Japanese Beetles. Since then, the Agency has registered approximately 30 semiochemical pesticides with approximately 20 active ingredients being Lepidoptera pheromones.

It was in the late 1970s that EPA recognized that biochemical pesticides, including pheromones, were inherently different from most broad spectrum conventional pesticides and encouraged their development and registration, considering them to be potentially lower risk alternatives to conventional synthetic products on the market. The development of reduced safety data requirements currently in place for the registration of biochemical pesticides is based on the Agency's classification of a biochemical pesticide by two criteria: (1) The compound's non-toxic mode of action on the target pest, and (2) the natural occurrence of the compound. While not criteria for biochemical classification, arthropod pheromone products also have a low use rate, usually below 20 grams per acre, and target species specificity, therefore less expected environmental impact than other pesticides.

The conditions under which an EUP, the first step in the regulation process, is required and the data which is required for an EUP application are major areas of concern by researchers and producers of pheromone pesticide products. A 1987 survey of companies actively involved in the registration of pheromones and companies that have considered and rejected pheromone development indicated that industry considered data requirements for pheromones to be excessive given the relatively safe nature of these substances, their extremely low rate of application, and their short persistence. Furthermore, it was noted that the applicant must incur the costs of developing most of the data to obtain an EUP, a stage in the product's development often too early to tell whether the pheromone is viable as a pesticide product. Given the limited earning potential of pheromone products, such testing costs tend to be prohibitively expensive; this is in addition to the high initial production costs of the pheromones themselves.

Over the years, industry has suggested several changes in EPA rules and procedures to aid the development and ease the regulatory standards for pheromones and similar semiochemicals. The Agency is now at a point where it believes there is a sufficient body of information in the public literature and has adequate data available on arthropod pheromones, and is now taking steps toward this end.

Today's notice announces a new agency policy of allowing pheromones in solid matrix dispensers to be tested on acreages not exceeding 250 acres of land under the conditions specified in this notice without an EUP. This policy only applies to arthropod pheromones in solid matrix dispensers, as defined in this notice, applied at rates not to exceed 150 grams AI/acre/year.

Conditional relief consisting of exemption from regulation under FIFRA has previously been granted by EPA for pheromone traps in which the pheromones are the sole active ingredient(s) (See 40 CFR 152.25(b)). In addition, EPA, on its own initiative, issued a proposed rule in the Federal Register of December 8, 1993 (58 FR 64538), which proposes to exempt from the requirement of a tolerance under the Federal Food, Drug, and Cosmetic Act (FFDCA) the residues of arthropod pheromones resulting from the use of these substances in solid matrix dispensers with an annual application rate limitation of 150 grams AI/acre/year for pest control in or on all raw agricultural commodities. The scope of pheromone products exempted by this

tolerance proposal would be the same as the scope of products subject to this notice. EPA currently is considering whether to take additional actions to grant further regulatory relief for other types of pheromone products. If EPA determines that any such regulatory relief is warranted, EPA would announce such a decision in a future Federal Register notice.

## II. Statutory and Regulatory Authority

Section 5 of FIFRA, 7 U.S.C. 136c and 40 CFR part 172 provide for issuance by the Agency of EUP's for the testing of new, unregistered, pesticides or registered pesticides being tested for new uses, in which the purpose is only to determine its value for pesticide purposes or to determine its toxicity or other properties. Such permits are generally issued for large-scale testing of pesticides on more than 10 acres. Contained within the scope of the regulation, however, is the presumption that small-scale testing, i.e., on not more than 10 acres of land, does not require an EUP provided that the crops are destroyed or an appropriate tolerance is in place (40 CFR 172.3(a)). This presumption, however, is caveated not to preclude experimental testing on larger areas in certain circumstances where the purpose of the large acreage test is only to determine the substance's value for pesticidal purposes or to determine its toxicity or other properties, and no benefit from pest control is expected (40 CFR 172.3(b)). EPA issued in the Federal Register of January 22, 1993 (58 FR 5878), a proposed amendment to 40 CFR part 172. The proposed amendment would, among other things, modify § 172.3 to clarify that the determination of whether an EUP is required is based on risk considerations. The amendment would provide that tests conducted on not more than 10 acres of land are presumed not to involve unreasonable risks, and therefore, do not require an EUP.

EPA believes that pheromone products in solid matrix dispensers must be tested at acreages larger than 10 acres and as large as 250 acres to determine the products' value for pesticidal purposes. The 10 acre presumption in 40 CFR 172.3(a) is appropriate for most substances, which can be tested to determine their value for pesticidal purposes at small acreages below 10 acres. Due to the unique characteristics of pheromones in solid matrix dispensers, however, these products must be tested at much larger acreages. Most pheromone uses involve mating disruption. Unlike traditional toxicants which usually focus on killing

the immature insect (which often does the most damage), pheromones act upon the adult.

Insects use pheromones to locate potential mates. When pheromones are introduced over an area by man as a pest control technique, the insects become confused by the seemingly ubiquitous presence of the guiding compound and therefore cannot find a suitable mate. When successful, pheromone applications result in reduced mating, lower insemination rates, and therefore lower population densities in the next generation. The evaluation of pheromones cannot be accomplished on small acreages because the treated area must be of sufficient size to account for the natural flight range of the target pests, such that already mated females flying into the test area do not skew the results of the study. This problem does not occur for most traditional toxicant pesticides which usually target the immature stage as these earlier life stages do not possess the capability of flight.

An additional factor necessitating larger acreages is the volatile nature of most pheromone compounds. It is unfeasible to adequately separate treatments with small plots. For these reasons pheromones are usually tested in plot sizes ranging from 20 to 60 acres, depending upon the nature of the treated site and the pest in question. To provide scientifically sound information, it is generally conceded that four to six replications are necessary to validate the findings. Thus, the position that 250 acres should be sufficient to determine the value for pesticidal purposes of most pheromones. Moreover, as discussed in the section entitled "Exposure and Effect," below, EPA believes that pheromones in solid matrix dispensers tested on no more than 250 acres and at maximum application rates of 150 grams AI/acre/year will not cause unreasonable adverse effects on the environment.

## III. Exposure and Effect

Since 1986, EPA has reviewed many arthropod-active pheromone products and has extensively reviewed pheromone toxicology data from the public literature. Based on this information, discussed more fully below, EPA believes that field tests conducted with pheromones in solid matrix dispensers and under the conditions outlined in this policy, will not cause unreasonable adverse effects on the environment. This conclusion is based on a number of factors, including the generally low toxicity and high volatility of pheromones, the low

environmental and human exposure expected from pheromones used in solid matrix dispensers, and the low application rates and limited acreage required by this policy. Although the natural background level of pheromones in the atmosphere has never directly been determined, atmospheric levels for some pheromones have been estimated for peak population levels based on the pheromone emission rates for individual female arthropods. These estimated values range widely since they can be based on the amount of pheromone present in extracted glands or the measured emission rate and depend on what is considered the adult population during a peak pest infestation. To safeguard for the lack of data on natural background levels, EPA has determined to set an upper limit on the total amount of active ingredient released per acre per year from solid matrix dispensers at 150 gm. The upper limit rate is necessary to ensure that pheromones used in solid matrix dispensers do not result in increased levels of pheromones beyond natural background levels.

The current upper limit for the application of a biochemical active ingredient lacking significant toxic effects that does not require the submission of residue data is 20 grams AI/acre (40 CFR 158.690(b)(2)(B)). To facilitate testing of pheromones for pesticidal purposes, the Agency is setting a more realistic upper limit for the amount of active ingredient released during a season before an EUP is required. The Agency has found that given the low expected toxicity and high volatility of arthropod pheromones, an upper limit of 150 grams AI/acre/year is adequate for testing a pheromone product's feasibility and efficacy while still protecting public health, nontarget organisms and the environment from unreasonable risks from compound levels which may be above ambient natural productions. These application rates encompass the majority of pheromone uses seen by the Agency to date.

#### IV. Human Health

The study results and submitted data available to date have indicated the following: acute oral toxicity - ( $LD_{50} > 5,000$  mg/kg category IV (nontoxic)); acute dermal toxicity ( $LD_{50} > 2,000$  mg/kg category IV, (nontoxic)), acute inhalation toxicity ( $LD_{50}$  generally  $> 5$  mg/L- category III-IV, practically (nontoxic)); no evidence of mutagenicity (Ames Salmonella assay); and minimal eye and skin irritation.

EPA has reviewed the results of submitted mammalian toxicology studies for the pheromone products registered to date and also pheromone toxicology data from the public literature. The majority of the compounds registered to date (26 of 31) have been Lepidopteran (e.g. butterfly and moth) pheromones. These registered pheromones fall within a well defined class of chemical structures: aliphatic compounds with straight chains from 9 to 18 carbons in length and up to 3 double bonds, and ending in an acetate, alcohol, aldehyde functional group. Pheromones have been discovered with other chemical structures including compounds with ketone, epoxide, lactone, terpenoid, pyrazine, pyran, and aromatic structures. In 1983, when EPA promulgated the exemption for pheromones used in traps, the Agency did not distinguish between the rather restricted class of chemicals produced by Lepidopteran species and pheromones with different chemical structures produced by other arthropod species (e.g. beetles, flies, and mites) for use in traps. Because the proposed interpretation that the use of pheromones in solid matrix dispensers at an annual rate of up to 150 gm AI/acre represents the same human risk as the use of pheromones in traps, EPA does not believe there is a reason to distinguish between chemical classes of pheromones for pheromones in solid matrix dispensers.

While the toxicology data base for pheromones with structures outside the well defined aliphatic Lepidopteran pheromones, such as aromatic compounds, is not as extensive, there is no indication of significant toxic effects to mammalian species from those compounds registered to date. The literature indicates that some aromatic pheromone compounds could be potentially toxic due to structural similarities to other aromatic compounds. The data available to date on both Lepidopteran and other arthropod pheromones, including several aromatic pheromones, however, have indicated no mammalian toxicity at the limit dose levels.

The volatility of these compounds also predicts that little, if any, of the released compound will actually be associated with the crop. Studies to measure the natural background levels of insect pheromones in the environment or in or on fruit indicate little or no detectable residues. When pheromone residue analyses were done on fruit treated with from 129 to 141 gm AI/acre, no residues could be found with a detection limit of 2 to 5 ppb

(Refs. 1 and 2). The current regulations provide that, in the absence of any significant toxic effects, residue analysis can be required when biochemical pesticides are applied above 20 gm AI/acre (40 CFR 158.690(b)). The Agency recognizes that the 150 gm AI/acre/yr rate is well above the 20 gm/acre limit triggering a food residue analysis. However, the negligible exposure for pheromones in dispensers, the natural occurrence of these compounds, their rapid biodegradation, high volatility and low worker exposure associated with solid matrix dispensers justify raising the limit for when an EUP is required for testing these volatile biochemical pesticides.

Moreover, the Agency believes that an upper limit of 150 gm AI/acre/year for pheromones labeled for use in dispensers as described below does not present a significant risk of dietary exposure due to the unlikelihood of direct contact with food and the low probability of deposition on food or feed following atmospheric dilution. EPA, on its own initiative, issued a proposed rule in the *Federal Register* of December 8, 1993 (58 FR 64538), which proposes to exempt from the requirement of a tolerance under the Federal Food, Drug, and Cosmetic Act (FFDCA) the residues of arthropod pheromones resulting from the use of these substances in solid matrix dispensers with an annual application rate limitation of 150 grams AI/acre/year for pest control in or on all raw agricultural commodities. However, until this exemption from the requirements of a tolerance becomes a final rule (anticipated in February 1994), a temporary tolerance and EUP application will be required if the treated crop enters channels of trade. A final rule establishing an exemption from the requirements of a tolerance for inert ingredients of retrievably sized semiochemical dispensers composed of polymeric matrix materials was published in the *Federal Register* of December 8, 1993 (58 FR 64493).

#### V. Ecological Effects

Wildlife toxicity data indicate: high toxicity to aquatic invertebrates and moderate toxicity to fish, but practically no toxicity to birds tested. Data for one Lepidopteran pheromone indicate low toxicity to avian bobwhite quail (acute oral  $LD_{50}$  of  $>2,000$  mg/kg of body weight and dietary  $LC_{50}$  of  $>5,000$  mg/kg). However, this pheromone had a freshwater aquatic invertebrate (*Daphnia magna*)  $LC_{50}$  of between the solubility limit of 0.2 mg/l and a calculated  $LC_{50}$  of 0.58 mg/l. Observations of oily surface films at higher test concentrations confirmed the

low solubility of the test material. The conclusion was that this pheromone was highly toxic to *Daphnia* and that the calculated  $LC_{50}$  supported this conclusion. Whether the mortality was due to the pheromone in solution or a film on the water was not determined. Another Lepidopteran pheromone was found to be moderately toxic to both *Daphnia magna* ( $LC_{50}$  8.6 mg/l) and the freshwater rainbow trout ( $LC_{50}$  5.9 mg/l). These results are sufficient to demonstrate the potential toxicity of Lepidopteran pheromones to nontarget aquatic organisms.

Although pheromones may be in matrix dispensers, rates of dissociation from matrices into water are not known. Refined petroleum oils which form films at the water surface are registered by the Agency as pesticides for control of mosquito larvae and pupae. Pesticidal oils, which may comprise some of these products, kill by arresting invertebrate respiration and affect interfacial tension at the water surface upon which various arthropods depend for functions including feeding, movement, and reproduction. To minimize the potential toxic effects on aquatic organisms, the pheromone formulations in solid polymeric matrix retrievably sized dispensers should be for terrestrial use only and the experimental use should not include use in or around marshes, swamps, rivers, streams, ponds, lakes, estuaries, flood plains, or drainage ditches. They should not be allowed to wash or drain into water.

Despite the toxicity to aquatic organisms from pheromones, EPA believes that risks to aquatic organisms for tests conducted under the conditions outlined in this notice are low. Pheromones in solid matrix dispensers would not be expected to be used in water. In addition, many of the solid matrix dispensers of the type covered by this policy are typically affixed to trees or plants or other fixed objects, and thus, are not likely to end up in bodies of water.

Broadcast application is not included in this notice because the Agency does not have sufficient information on the levels of exposure from pheromones which are broadcast.

#### VI. Solid Matrix Dispensers

Solid matrix dispensers, as defined in this notice, include, but are not limited to: Rubber septa dispensers, trilaminate sheets, tapes, tags, wafers, macrocapillary devices, such as long tubes or fibers, twist ties, or ropes which are placed by hand in the field and are of such and construction that they are readily seen. This policy does not apply to the following formulations: Liquid

flowables, microcapsules, microcapillary straws, granular powder, flakes, or confetti formulations which are sprayed or broadcast over an area; and cigarette filters or unprotected ropes which generally contain the active ingredient on the outer surface of the unit. The dispensers must not be of a size, odor, taste or have other characteristics making them attractive to wildlife that potentially could collect or eat them. Devices like netting, webbing, loose filaments, and adhesives capable of trapping or ensnaring nontarget organisms such as birds also would not be covered by this policy. If inadvertently eaten, these dispensers should be nontoxic and readily pass through an animal digestive system without causing blockage or puncture.

#### VII. Agency Determinations

EPA has determined, pursuant to 40 CFR 172.3, to expand the land use limitation for testing for pesticidal value without the need for an EUP from 10 acres to 250 acres for arthropod pheromones in solid matrix dispensers using no more than 150 grams AI/acre/year. This determination is based both on a finding that tests conducted under the conditions outlined will not cause unreasonable adverse effects on the environment and on EPA's belief that it is necessary to test pheromones in solid matrix dispensers on large acreages (i.e., larger than 10 acres) to determine their value for pesticidal purposes. EPA retains the authority under 40 CFR 172.3 to require EUP's, on a case-by-case basis, for tests conducted on acreages smaller than 250 acres if EPA determines that the test is not being conducted only for the purpose of determining the pheromone's value for pesticidal purposes or if EPA determines that the test may cause unreasonable adverse effects on the environment in the absence of agency oversight in the form of an EUP.

Today's notice only addresses EPA's policy with regard to EUP's for pheromones in solid matrix dispensers. This notice does not in any way obviate the need to obtain a tolerance under the FFDCA before using a pheromone product for food or feed use. EPA intends to address use of pheromones in solid matrix dispensers on food or feed crops with an exemption from the requirement for a tolerance under FFDCA. Such a proposed exemption was published in the *Federal Register* of December 8, 1993 (58 FR 64538). Moreover, EPA has published a final rule exempting certain inert ingredients used in solid matrix dispensers from the requirement of tolerance (December 8, 1993, 58 FR 64493).

Today's notice in no way affects the need to obtain an EUP for tests conducted on more than 10 acres with formulations of pheromones products other than those described in the notice (i.e., pheromone formulations which are physically smaller than solid matrix dispensers, such as sprayables). EUP's will continue to be required for tests conducted on more than 10 acres using non-solid matrix dispenser formulations.

EPA currently is considering whether to take additional actions to grant further regulatory relief for other types of pheromone products. If EPA determines that any such regulatory relief is warranted, EPA would announce such a decision in a future *Federal Register* notice.

#### VIII. References

(1) Spittler, T. D.; Leichtweis, H. C.; Dennehy, T. J. (1988). Biorational Control of Crop Pest by Mating Disruption; Residue Analyses of Z-9-Dodecen-1-yl Acetate and Z-11-Tetradecenyl-1-yl Acetate in Grapes. In: *Biotechnology for Crop Protection*, P. Hedin, J. J. Menn and R. Hollingworth (eds.) ACS Symposium Series, 379:430-436.

(2) Spittler, T. D., Leichtweis, H. C., Kirsch, P. (1992). Exposure, Fate and Potential Residues in Food of Applied Lepidopteran Pheromones. In: *Insect Pheromones and Other Behaviour-Modifying Chemicals: Application and Regulation*, R. L. Ridgeway, M. Inscoc and H. Arn (eds.), BCPC Monograph No. 51, pp. 93-108.

Dated: January 19, 1994.

Stephanie R. Irene,  
Acting Director, Registration Division, Office  
of Pesticide Programs.

[FR Doc. 94-1615 Filed 1-25-94; 8:45 am]

BILLING CODE 6560-50-F

[OPP-240104; FRL-4752-9]

#### State Registrations of Pesticides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received notices of registration of pesticides to meet special local needs under section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, from 23 States and the Commonwealth of Puerto Rico. A registration issued under this section of FIFRA shall not be effective for more than 90 days if the Administrator disapproves the registration or finds it to be invalid within that period. If the Administrator

disapproves a registration or finds it to be invalid after 90 days, a notice giving that information will be published in the **Federal Register**.

**DATES:** The last entry for each item is the date the State registration of that product became effective.

**FOR FURTHER INFORMATION CONTACT:** Daria Mills, Program Management and Support Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 216, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-7406.

**SUPPLEMENTARY INFORMATION:** This notice only lists the section 24(c) applications submitted to the Agency. The Agency has 90 days to approve or disapprove each application listed in this notice. Applications that are not approved are returned to the appropriate State for action. Most of the registrations listed below were received by the EPA in August through November of 1993. Receipts of State registrations will be published periodically. Of the following registrations, seven involve a changed-use pattern (CUP) and are so designated. The term "changed-use pattern" is defined in 40 CFR 162.3(k) as a significant change from a use pattern approved in connection with the registration of a pesticide product. Examples of significant changes include, but are not limited to, changes from a nonfood to food use, outdoor to indoor use, ground to aerial application, terrestrial to aquatic use, and nondomestic to domestic use.

#### Arizona

1. EPA SLN No. AZ 93 0013. Gowan Co. Registration is for Endosulfan to be used on cotton to control aphid and whitefly. August 8, 1993. (CUP)
2. EPA SLN No. AZ 93 0014. FMC Corp. Registration is for Endosulfan to be used on cotton to control aphid and whitefly. August 8, 1993. (CUP)
3. EPA SLN No. AZ 93 0016. FMC Corp. Registration is for Endosulfan to be used on cotton to control aphid and whitefly. October 8, 1993. (CUP)

#### Arkansas

4. EPA SLN No. AR 93 0007. Gowan Co. Registration is for Phosmet to be used on blueberries to control blueberry maggot. August 9, 1993.

#### California

5. EPA SLN No. CA 93 0011. California Seed Association. Registration is for Bifenthrin to be used on carrot (seed) to control lyphus bug, aphid, etc. August 5, 1993.

6. EPA SLN No. CA 93 0013. Amvac Chemical Corp. Registration is for Ethyl ester to be used on pomegranates nonbearing to control resprouting. October 6, 1993.

7. EPA SLN No. CA 93 0014. Rohm & Haas Co. Registration is for Oxyfluorfen to be used on spearmint and peppermint to control weeds. August 1, 1993.

8. EPA SLN No. CA 93 0015. Rhone-Poulenc Ag Co. Registration is for Iprodione to be used on carrots to control fungi. September 7, 1993.

9. EPA SLN No. CA 93 0016. Zeneca, Inc. Registration is for Diquat dibromide to be used on golf courses to control turf grass nematode. September 8, 1993.

10. EPA SLN No. CA 93 0017. Gowan Co. Registration is for Diazinon to be used on strawberries to control mole crickets. September 7, 1993.

11. EPA SLN No. CA 93 0018. Zeneca, Inc. Registration is for Napropamide to be used on lilies to control weeds. September 8, 1993.

12. EPA SLN No. CA 93 0019. Soil Chemicals Corp. Registration is for Methyl bromide to be used on food commodities fumigation to control insects. October 8, 1993 (CUP)

#### Delaware

13. EPA SLN No. DE 93 0003. Gowan Co. Registration is for Cryolite to be used on potatoes to control Colorado potato beetle. August 9, 1993.

#### Florida

14. EPA SLN No. FL 93 0009. DowElanco. Registration is for Fluridone to be used on aquatic sites to control aquatic vegetation. August 1, 1993.

15. EPA SLN No. FL 93 0010. Valent U.S.A. Corp. Registration is for Thiobencarb to be used on rice to control grasses and weeds. September 3, 1993.

16. EPA SLN No. FL 93 0011. Soil Chemicals Corp. Registration is for Methyl bromide to be used on residential and commercial buildings to control termites. October 8, 1993.

#### Georgia

17. EPA SLN No. GA 93 0005. Zeneca, Inc. Registration is for Diquat dibromide to be used on tomato plants to control tomato vines. September 1, 1993.

18. EPA SLN No. GA 93 0006. Miles, Inc. Registration is for Methamidophos to be used on peppers to control insects. October 5, 1993.

19. EPA SLN No. GA 93 0007. Valent U.S.A. Corp. Registration is for Methamidophos to be used on peppers to control insects. October 5, 1993.

#### Hawaii

20. EPA SLN No. HI 93 0010. DowElanco. Registration is for Chlorpyrifos to be used on macadamia nuts to control ambrosia beetle. August 6, 1993.

21. EPA SLN No. HI 93 0011. DowElanco. Registration is for Chlorpyrifos to be used on macadamia nuts to control ambrosia beetle. August 6, 1993.

#### Louisiana

22. EPA SLN No. LA 93 0013. Griffin Corp. Registration is for Diuron to be used on sugarcane to control weeds. August 6, 1993.

23. EPA SLN No. LA 93 0014. Zeneca, Inc. Registration is for Diquat dibromide to be used on bermudagrass lawns to control weeds. September 9, 1993.

24. EPA SLN No. LA 93 0015. Ciba-Geigy Corp. Registration is for Simazine to be used on strawberries to control weeds. October 6, 1993.

25. EPA SLN No. LA 93 0016. Monsanto Agricultural Co. Registration is for Roundup (r) Herbicide to be used on sugarcane to control weeds. October 7, 1993.

26. EPA SLN No. LA 93 0019. Miles, Inc. Registration is for Morestan 25% WP to be used on citrus to control citrus red mite. November 9, 1993.

27. EPA SLN No. LA 93 0020. Registration is for Compound DRC-1339 to be used for brown rice baits to control spring roosting blackbirds. November 9, 1993. (CUP)

28. EPA SLN No. LA 93 0021. FMC Corp. Registration is for Carbofuran to be used on sugarcane to control wireworms. November 5, 1993.

#### Mississippi

29. EPA SLN No. MS 93 0008. Valent U.S.A. Corp. Registration is for Clethodim to be used on soybeans to control red rice. August 2, 1993.

30. EPA SLN No. MS 93 0009. Valent U.S.A. Corp. Registration is for Thiodicarb to be used on rice to control grasses and weeds. September 3, 1993.

31. EPA SLN No. MS 93 0010. Valent U.S.A. Corp. Registration is for Thiobencarb to be used on rice to control grasses and weeds. September 3, 1993.

32. EPA SLN No. MS 93 0011. Valent U.S.A. Corp. Registration is for Thiobencarb to be used on rice to control grasses and weeds. September 3, 1993.

33. EPA SLN No. MS 93 0012. DowElanco. Registration is for Chlorpyrifos to be used on cotton gin trash for fly control. October 5, 1993.

**Missouri**

34. EPA SLN No. MO 93 0007. Valent U.S.A. Registration is for thiobencarb to be used on rice to control grasses and weeds. September 8, 1993.

**Nevada**

35. EPA SLN No. NV 93 0006. Baker Performance Chemicals, Inc. Registration is for Acrolein to be used on burrow systems to control burrowing rodents. September 3, 1993.

**New Jersey**

36. EPA SLN No. NJ 93 0007. FMC Corp. Registration is for Clomazone to be used on sweet potatoes to control weeds. August 6, 1993.

**North Dakota**

37. EPA SLN No. ND 93 0008. Roussel UCLAF Corp. Registration is for Pyreperm 455 Dust to be used on prairie dogs to control fleas. October 2, 1993.

**Oklahoma**

38. EPA SLN No. OK 93 0011. FMC Corp. Registration is for Permethrin to be used on conifer nurseries to control regeneration weevils. November 4, 1993.

**Oregon**

39. EPA SLN No. OR 93 0004. Zeneca, Inc. Registration is for the use of Fonfos to be used on ornamentals field grown to control symphylans. October 8, 1993.

40. EPA SLN No. OR 93 0005. Zeneca, Inc. Registration is for Fonfos to be used on ornamentals field grown to control symphylans. October 1, 1993.

41. EPA SLN No. OR 93 0006. Ciba-Geigy Corp. Registration is for Diazinon to be used on cranberries to control cranberry girdler. November 1, 1993.

**Pennsylvania**

42. EPA SLN No. PA 93 0006. Ciba-Geigy Corp. Registration is for Metalaxyl and Mancozeb to be used on roses to control downy mildew. November 6, 1993.

**Puerto Rico**

43. EPA SLN No. PR 93 0001. Maldonado & Co., Inc. Registration is for Propiconazole to be used on bananas and plantains to control fungal diseases. August 7, 1993.

44. EPA SLN No. PR 93 0002. Zeneca, Inc. Registration is for Captan to be used on pigeon pea seed to control damping off and blight. October 2, 1993. (CUP)

45. EPA SLN No. PR 93 0003. Zeneca, Inc. Registration is for Diquat dibromide to be used for tomato vines burn down to control tomato vines. October 2, 1993.

**Tennessee**

46. EPA SLN No. TN 93 0010. Ciba-Geigy Corp. Registration is for Isazofos

to be used on turf to control insects. October 6, 1993.

**Texas**

47. EPA SLN No. TX 93 0018. Rohm & Haas Co. Registration is for Dicofos to be used on pecans to control pecan mite. August 7, 1993.

48. EPA SLN No. TX 93 0019. Wilbur Ellis Co. Registration is for Dimethoate to be used on sweet corn and popcorn to control banks grass mites. August 1, 1993.

49. EPA SLN No. TX 93 0020. Aceto Agriculture Chemicals Corp. Registration is for Dimethoate to be used on sweet corn and popcorn to control banks grass mites. August 1, 1993.

50. EPA SLN No. TX 93 0021. Micro-Flo Co. Registration is for Dimethoate to be used on popcorn to control insects. August 1, 1993.

51. EPA SLN No. TX 93 0022. E.I. Du Pont De Nemours & Co., Inc. Registration is for Methomyl to be used on cotton to control cotton aphid. August 1, 1993. (CUP)

52. EPA SLN No. TX 93 0023. Valent U.S.A. Corp. Registration is for Thiobencarb to be used on rice to control weeds. November 9, 1993.

53. EPA SLN No. TX 93 0024. Valent U.S.A. Corp. Registration is for Thiobencarb to be used on rice to control weeds. November 9, 1993.

**Utah**

54. EPA SLN No. UT 93 0004. Baker Performance Chemicals, Inc. Registration is for Acrolein to be used on burrow systems to control burrowing rodents. September 7, 1993.

**Vermont**

55. EPA SLN No. VT 93 0001. Registration is for Bifenthrin to be used on ornamentals to control insects. September 3, 1993.

**Virginia**

56. EPA SLN No. VA 93 0010. Rohm & Haas Co. Registration is for Oxyfluorfen to be used on cotton to control weeds. October 4, 1993.

**Washington**

57. EPA SLN No. WA 93 0020. Miles, Inc. Registration is for Triadimefon to be used on hybrid poplars to control leaf rust. August 4, 1993.

58. EPA SLN No. WA 93 0021. Aceto Agriculture Chemicals Corp. Registration is for Dimethoate to be used on apples to control green apple aphid. August 3, 1993.

59. EPA SLN No. WA 93 0022. Zeneca, Inc. Registration is for Metam sodium to be used on orchards (pre-plant) to control orchard diseases. October 1, 1993.

60. EPA SLN No. WA 93 0023. Wilbur-Ellis Co. Registration is for Mancozeb/thiabendazole to be used on potato seed to control fungi. October 3, 1993.

61. EPA SLN No. WA 93 0024. Amvac Chemical Corp. Registration is for Metam sodium to be used on fruit orchards to control replant diseases. October 5, 1993.

**Wyoming**

62. EPA SLN No. WY 93 0003. Baker Performance Chemicals, Inc. Registration is for Acrolein to be used on burrow systems to control rodents. September 9, 1993.

**List of Subjects**

Environmental protection, Agricultural commodities, Pesticides and pests.

Authority: Section 24, as amended, 92 Stat. 835 (7 U.S.C. 136).

Dated: January 7, 1994.

Louis P. True,

Acting Director, Program Management and Support Division, Office of Prevention, Pesticides and Toxic Substances.

[FR Doc. 94-1621 Filed 1-25-94; 8:45 am]

BILLING CODE 6560-50-F

**[FRL-4825-8]****Proposed CERCLA De Minimis Waste Contributor Administrative Order on Consent for the Ninth Avenue Dump Site**

AGENCY: U.S. Environmental Protection Agency ("U.S. EPA").

ACTION: Proposal of CERCLA *De Minimis* Waste Contributor Administrative Order on Consent for the Ninth Avenue Dump Site.

SUMMARY: U.S. EPA proposes to address the potential liability of the Institute of Gas Technology ("IGT") under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA"), 42 U.S.C. 9601 et seq., as amended by the Superfund Amendments and Reauthorization Act of 1986 ("SARA"), Pub. L. 99-499, in connection with the Ninth Avenue Dump Site ("the Facility") by execution of a CERCLA *de minimis* waste contributor Administrative Order on Consent ("AOC") prepared pursuant to 42 U.S.C. 9622(g). The key terms and conditions of the AOC may be briefly summarized as follows: (1) IGT would agree to a settlement amount of \$1,019,723.53, U.S. EPA would credit IGT for \$340,863.00 for the amount already contributed by IGT toward the

cleanup of the Facility, and, accordingly, IGT would pay \$678,860.53 to the Hazardous Substance Superfund; (2) U.S. EPA would covenant not to sue IGT for "covered matters" which are defined as any and all civil liability in connection with the Facility for reimbursement of response costs or for injunctive relief pursuant to CERCLA Sections 106 and 107 and RCRA Section 7003; (3) IGT would agree to the following reservations of rights and reopeners (i.e., limitations on the covenant not to sue) by U.S. EPA—(a) U.S. EPA could sue IGT for failure to make a payment required by the AOC and/or in connection with any matter not expressly included in "covered matters", (b) the covenant not to sue becomes null and void if (i) U.S. EPA discovers that IGT contributed more than 400,000 gallons or 1.2% of the estimated total volume of hazardous substances at the Facility, (ii) U.S. EPA discovers that IGT's waste contributions contribute disproportionately to the toxic or other hazardous effects of the hazardous substances at the Facility, or (iii) IGT fails to make a payment required by the AOC.

**DATES:** Comments on the proposed AOC must be received by U.S. EPA on February 25, 1994.

**ADDRESSES:** A copy of the proposed AOC is available for review at U.S. EPA, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. Please contact Bernie Schorle at (312) 886-4746, Michael Berman at (312) 886-6837, or Mike Anastasio at (312) 886-7951, prior to visiting the Region 5 office.

Comments on the proposed AOC should be addressed to Michael R. Berman and Mike Anastasio, Office of Regional Counsel, U.S. EPA, Region 5, 77 West Jackson Boulevard (Mail Code CS-3T), Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** Michael Berman at (312) 886-6837, or Mike Anastasio at (312) 886-7951, of the U.S. EPA Region 5 Office of Regional Counsel.

**SUPPLEMENTARY INFORMATION:** The Facility is located in Gary, Indiana, and was operated as a hazardous waste storage facility until the mid-1970s. Consequently, in 1983, the Facility was placed on the National Priority List. On December 7, 1988, U.S. EPA issued a Unilateral Administrative Order ("UAO") pursuant to Section 106(a) of CERCLA, 42 U.S.C. 9606(a), to the Facility operator and other Potentially Responsible Parties ("PRPs") for the performance of a Phase I Operable Unit, or interim, remedy. The Phase I Operable Unit remedy included construction of a slurry wall around the

contaminated portion of the Facility, extraction of contaminated oil floating on surface groundwater, and storage of the oil at the Facility until implementation of the final remedy. In May, 1992, Phase I Operable Unit Remedial Action construction activities were completed. Phase I Operation and Maintenance activities are ongoing. In March, 1989, U.S. EPA proposed a final remedial action plan. After considering the public comments which it received, U.S. EPA selected a final, or Phase II Operable Unit, remedy for the Facility. On August 17, 1989, U.S. EPA issued a second UAO pursuant to Section 106(a) of CERCLA, 42 U.S.C. 9606(a), to PRPs for performance of the Phase II Operable Unit remedy. The Phase II Operable Unit remedy provides for excavation of contaminated waste and fill; removal of contaminated sediment and debris from surface water bodies; treatment of excavated waste, fill and highly contaminated sediments; back-filling of the excavated area, installation of a RCRA Subtitle C cap; and extraction, treatment and reinjection of contaminated groundwater. Phase II Operable Unit remediation activities are ongoing.

In 1991, a *de minimis* settlement was entered into between U.S. EPA and 86 PRPs associated with the Facility. IGT was not provided an opportunity to participate in the 1991 *de minimis* settlement because the waste-in volumetric ranking at that time allocated to IGT a waste-in estimate that did not meet the *de minimis* cutoff for that settlement. However, during the public comment period for the 1991 *de minimis* settlement, IGT submitted comments arguing that it qualified for *de minimis* eligibility. In response to IGT's comments, U.S. EPA stated that "the Agency has not foreclosed the possibility of an additional settlement, should one be warranted, to include such parties at IGT." Since that time, U.S. EPA has received sufficient information to make an appropriate determination, pursuant to Section 122(g) of CERCLA, 42 U.S.C. 9622(g), and all relevant U.S. EPA policy and guidance documents, that IGT is eligible for a *de minimis* settlement under the terms embodied in the AOC and in light of all the presently known facts and circumstances involving the Facility.

A 30-day period, commencing on the date of publication of this notice, is open pursuant to Section 122(i) of CERCLA, 42 U.S.C. 9622(i), for comments on the proposed AOC.

Comments should be sent to the addressees identified in this notice.

**William H. Sanders II,**  
Acting Regional Administrator, U.S.  
Environmental Protection Agency, Region 5.  
[FR Doc. 94-1626 Filed 1-25-94; 8:45 am]  
BILLING CODE 6560-50-M

[OPPTS-211035; FRL-4756-5]

### TSCA Section 21 Petition; Notice of Receipt

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces the receipt of a petition submitted by the Board of Supervisors of the County of Imperial, California, under section 21 of the Toxic Substances Control Act (TSCA) and requests comments on the petition. The petition asks EPA to issue a test rule under section 4 of TSCA to require monitoring of the New River for chemical pollutants and subsequent health and environmental effects testing of the identified chemicals, among other requested actions. The New River flows north from Mexico, through Mexicali, into Imperial County, California. Under section 21, EPA must respond to the petition by March 16, 1994.

**DATES:** To be of greatest use to EPA in responding to the petition, comments should be received on or before February 14, 1994. However, the Agency will accept comments received after that date.

**ADDRESSES:** Persons wishing to provide comments to the Agency should submit them to: TSCA Document Receipt Office (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-C99, 401 M St., SW., Washington, DC 20460. If possible, please submit any comments on a DOS ASCII file.

**FOR FURTHER INFORMATION CONTACT:** Michelle Price, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. EB-67, 401 M St., SW., Washington, DC 20460, (202) 260-3790.

**SUPPLEMENTARY INFORMATION:** On December 16, 1993, EPA received a petition under section 21 of TSCA from the Board of Supervisors of the County of Imperial, California. Section 21 of TSCA allows citizens to petition EPA to issue, amend, or repeal rules under section 4, 5, or 6 of TSCA. EPA must respond to the petition within 90 days of receipt. If the Agency grants the petition, it must promptly commence an

appropriate proceeding. If EPA denies the petition, it must publish in the **Federal Register** the reasons for the denial. If EPA denies, or fails to respond to the petition within 90 days, the petitioner may commence action in a United States (U.S.) district court to compel the Agency to initiate the rulemaking requested in the petition.

The petition raises a number of issues for EPA including legal, policy, and environmental justice issues. For example, the petitioner asks EPA to find that discharges of a chemical into a river in a foreign country, where that chemical subsequently reaches the U.S. border, in the river constitutes import into the U.S. under TSCA. Also, the scope of the action requested by the petitioner involves monitoring a river for the presence of chemicals.

Conducting a testing program directed toward environmental monitoring is a somewhat different role for the TSCA testing program, which is usually focused on health or environmental effects testing. A related issue is who would be required to conduct such testing under TSCA section 4.

EPA has initiated its review and evaluation process for this petition. EPA is evaluating the petitioner's request, and is also gathering and reviewing additional available materials, in order to determine what action is appropriate in response to the petition. In addition to either granting or denying the petition, EPA may determine to take additional actions under TSCA or otherwise to address the concerns raised by the petitioner.

Persons commenting are encouraged to provide EPA with information regarding the nature of possible contamination of the New River, including available monitoring data or other information which might assist EPA in characterizing possible pesticide or industrial chemical pollution. Commenters are also encouraged to provide their views regarding the petitioner's description of the problem, the remedies sought by the petitioner, and the legal arguments put forth by the petitioner. Persons who possess information they believe could be useful to the Agency in responding to this petition are encouraged to submit the information promptly.

In addition to the request for action under section 21 of TSCA, the petitioner states that the poor and predominantly Hispanic citizens of Imperial County who live and work along the New River, as a matter of environmental equity, are entitled to the same rigorous enforcement of environmental laws regarding water quality as citizens in other areas of the United States. The

petitioner also requests that EPA use the additional forum provided by the North American Free Trade Agreement (NAFTA) to separately raise the need for a solution to the New River with Mexican officials.

EPA has established a public record for this section 21 petition (Docket Number 211035). This record includes a copy of the petition and all supplementary information submitted to the Agency by the petitioner. The Agency will include all comments and information received in response to this notice, as well as other relevant material. The record is available for inspection from 12 noon to 4 p.m., Monday through Friday, except legal holidays, in the TSCA NCIC, Rm E-G102, 401 M St., SW., Washington, DC 20460.

#### List of Subjects

Environmental protection.

Dated: January 19, 1994.

**Mark A. Greenwood,**

*Director, Office of Pollution Prevention and Toxics.*

[FR Doc. 94-1614 Filed 1-25-94; 8:45 am]

BILLING CODE 6550-50-F

### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### The National Board Fiscal Year 1994 Plan for Carrying Out the Emergency Food and Shelter Program (EFSP)

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice sets out the plan by which the Emergency Food and Shelter Program National Board (National Board) will conduct a program during fiscal year (FY) 1994 to distribute \$130,000,000 to private voluntary organizations and local governments for delivering emergency food and shelter to needy individuals. The distribution formula for selecting organizations and localities, and the award amount for each, follow the Plan text.

**DATES:** The award to the National Board was made November 17, 1993.

**FOR FURTHER INFORMATION CONTACT:** Fran McCarthy, Emergency Food and Shelter Program, Federal Emergency Management Agency, (202) 646-3652, or Dennis H. Kwiatkowski, Chair, EFSP National Board, (202) 646-3487.

**SUPPLEMENTARY INFORMATION:** Title III of the Stewart B. McKinney Homeless Assistance Act, 42 U.S.C. 11301 et seq., authorizes use of funds appropriated by the Congress to supplement and expand

ongoing efforts to provide shelter, food, and supportive services to homeless, needy individuals. As in past phases, grant awards from this program are provided to address emergency needs. This program is *not* intended to address or correct structural poverty or long-standing problems. Rather, this appropriation is intended for the purchase of food and shelter to supplement and expand current available resources and not to substitute or reimburse ongoing programs and services.

The National Board has once again adopted the following operating principles:

- Speedy administration and funding.
- Awards to areas of greatest need.
- Local decision-making.
- Public/private sector cooperation.
- Minimum, but accountable

reporting.

The National Board expects Local Boards, Local Recipient Organizations (LROs), and State Set-Aside (SSA) Committees to abide by the stated rules of this Plan and to focus on the following concerns and principles mandated by the National Board:

- Serve individuals in need without discrimination and avoid duplication of benefits by supplementing food and shelter services which individuals might currently be receiving, as well as by aiding those who are receiving no assistance.

- Refuse to authorize the spending of funds on costs that differ from those allowed by the National Board, unless a written request is made in advance and approved by the National Board.

- Restrict shelter repairs to the minimum work required to bring the facility into compliance with local building codes and for emergency repairs only to keep the facility open during the program year (\$5,000 limit). Avoid decorative or non-essential repairs and purchases as this is outside the intent of this program. The benefit of rehabilitation to provide service should be carefully weighed against the response to needs that exist at the time. Emphasis should be placed on currently existing needs.

The National Board is mandated, as are Local Boards, LROs, SSA Committees, and FEMA, to carry out the intent of the law. We must all ensure that as decisions are made, we not only question if a specific expenditure falls within the guidelines for eligible costs, but also if making the expenditure would fulfill the intent of the program and the law.

EFSP funding should be used to target special emergency needs. And when we discuss emergency needs we are

referring to economic, not disaster-related, emergencies. The funding should supplement feeding and sheltering efforts in ways that make a difference. What this means is:

- EFSP is not intended to make up for budget shortfalls or to be considered just a line in an annual budget;

- It is not intended that the funds must go to the same agencies for the exact same purposes every year; and,

- The funding is open to all organizations helping hungry and homeless people and is not intended that the funds should go only to Local Board member agencies or local government agencies.

Having stated what it is not, what does the National Board want this program to be? EFSP should:

- Create inclusive local coalitions that meet regularly to determine the best use of funds and to monitor their use in their respective communities;

- Treat every program year as a fresh opportunity to reassess what particular community needs (e.g. on-site feeding or utility assistance, mass shelter or homelessness prevention) should be addressed;

- Encourage agencies to work together to emphasize their respective strengths, work out common problems, and prevent duplication of effort; and,

- Examine whether the program is helping to meet the needs of special populations such as minorities, Native Americans, veterans, families with children, the elderly, and the handicapped.

We must emphasize that this program has a commitment to emergency services. We continue to view it as an opportunity for building a cohesive emergency structure which can, for example,

- Coordinate across agencies the emergency assistance provided to families and individuals applying for rental, mortgage, or utility assistance;

- Enhance a food banking network that is economical in its cost and broad in its coverage;

- Reinforce creative cooperation among feeding and sheltering sites to ensure help for street populations most in need; and,

- Establish or maintain a system that complements rather than supplants existing private and governmental efforts to provide rent, mortgage, or utility assistance.

The National Board is aware that much is asked of our voluntary Local Boards and LROs, and very little administrative funding is provided. But the cooperative model that EFSP has helped to create can be a useful vehicle for many governmental and community-

based programs. As a group, local providers can accomplish much:

- Initiating a dialogue with local offices of Federal entities such as the U.S. Department of Agriculture to take full advantage of excess commodities and its other programs or with the U.S. Department of Labor's Job Training Partnership Act (JTPA);

- Working with Federal programs that require the input of local providers such as the U.S. Department of Housing and Urban Development's (HUD's) Community Development Block Grant and Emergency Shelter Grant and the U.S. Department of Health and Human Services' Health Care for the Homeless;

- Pooling agency efforts to gain Federal (for example, HUD's Transitional Housing Program) and private foundation grants;

- Leveraging EFSP funds within the community by encouraging matches of local EFSP allocations from State and local governments and private resources; and,

- Exchanging ideas on administrative and accounting methods that can improve delivery of services and focus on the collaborative rather than the competitive aspects of agency relations.

Eleven years ago this program began as a one-time effort to help address urgent needs. The survival of this public-private partnership is not only a testament to needs, but also to the effectiveness of EFSP as an example of local decision-making and community responsibility in attempting to meet those needs.

EFSP is a reminder of this nation's willingness to confront difficult problems within society in new ways. But most importantly, EFSP has fed and sheltered homeless and hungry people, it has maintained homes and the families in those homes, and it has created useful public-private partnerships within communities.

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#### Section 1.0 Background and Introduction

The Emergency Food and Shelter Program (EFSP) was established on

March 24, 1983, with the signing of the "Jobs Stimulus Bill," Public Law 98-8. That legislation created a National Board, chaired by FEMA, which consisted of representatives of the American Red Cross; Catholic Charities, USA; the Salvation Army; Council of Jewish Federations, Inc.; United Way of America; and the National Council of Churches of Christ in the U.S.A.

Since that first piece of legislation in 1983, through its authorization under the Stewart B. McKinney Homeless Assistance Act (Pub. L. 100-77—signed into law on July 24, 1987, subsequently reauthorized under Public Law 100-628, and signed into law on November 7, 1988), the EFSP has distributed more than \$1.1 billion to over 10,500 social service agencies in more than 2,500 communities across the country.

From its inception, the unique features of this program have been the partnerships it has established. At the national level, the Federal government and Board member organizations have the legal responsibility to work together to set allocations criteria and establish program guidelines. Such coalitions, as set forth in the law, are even more vital on the local level. In each community Local Boards make the most significant decisions on their own make-up and operation, the types of services most in need of supplemental help, what organizations should be funded and for what purpose and amount. These portions of the law have remained unchanged and are the core of this unique public-private partnership.

#### Section 1.1 Purpose

This publication is developed by the National Board to outline the roles, responsibilities, and implementation procedures which shall be followed by the Local Boards, Local Recipient Organizations (LROs), State Set-Aside (SSA) Committees, National Board, and FEMA in the distribution and use of these funds. National in scope, EFSP will provide food and shelter assistance to individuals in need through local private voluntary organizations and local governments in areas designated by the National Board as being in highest need.

The intent of EFSP is to meet emergency needs by supplementing and expanding the food and shelter assistance that individuals might currently be receiving, as well as to help those who are receiving no assistance. Individuals who received assistance under previous programs may again be recipients, providing they meet local eligibility requirements.

### Section 2.0 Concept of Operations.

(a) *Secretariat of National Board.* United Way of America will act as the National Board's Secretariat and fiscal agent and perform the necessary administrative duties that the Board must accomplish.

(b) *Funds distribution.* Funds distributed by the National Board will be to areas of greatest need (refer to section 2.3(a) and Supplementary Information, above, for jurisdiction distribution formula and funding requirements).

(c) *Distribution to LROs.* National Board funds will be distributed to LROs and Fiscal Agents certified eligible by Local Boards. (Refer to section 2.2(e) for selection of LROs and section 2.2(f) for the Fiscal Agent/Fiscal Conduit Agency Relationship).

(d) *Administrative allowance limitation.* There is an administrative allowance limitation of two percent (2%) for local jurisdictions, one-half of one percent (0.5%) for SSA Committees (when in operation), and one percent (1%) for the National Board. Local administrative funds are intended for use by LROs and not for reimbursement of program or administrative costs which any recipient's parent organization (its State or regional offices) might incur as a result of this additional funding.

(e) *Notification of award eligibility.* The National Board will notify qualifying jurisdictions of award eligibility within 60 days following allocation by FEMA. Unused or recaptured funds will be reallocated by the National Board, except in the case of SSA counties whose funds may be reallocated by the respective SSA Committees.

(f) *Funds end-date.* All funds shall be paid out by LROs and spending shall cease by their jurisdiction's selected end date. Local Boards have until one month following their end date to submit final reports and complete documentation of expenses (for specified LROs only) to the National Board.

Those LROs not required to submit documentation to the National Board must satisfy the Local Board that all funds have been expended in accordance with National Board guidelines. Q04

**Note:** Local Boards and LROs are reminded that although documentation may not be required to be submitted with their final report, they are subject to random audits which may require the submission of documentation at a later date.

### Section 2.1 Financial Terms and Conditions

(a) *Definitions. Local Recipient Organization* refers to the local private or public organizations that will receive any award of funds from the National Board.

*Award* refers to the award of funds made by the National Board to a local private or public organization on the recommendation of a Local Board.

*End-of-program date* refers to the date, as agreed upon by Local and National Board, by which all monies in a given jurisdiction must be spent or returned.

(b) *Amendments.* An award may be amended at any time by a written modification. Amendments that reflect the rights and obligations of either party shall be executed by both the National Board and the LRO. Administrative amendments such as changes in accounting data may be issued unilaterally by the National Board.

(c) *Local Board authority related to LROs.* (1) The Local Board is responsible for monitoring expenditures of LROs providing food, emergency services, or both, authorizing the adjustment of funds between food and shelter programs, and reallocating funds from one LRO to another.

(2) Local Boards may not alter or change National Board cost eligibility or approve expenditures outside the National Board's criteria without National Board permission. (Refer to Section 5.0 on Variances and waivers.)

(3) A Local Board can call back funds from an LRO and reallocate to another LRO in the case of gross negligence, inadequate use of funds, failure to use funds for purposes intended, or for any other violation of the National Board guidelines, or in cases of critical need in the community. The Local Board must advise, in writing, all LROs of any reduction or reallocation of their original award.

(4) If the Local Board discovers ineligible expenditures by an LRO, the Local Board must send to the organization a written request for reimbursement of the amount. The National Board must also be notified. If the LRO is unwilling or unable to reimburse the National Board for the ineligible expenditures, the Local Board must refer the matter to the National Board. The National Board may ask the Local Board to take further action to see that reimbursement of ineligible expenditures is made to the National Board, or the National Board may refer the matter to FEMA.

If the Local Board suspects that fraud has been committed by an LRO, the

Local Board must contact the Office of the Inspector General, FEMA, in writing or by telephone at 1-800-323-8603 with details of suspected fraud or misuse of Federal funds.

(5) If an LRO received an award under previous phases, it must not include those funds in any reporting for the present awards. Reports should be confined to the amount granted by the National Board under the new appropriations legislation.

(d) *Cash Depositories.* (1) Any money advanced to the LRO under the terms of this award must be deposited in a bank with Federal Deposit Insurance Corporation (FDIC) or Federal Savings & Loan Insurance Corporation (FSLIC) insurance coverage, and the balance exceeding the FDIC or FSLIC coverage must be collaterally secured. Interest income earned on these monies must be put back into program costs.

(2) LROs are encouraged to use minority banks (a bank which is owned at least 50 percent by minority group members). This is consistent with the national goal of expanding the opportunities for minority business enterprises. A list of minority-owned banks can be obtained from the Office of Minority Business Enterprises, Department of Commerce, Washington, DC 20203.

(e) *Retention and custodial requirements for records.* (1) Financial records, supporting documentation, statistical records, and all other records pertinent to the award shall be retained for a period of three years, with the following exceptions:

(i) If any litigation, claim or audit is started before the expiration of the three-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved.

(ii) Records for nonexpendable property, if any, acquired in part with Federal funds shall be retained for three years after submission of a final report. Nonexpendable property is defined as tangible property having a useful life of more than one year and an acquisition cost of more than \$300 per unit.

(2) The retention period starts from the date of the submission by the LRO of the final expenditure report.

(3) The National Board may request transfer of certain records to its custody from the LRO when it determines that the records possess long-term retention value. The LRO shall make such transfers as requested.

(4) The Director of FEMA, the Comptroller General of the United States, and the National Board, or any of their duly authorized representatives, shall have access to any pertinent books,

documents, papers, and records of the recipient organization, and its subgrantees to make audits, examinations, excerpts and transcripts.

(f) *Financial management systems.* (1) The LRO/fiscal agent or fiscal conduit shall maintain a financial management system that provides for the following:

(i) Accurate, current and complete disclosures of the financial results of this program.

(ii) Records that identify adequately the source and application of funds for federally supported activities. These records shall contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, outlays, and incomes.

(iii) Effective control over and accountability for all funds, property, and other assets.

(iv) Procedures for determining eligibility of costs in accordance with the provisions of the EFSP manual.

(v) Accounting records that are supported by source documentation. The LRO must maintain and retain a register of cash receipts and disbursements and original supporting documentation such as purchase orders, invoices, canceled checks, and whatever other documentation is necessary to support its cost under the program.

(vi) A systematic method to ensure timely and appropriate resolution of audit findings and recommendations.

(vii) In cases where more than one civil jurisdiction (e.g., a city and a balance of county, or several counties) recommends awards to the same LRO, the organization can combine these funds in a single account. However, separate program records for each civil jurisdiction award must be kept.

(g) *Audit requirements.* The LRO will be eligible to receive funds if it arranges for an audit of funds to coincide with the next scheduled annual audit of its financial affairs. An original and two copies of this audit will be provided to the National Board on request. It is not necessary to have a separate, independent audit for this award so long as program funds are treated as a separate element in the agency's regular annual audit. If the LRO does not have a certified annual audit, its audit must be provided by a Local Board-designated fiscal agent for the recipient organization willing to account for the funds. No funds will be issued to an LRO funded in the previous phase that has not completed an annual audit.

All National Board-funded agencies (both governmental and not-for-profit) that receive \$100,000 or more in Federal funds must comply with the Single Audit Act, OMB Circular A-133. This \$100,000 could be exclusively EFSP

funds or a combination of EFSP funds and other Federal funds which an agency might be receiving. In addition to compliance with the Single Audit Act, the National Board requires all EFSP-funded agencies to meet the requirements stated in this plan regarding program compliance, reporting, documentation and submission of documentation.

(h) *Payment.* A first payment shall be made to the LRO by the Secretariat upon recommendation of the Local Board and approval by the National Board. An interim report will be mailed with the second and third check requests to be completed by each agency and mailed to the National Board. Second/third installments will be held until the jurisdiction's final Local Board report and documentation for the previous year has been reviewed and found to be clear.

(i) *Financial reporting requirements.* LROs shall submit a financial status report to the Local Board which will forward it to the National Board within one month after the jurisdiction's program ending date.

The National Board shall provide the LRO, through the Local Board, with the necessary report forms well in advance of report deadlines.

(j) *Closeout procedures.* (1) The following definitions shall apply to closeout procedures:

"Close-out" is the process by which the National Board determines that all applicable administrative actions and all required work pertaining to the award have been completed.

"Disallowed costs" are those charges that the National Board determined to be unallowable in accordance with the legislation, National Board requirements, applicable Federal cost principles, or other conditions contained in the award. The applicable cost principles for Private Voluntary Organizations are contained in OMB Circular A-122, "Cost Principles Applicable for Non-Profit Agencies," and OMB Circular A-110, "Uniform Administrative Requirements for Grants and Other Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations." The applicable cost principles for Public Organizations are contained in OMB Circular A-87, "Cost Principles for State Agencies and Units of Local Governments." If unsure of where to find these circulars, check with your local Congressional Representative.

(k) *Lobbying.* Public Law 101-121, section 319, states that an LRO shall not use federally appropriated grant funds for lobbying activities. This condition bars the use of Federal money for

political activities, but does not in any way restrict lobbying or political activities paid for with non-Federal funds. This condition prohibits the use of Federal grant funds for the following activities:

(1) Federal, State or local electioneering and support of such entities as campaign organizations and political action committees;

(2) Direct lobbying of the Congress and State legislatures to influence legislation;

(3) Grassroots lobbying concerning either Federal or State legislation;

(4) Lobbying of the executive branch in connection with decisions to sign or veto enrolled legislation; and,

(5) Efforts to utilize State or local officials to lobby the Congressional or State Legislatures.

#### *Secton 2.2 Organization, Roles, and Responsibilities*

(a) *Federal Emergency Management Agency (FEMA).* FEMA will perform the following EFSP activities:

(1) Constitute a National Board consisting of individuals affiliated with United Way of America; the Salvation Army; the National Council of Churches of Christ in the USA; Catholic Charities, USA; the Council of Jewish Federations, Inc.; the American Red Cross; and FEMA.

(2) Chair the National Board, using parliamentary procedures and consensus by the National Board as the mode of operation.

(3) Provide policy guidance, management oversight, Federal coordination, and staff assistance to the National Board.

(4) Award the grant to the National Board.

(5) Assist the Secretariat in implementing the National Board Program.

(6) Report to Congress on the year's program activities through the Interagency Council on the Homeless Annual Report.

(7) Conduct audits of the program.

(8) Initiate Federal collection procedures to collect funds due when the efforts of the National Board have not been successful.

(b) *National Board.* The National Board will:

(1) Select jurisdictions of highest need for food and shelter assistance and determine amount to be distributed to each.

(2) Notify national organizations interested in emergency food and shelter to publicize the availability of funds.

(3) Develop the operational manual for distributing funds and establish criteria for expenditure of funds.

(4) In jurisdictions that received previous awards, notify the former Local Board chair that new funds are available. In areas newly selected for funding, notify the local United Way, American Red Cross, Salvation Army, or local government official. The National Board will notify qualifying jurisdictions of award eligibility within 60 days following allocation by FEMA.

(5) Provide copies of award notification materials to National Board member affiliates and other interested parties.

(6) Secure certification forms and board rosters from Local Boards that funds will be used in accordance with established criteria.

(7) Distribute funds to selected LROs.

(8) Hear appeals and grant waivers.

(9) Establish an equitable system to accomplish the reallocation of unclaimed or unused funds.

(10) Ensure that funds are properly accounted for, and that funds due are collected.

(11) Provide consultation and technical assistance to local jurisdictions as necessary to monitor program compliance.

(12) Submit end-of-program report on jurisdictions' use of funds to FEMA.

(13) Conduct a compliance review of food and shelter expenditures made under this program for specified LROs. The National Board, FEMA, the independent accounting firm selected by the National Board, or the Inspector General's office may also conduct an audit of these funds.

(14) Monitor LRO compliance with OMB Circular A-133.

(c) *State Set-Aside (SSA)*. (1) The SSA process has been adopted to allow greater flexibility in selection of jurisdictions and is intended to target pockets of homelessness or poverty in non-qualifying jurisdictions (refer to Supplementary Information, above, on qualifying criteria), areas experiencing drastic economic changes such as plant closings, areas with high levels of unemployment or poverty which do not meet the minimum 500 unemployed, or jurisdictions that have documented measures of need which are not adequately reflected in unemployment and poverty data.

(2) The distribution of funds to SSA Committees will be based on a ratio calculated as follows: the State's average number of unemployed in non-funded jurisdictions divided by the average number of unemployed in non-funded jurisdictions nationwide equals the State's percentage of the total amount available for SSA awards.

(3) An SSA Committee in each State will recommend high-need jurisdictions

and award amounts to the National Board. Priority consideration is to be given to jurisdictions otherwise not meeting criteria for funding, although funded jurisdictions are not exempt from receiving additional funding. SSA Committees should also consider the special circumstances of jurisdictions that qualified in previous funding phases but are not eligible in the current phase. The State Committees may wish to provide these jurisdictions with an allocation so that the abrupt change in funding status is not disruptive to local providers. SSA Committees are encouraged to consider current and significant State or local data in their deliberations. Although the National Board staff provides national data to the SSA Committees, it does *not* mandate any particular formula. These committees are free to act independently in choosing eligible jurisdictions.

(4) In each State, the State United Way (or United Way in the capital city) will be notified of the award amount available to the SSA Committee. In a State where there are affiliates of the voluntary organizations represented on the National Board, they must be invited to serve on the State Committee. If no single State affiliate exists, an appropriate representative should be invited. The Governor or his/her representative will replace the FEMA member. State Committees are encouraged to expand participation by inviting or notifying other private non-profit organizations on the State level. The National Board encourages the inclusion of Native American representation on the State Committee.

(5) Members of the SSA Committee shall elect a person to chair the committee.

(6) The SSA Committees are responsible for the following:

(i) SSA Committees are charged with recommending high-need jurisdictions and award amounts within the State. When selecting jurisdictions with demonstrated need, the National Board encourages the consideration of counties incorporating or adjoining Indian reservations. The SSA Committee has 25 working days to notify the National Board in writing of its selections and the appropriate contact person for each area.

**Note:** The minimum award amount for a single jurisdiction is \$1,000 and only whole-dollar amounts can be allocated.

(ii) Notification to the National Board of selection criteria that were used to determine which jurisdictions within the State was selected to receive funds.

(iii) The National Board will then notify these jurisdictions directly.

(iv) In the event that funds are not claimed by SSA jurisdictions, SSA Committees may recommend that other jurisdictions receive the reallocated funds.

(d) *Local Board*. (1) Each area designated by the National Board to receive funds shall constitute a Local Board. In a local community where there are affiliates of the United Way of America, The Salvation Army, the National Council of Churches of Christ in the U.S.A., Catholic Charities, U.S.A., Council of Jewish Federations, and the American Red Cross, which are represented on the National Board, they must be invited to serve on the Local Board. The National Board mandates that if a jurisdiction is located within or encompasses a federally recognized Indian reservation, a Native American representative must be invited to serve on the Local Board. All Local Boards are required to include in their membership a homeless or formerly homeless person. Local Boards should seek recommendations from LROs for an appropriate representative. The County Executive/Mayor, appropriate head of local government or his or her designee will replace the FEMA member. An agency's own governing board is not an acceptable substitute for a Local Board. Local Boards are encouraged to expand participation and membership by inviting or notifying minority populations, other private non-profit organizations and government organizations; the jurisdiction should be geographically represented as well.

The members of each Local Board will elect a chair. Local Board membership is not honorary; there are specific duties the board must perform. If a member cannot regularly attend meetings, the member should be replaced by the member's designated agency. If a member must be absent from a meeting, the member's organization may designate an alternate.

(2) If a locality has not previously received funding and is now designated as being in high need, the National Board has designated the local United Way to constitute and convene a Local Board as described above. If there is no local United Way, or it does not convene the board, the local American Red Cross, the local Salvation Army, or a local government official will be responsible for convening the initial meeting of the Local Board.

If a locality has previously received National Board funding, the former chairman of the Local Board will be contacted regarding any new funding the locality is designated to receive.

Each award phase is new; therefore, the Local Board is a new entity in every phase. The convener of the Local Board must ask each agency to designate or redesignate a representative every program year.

(3) The Local Board must establish and follow regular procedures. The National Board encourages Local Boards to hold at least two meetings: a meeting to allocate the grant and a second to monitor LRO activities. A majority of members must be present for the meeting to be official. (Attendance and decision-making minutes be kept). Meeting minutes must be approved by the Local Board at the next meeting. They must also be available to the National Board, Federal authorities, and the public on request.

(4) The Local Board will have 25 working days after the notification of the award selection by the National Board in which to advertise and promote the program and consider all private voluntary and public organizations for participation, including those on Indian reservations. Consideration must be given to any agency providing or capable of providing emergency food and shelter services, not only those represented on the Local Board or affiliates of State or national organizations. Advertising must take place prior to the Local Board's allocation of funds. Failure to advertise properly will delay processing of the jurisdiction's board plan.

(5) The Local Board selects and recommends which local organizations should receive grants and the amounts of the grants. Since member agencies of the Local Board may also apply for funding, care must be taken that every applicant is judged by common, consistent criteria. Local Board members should strive to use sound judgement and fairness in their approach. The Local Board should be prepared to justify an allocation of one-third ( $\frac{1}{3}$ ) or more of its total award to a single LRO.

**Note:** The minimum grant per LRO is \$300 and only whole-dollar amounts may be allocated.

(6) Local Boards are responsible for monitoring LROs that receive over \$100,000 in Federal funds and ensure that they comply with the Single Audit Act, OMB Circular A-133.

(7) Local Boards must complete and return all required forms to the National Board. (Local Board Plan, Local Board Certification Form, and Local Board Roster).

(8) Local Boards shall secure and retain signed forms from each LRO certifying that program guidelines have

been read and understood, and that the LROs will comply with cost eligibility and reporting requirements.

(9) Local Boards must establish a system to ensure that no duplication of service occurs within the expenditure categories of rent, mortgage or utility assistance (RMU).

(10) Local Boards must notify the National Board of changes in the Local Board chair, staff contact, or LRO contacts, including complete addresses and phone numbers.

(11) Local Boards that determine they can better utilize their resources by merging with neighboring boards may do so. The head of government or his or her designee for each jurisdiction must sit on the merged board, along with agency representatives from each jurisdiction. The merged Local Board must ensure that the award amount designated for each civil jurisdiction is used to provide assistance to individuals within that jurisdiction.

(12) Local Boards are required to be familiar with current guidelines and to provide technical assistance to service providers. Advice and counsel can be provided by National Board staff.

(13) An appeals process must be established to address participation or funding including, where deemed appropriate, the involvement of individuals not a part of the dispute in the decision, to hear and resolve appeals made by funded or non-funded organizations, and to investigate complaints made by individuals or organizations. Appeals should be handled promptly. Cases that cannot be handled locally should be referred in writing to the National Board and include details on action that has been taken. Cases involving fraud or other misuse of Federal funds should be reported to the Office of the Inspector General, FEMA, in writing or by telephone at 1-800-323-8603.

(14) The chair of the Local Board or his or her designated staff will be the central coordination point of contact between the National Board and the LRO selected to receive assistance from EFSP. To facilitate program coordination, the chair of the Local Board will contact the State agencies through which surplus food and other Federal assistance are provided.

(15) Local Boards will be responsible for monitoring programs carried out by the LROs they have selected to receive funds. Local Boards should work with LROs to ensure that funds are being used to meet immediate food and shelter needs on an ongoing basis. Local Boards may not alter or change National Board cost eligibility or approve expenditures outside the National

Board's criteria without National Board permission.

(16) The Local Board should reallocate funds whenever it determines that the original allocation plan does not reflect the actual need for services or if an LRO is unable to use its full award effectively. Funds must be recovered and may be reallocated if an LRO makes ineligible expenditures or uses funds for items that have clearly not been approved by the Local Board. Funds held in escrow for LROs which have unresolved compliance problems can be reallocated or may be reclaimed by the National Board.

The Local Board may approve reallocation of funds between LROs that are already participating in the program. However, the National Board must be notified in writing. The Local Board may also return funds to the National Board for reissuance to another LRO or request reallocation of remaining funds before they are released by the National Board (e.g., second/third payments).

If the Local Board wishes to reallocate funds to an agency that was not approved on the original board plan, a written request for approval must be made to the National Board. An LRO must be approved by the National Board prior to receipt of funds.

If a Local Board is unable to satisfy the National Board that it can utilize funds in accordance with this plan, the National Board may reallocate the funds to other jurisdictions.

(17) Should anyone have reason to suspect that EFSP funds are being used for purposes contrary to the law and guidelines governing the program, the National Board recommends taking action to assist in bringing such practices to a halt.

The National Board requires that the Office of the Inspector General, FEMA, be contacted immediately when fraud, theft, or other criminal activity is suspected in connection with the use of EFSP funds, or the operation of a facility receiving EFSP funds. This notification can be made by calling the FEMA Inspector General's Hotline at 1-800-323-8603, or by writing to: Office of the Inspector General, FEMA, 500 C Street SW., Washington, DC 20472. The complainant should include as much information as possible to support the allegation and preferably furnish his/her name and telephone number so that the special agents assigned to the Inspector General's office may make a follow-up contact. The confidentiality of any communication made with the Office of Inspector General is protected by Federal law.

A complainant desiring to remain totally anonymous should make a

follow-up phone call to the Office of the Inspector General within 30 days from the date of the original complaint so that any follow-up questions may be asked. Follow-up calls should be made to 1-202-646-3894 during normal business hours, Eastern Standard Time (charges may be reversed). The caller should advise that he/she is making a follow-up call regarding a prior anonymous complaint. The Office of the Inspector General, FEMA, will appropriately notify both local law enforcement authorities and the National Board concerning the substance of the allegations and the results of the investigation.

(18) Reports to the National Board on LROs' expenditures shall be submitted as the date each LRO's second/third check is requested and a final report should be submitted one month after the jurisdiction's end-of-program date.

(19) After the close of the program, the accuracy of all LROs' reports and documentation shall be reviewed. Documentation for specified LROs should be forwarded to the National Board as requested. In the event of expenditures violating the eligible costs under this award, the Local Board must require reimbursement to the National Board.

Local Boards are required to remain in operation until all program and compliance requirements of the National Board have been satisfied. All records related to the program must be retained for three (3) years from the end-of-program date.

(20) Each jurisdiction will be granted the option to extend its spending period by 30, 60, or 90 days. This option will be offered during the summer of each phase. The extension applies to the entire jurisdiction. Should the jurisdiction receive a grant in the next phase, that phase's spending period will begin the day after the chosen end-date.

(e) *Local Recipient Organization.* (1) In selecting LROs to receive funds, the Local Board must consider the demonstrated ability of an organization to provide food and shelter assistance. LROs should be selected to receive funds to supplement and extend eligible ongoing services, not be funded in anticipation of a needed service (e.g., victims of fire, flood, or tornado); neither should agencies be selected for funding due to budget shortfalls nor for cuts in other funding sources. Local participation in the program is not limited to organizations that are part of any State or national organization. Agencies on Indian reservations are eligible to receive EFSP funds if they meet LRO requirements as set forth in the program manual. Organizations that

received awards from previous legislation may again be eligible provided that the organization still meets eligibility requirements.

(2) For a local organization to be eligible for funding it must:

(i) Be nonprofit or an agency of government;

(ii) Have an accounting system or an approved fiscal agent;

(iii) Have a Federal employer identification number (FEIN), or be in the process of securing FEIN (Note: contact local Internal Revenue Service (IRS) office for more information on securing FEIN and the necessary form [SS-4];

(iv) Conduct an independent annual audit (Note: if LRO was funded in previous phase, information regarding annual audit must be included on final report; no funds will be issued until annual audit has been conducted);

(v) Practice nondiscrimination. Those agencies with a religious affiliation wishing to participate in the program must agree not to refuse services to an applicant based on religion or require attendance at religious services as a condition of assistance, nor will such groups engage in any religious proselytizing in any program receiving EFSP funds; and,

(vi) For private voluntary organizations, have a voluntary board.

Each LRO will be responsible for certifying in writing to the Local Board that it has read and agrees to abide by the cost eligibility and reporting standards of this publication and any other requirements made by the Local Board.

An LRO may *not* operate as a vendor for itself or other LROs except for the shared maintenance fee for food banks.

(3) LROs selected for funding must:

(i) Maintain records according to the guidelines set forth in the manual. Consult the Local Board chair/staff on matters requiring interpretation or clarification prior to incurring an expense or entering into a contract. It is important to have a thorough understanding of these guidelines to avoid ineligible expenditures and consequent repayment of funds. LROs' questions can be answered by National Board staff at (703) 706-9660.

(ii) Provide services within the intent of the program. Funds are to be used to supplement and extend or initiate food and shelter services, not as a substitute for other program funds. LROs should take the most cost-effective approach in buying or leasing eligible items/services, and should limit purchases to essential items within the \$300.00 limit for equipment, unless prior approval has been granted by the National Board.

(iii) Deposit funds for this program in a federally insured bank account. Proper documentation must be maintained for all expenditures under this program according to the guidelines. Agencies should ensure that selected banks will return canceled checks. LROs' expenditures and documentation will be subject to review for program compliance by the Local Board, National Board or Federal authorities. Records must be maintained for three years and any interest income must be put back into program expenditures.

(iv) LRO Documentation of EFSP expenditures requires copies of canceled checks (both sides) and itemized vendor invoices. An acceptable invoice has the following characteristics:

- (A) It must be vendor originated;
- (B) It must have name of vendor;
- (C) It must have name of purchaser;
- (D) It must have date of purchase;
- (E) It must be itemized; and,
- (F) It must have total cost of purchase.

All LROs will be required to periodically submit documentation to the National Board to ensure continued program compliance. Any LRO receiving over \$100,000 in Federal funds must comply with the Single Audit Act, OMB Circular A-133.

(v) In addition to the aforementioned documentation, reports to the Local Board must be submitted by their due date. Interim report/second and third check request forms will be enclosed in the LROs' first check package. When the LRO is ready to request its second/third check it must complete and sign the interim report and forward it to the Local Board for its review and approval. The reverse side (second/third check request) should be completed by the Local Board chair and mailed to the National Board. LROs must complete all portions of the final report form, return two copies to the Local Board, including one copy of documentation if requested, and retain a copy for their records.

(vi) The LRO must work with the Local Board to quickly clear up any problems related to compliance exception(s) at the end of the program.

(vii) The LRO shall contact the Local Board regarding technical assistance, interpretation of guidelines, and resources from other Federal programs, such as U.S. Department of Agriculture (USDA) surplus food.

(f) *Fiscal Agent/Fiscal Conduit Relationship.* (1) For National Board purposes, a fiscal agent/fiscal conduit is an agency that is serving as the mechanism for other agencies to benefit from EFSP funds.

(2) The fiscal agent/fiscal conduit is the organization responsible for the

receipt of funds, disbursement of funds to vendors, and documentation of funds received. The fiscal agent/fiscal conduit must meet all of the requirements of an LRO.

(3) Local Boards may wish to use a fiscal agent/fiscal conduit when they desire to fund an agency not having an adequate accounting system or not conducting an annual audit.

(4) Any agency benefitting from funds received by a fiscal agent/fiscal conduit must meet all of the criteria to be an LRO except the accounting system and annual audit requirements and sign the Fiscal Agent/Fiscal Conduit Relationship Certification Form.

(5) Fiscal agents/fiscal conduits may cut checks to vendors only. They may not cut checks to the agencies on whose behalf they are acting or to agencies/sites under their "umbrella." The exception to this is when an agency is using the per diem allowance.

(6) Fiscal agents will be required to submit individual interim and final reports for each agency. Fiscal conduits will file a single interim report on their awards along with a breakdown of agencies and spending with the final report.

(7) Fiscal agents may not fund an LRO with an outstanding compliance exception. If a fiscal agent has an unresolved compliance exception, any other funds awarded to the fiscal agent will be held in escrow until all compliance exceptions are resolved.

### Section 2.3 General Guidelines

(a) *Designation of target areas.* Local jurisdictions will be selected to receive funds from the National Board based on average unemployment statistics from the U.S. Department of Labor for the most current 12-month period (July 1992–August 1993) available. Also used are poverty statistics from the 1990 Census. The Board adopted this combined approach in order to target funds for high-need areas more effectively. Funds designated for a particular jurisdiction must be used to provide services within that jurisdiction.

The National Board based its determination of high-need jurisdictions on four factors:

1. Most current twelve-month national unemployment rates;
2. Total number of unemployed within a civil jurisdiction;
3. Total number of individuals below the poverty level within a civil jurisdiction; and,
4. The total population of the civil jurisdiction.

In addition to unemployment, poverty was used to qualify a jurisdiction for receipt of an award.

Jurisdictions were selected under Phase XII (PL 103–124) according to the following criteria:

- Jurisdictions, including balance of counties, with 18,000+ unemployed and a 6.1% rate of unemployment.

- Jurisdictions, including balance of counties, with 500 to 17,999 unemployed and an 8.5% rate of unemployment.

- Jurisdictions, including balance of counties, with 500 or more unemployed and an 11.7% rate of poverty.

Jurisdictions with a minimum of 500 unemployed may qualify for an award based upon their rate of unemployment or their rate of poverty. Once a jurisdiction's eligibility is established, the National Board will determine its fund distribution based on a ratio calculated as follows: The average number of unemployed within an eligible area divided by the average number of unemployed covered by the national program equals the area's portion of the award (less National Board administrative costs, and less that portion of program funds required to fulfill designated awards).

Area's avg. No. unemployed—Avg. No. unemployed in all eligible areas = Area's percent of the award (less National Board's administrative costs and designated awards)

Puerto Rico and U.S. territories will receive a designated percentage of the total award based on the decision of the National Board.

(b) *Grant award process.* (1) United Way of America has been designated as the fiscal agent for the National Board and as such will process all Local Board plans. Payments will be made to organizations recommended by Local Boards for funding. Local Boards have the right to reallocate funds throughout the program period, as they determine necessary. When a Local Board reallocation between two or more LROs occurs, the Local Board must promptly notify the National Board in writing so that the National Board's records can be updated accordingly.

(2) The National Board offers two methods of payment to LROs. The two methods are either direct deposit (electronic funds transfer) or checks. The National Board encourages LROs to take advantage of direct deposit where possible.

(3) To ensure greater accountability and reporting, awards totaling less than \$100,000 are paid in two equal installments. Awards totaling \$100,000 or more will be paid in three equal installments.

(4) The National Board will distribute second/third payments once the jurisdiction's compliance review is completed for the previous program period. Second/third payments will be held in escrow until all compliance exceptions are satisfied by the LRO.

All payments will be mailed directly to the LRO. Second and third payments will be mailed to the LRO only upon the written request of the Local Board Chair which encloses the LROs interim report. The Local Board will authorize second and/or third payments once it is assured that the organization is implementing the current program as intended and according to the guidelines in the Plan.

(c) *Client eligibility.* The National Board does not set client eligibility criteria. Local Boards may choose to set such criteria. If the Local Board does not set eligibility criteria, the LRO may use its existing criteria or set criteria for assistance under this award. However, the LROs criteria must provide for assistance to needy individuals without discrimination (age, race, sex, religion, national origin, or handicap).

**Note:** Funds allocated to a jurisdiction are intended for use within that jurisdiction. Residents of or transients in a specific jurisdiction should seek service within that jurisdiction.

Citizenship is not an eligibility requirement to receive assistance from EFSP. The National Board does not mandate nor recommend the use of any particular existing criteria (i.e., food stamp guidelines, welfare guidelines, or income guidelines).

### Section 2.4 Eligibility of Costs

The intent of this appropriation is for the purchase of food and shelter to supplement and extend current available resources and not to substitute or reimburse ongoing programs and services. Questions regarding interpretation of the program's guidelines should be cleared by the LRO with the Local Board prior to action. Local Boards unsure of the meaning of these guidelines should contact the National Board at (703) 706-9660 for clarification prior to advising the LRO.

If an expenditure requested by an LRO is not listed below as eligible, the Local Board has the option of requesting a waiver from the National Board for consideration.

No individual or family may be charged a fee for service with relation to assistance under EFSP.

(a) *Eligible program costs.* Eligible program costs include, but are not limited to:

For food banks/pantries, eligible costs include:

(1) Groceries, food vouchers, vegetable seeds, gift certificates for food. Documentation required: receipts/invoices for food purchased and canceled checks.

(2) An allowance for maintenance fees charged by food banks can be granted by a Local Board at the prevailing rate. EFSP funds cannot be used to pay such a maintenance fee twice: by a food bank and by the food pantry/agency it is serving. Documentation required: receipts/invoices for food purchased and canceled checks.

(3) Transportation expenses related to the delivery of food purchases. Documentation required: (1) mileage log, or (2) receipts/invoices from contracted services or public transportation, receipts for actual fuel costs, and canceled checks.

(4) Purchase of small equipment not exceeding \$300 per item and essential to operation of food bank or pantry (e.g., shelving, storage containers). Documentation required: receipts/invoices for equipment purchased and canceled checks.

(5) Purchase of consumable supplies essential to distribution of food (e.g., bags, boxes). Documentation required: receipts/invoices for supplies purchased and canceled checks.

For mass shelters (five or more beds) or mass feeding sites, eligible expenditures include:

(6) Food (hot meals, groceries, food vouchers). Limited amounts of dessert items (i.e., cookies, ice cream, candy, etc.) used as a part of a daily diet plan may be purchased. Also allowable are vegetable seeds and vegetable plants cultivated in an agency's garden on-site and canning supplies. Documentation required: receipts/invoices for food purchased and canceled checks or served meals per diem schedule).

(7) Local transportation expenses for picking up/delivery of food; transporting clients to mass shelter or feeding site. Limited to actual fuel costs, a mileage log at the current Federal rate (25 cents per mile), contracted services or public transportation. Documentation required: (1) mileage log, or (2) receipts/invoices from contracted services or public transportation, receipts for actual fuel costs, and canceled checks.

(8) Purchase of consumable supplies essential to mass feeding (i.e., plastic cups, utensils, detergent, etc.) or mass shelters of five or more beds (i.e., soap, toothbrushes, toothpaste, cleaning supplies, etc.) Documentation required: receipts/invoices for supplies purchased and canceled checks.

(9) Purchase of small equipment not exceeding \$300 per item and essential to mass feeding (i.e., pots, pans, toasters,

blenders, etc.) or mass shelters (i.e., cots, blankets, linens, etc.).

Documentation required: receipts/invoices for equipment purchased and canceled checks.

(10) Leasing, only for the program period, of capital equipment associated with mass feeding or mass shelter (e.g., stoves, freezers, or vans with costs over \$300 per item) only if approved in advance by the Local Board. Documentation required: written Local Board approval, copy of lease agreement, and canceled checks.

(11) Limited amounts of basic first-aid supplies (e.g., aspirin, band-aids, cough syrup) for mass shelter providers and mass feeding sites only. Documentation required: receipts/invoices for first-aid supplies and canceled checks.

(12) Emergency repairs/building code of a mass feeding facility or mass shelter, provided:

(i) The facility is owned by a not-for-profit organization (profit-making facilities, leased facilities, government facilities, and individual residences are not eligible); and,

(ii) The emergency repair/building code plan and the contract detailing work to be done and material and equipment to be used or purchased is approved by the Local Board prior to the start of the emergency repair/building code project; and,

(iii) The emergency repair/building code is limited to:

(A) Bring facility into compliance with local building codes; or,

(B) An emergency repair that is required to keep the facility open for the current program phase.

(C) Maximum expenditure: \$5,000.00.

(D) No award funds are used for decorative or non-essential purposes or routine maintenance/repairs.

(E) All emergency repair work is completed and paid for by the end of the jurisdiction's award phase. (Expenses which occur after that date will not be accepted as eligible costs.)

Documentation required: letter from Local Board indicating approval and amount approved, copy of contract including cost or invoices for supplies and contract labor, document citing building code violation requiring the repair (for building code repairs) and canceled checks.

(13) Expenses incurred from accessibility improvements for the disabled are eligible for mass feeding or mass shelter facilities up to a limit of \$5,000. These improvements may include those required by the Americans with Disabilities Act of 1990. A building code citation is not necessary for accessibility improvements.

**Note:** All social service providers are mandated to comply with the Americans with Disabilities Act of 1990. Documentation required: copy of contract describing work to be done including cost, letter from Local Board indicating approval and amount approved, and canceled checks.

For mass shelter providers, there are two options for eligible costs. One option must be selected at the beginning of the program year and continued throughout the entire year. Note the documentation requirements for each option.

(14) Reimbursement of actual direct eligible costs; in which case canceled checks and vendor invoices for supplies/equipment essential to the operation of the mass shelter (e.g., cots, mattresses, soap, linens, blankets, cleaning supplies, etc.) must be maintained. Documentation required: receipts/invoices from vendor relating to operation of facility and canceled checks.

(15) Per diem allowance of exactly \$5 per person or exactly \$10 per person per night for mass shelter (five beds or more) providers, only if:

(i) Approved in advance by the Local Board; and,

(ii) LROs total mass shelter award is expended in this manner.

**Note:** It is the decision of the Local Board to choose between the \$5/\$10 rate. This rate may vary from agency to agency. The \$5/\$10 per diem, if elected, may be expended by the LRO for any related cost; it is not limited to otherwise eligible items. The per diem allowance does not include the additional costs associated with food. Documentation required: schedule showing daily rate of \$5 or \$10 and number of persons sheltered by date with totals.

For rent/mortgage assistance, eligible program costs include:

(16) Limited emergency rent or mortgage assistance for individuals or families, provided that:

(i) Payment is in arrears; and,

(ii) All other resources have been exhausted; and,

(iii) The client is primary resident of the home in which rent/mortgage is being paid; and,

(iv) Payment is limited to one month's cost for each individual or family; and,

(v) Payment must guarantee an additional 30 days service.

**Note:** Late fees, but not deposits, are eligible. Documentation required: letters from landlords [must include amount of one month's rent and statement that rent is past due], mortgage letters and/or copy of loan coupon showing mortgage amount and date due and canceled checks.

(17) First month's rent may be paid when an individual or family:

(i) Is transient and plans to stay in the area for an extended period of time; or,

(ii) Is moving from a temporary shelter to a more permanent living arrangement; or,

(iii) Is being evicted because one month payment will not forestall eviction.

The first month's rent cannot be provided in addition to emergency rent/mortgage payment under Item 16 above. It can be provided in addition to assistance provided in Items 15 and 19. Documentation required: letters from landlords [must include amount of first month's rent] and canceled checks.

For utility assistance, eligible program costs include:

(18) Limited utility assistance (includes gas, coal, electricity, oil, water, firewood) for individuals or families, provided that:

- (i) Payment is in arrears; and,
- (ii) All other resources have been exhausted (e.g., State's Low Income Home Energy Assistance Program); and,
- (iii) Payment is limited to one month's cost for each utility for each individual or family; and,
- (iv) Month paid is part of the arrearage and from current phase or for continuous service; and,
- (v) Each utility can be paid only once in each award phase for any individual or family.
- (vi) Payment must guarantee an additional 30 days service.

**Note:** Reconnect and late fees, but not deposits are eligible, but again only a one month payment for each utility for each individual or family in each award phase.

Documentation required: (1) nonmetered utilities [e.g., propane, firewood], receipts/invoices for fuel including due date and canceled checks; (2) metered utilities [e.g., electricity, water], copy of past due utility bill showing one month's charges including due date and canceled checks.

**Note:** Utility disconnect and termination notices often do not show amount owed by month. This information must be written onto the notice if not included.

For other shelter assistance, eligible program costs include:

(19) Off-site emergency lodging in a hotel or motel, or other off-site shelter facility provided:

- (i) No appropriate on-site shelter is available; and,
- (ii) It is limited to 30-days' assistance per individual or family during the program period.

**Note:** Assistance may be extended in extreme cases with prior Local Board written approval.

A copy of this approval should accompany LRO's documentation.

**Note:** An LRO may not operate as a vendor for itself or other LROs, except for shared maintenance fee for food banks.

Documentation required: receipts/invoices from off-site shelter [hotel/motel] and canceled checks.

(b) *Ineligible Program Costs.* Purposes for which funds CANNOT BE USED include, but are not limited to:

- (1) Cash payments of any kind including checks made out to cash or reimbursements to staff, volunteers or clients for program purchases.
- (2) Deposits of any kind.
- (3) Payment of more than one month's rent.
- (4) Payment of more than one month's mortgage and first month's mortgage.
- (5) Transportation of people to another town or agency not related to food or shelter or to relative's home (e.g., non-local transportation, transportation to jobs, health care).
- (6) Payment of more than one month's portion of an accumulated utility bill.
- (7) Payments made directly to a client.
- (8) Rental security; deposits; revolving loan accounts.
- (9) Real property (land or buildings) costing more than \$300.
- (10) Property taxes of any kind.
- (11) Equipment costing more than \$300 per item (e.g., vehicles, freezers, washers).
- (12) Emergency repairs/building code or rehabilitation to government-owned or profit-making facilities or leased facilities.
- (13) Rehabilitation for expansion of service.
- (14) Repairs of any kind to an individual's house or apartment.
- (15) Purchase of supplies or equipment for an individual's home or private use.
- (16) Lease-purchase agreements.
- (17) Administrative cost reimbursement to State or regional offices of governmental or voluntary organizations.
- (18) Lobbying efforts.
- (19) Expenditures made prior to beginning of jurisdiction's program.
- (20) Expenditures made after end of jurisdiction's program.
- (21) Gas or repairs for client-owned transportation.
- (22) Prescription medication or medical supplies.
- (23) Clothing (except underwear/diapers for clients of mass shelters, if necessary).
- (24) Payments for expenses not incurred (i.e., where no goods or services have been provided during new program period).
- (25) Emergency assistance for natural disaster victims.
  - (i) Supplies bought for and in anticipation of a natural disaster.

(26) Telephone costs, except as administrative allowance and limited to the total allowance (2 percent).

(27) Salaries, except as administrative allowance and limited to the total allowance (2 percent).

(28) Office equipment, except as administrative allowance and limited to the total allowance (2 percent).

(29) LRO may not operate as a vendor for itself or other LROs, except for shared maintenance fee for food banks.

(30) Direct expenses associated with new or expanded services or to prevent closing.

(31) Increased utility costs due to expansion of service.

(32) Encumbrance of funds for shelter, emergency repairs, utilities, that is, payments for goods or services that are purchased and are to be delivered at a later date. Also, withholding assistance in anticipation of a future need (e.g., holiday events, special programs).

(33) Supplementing foster care costs, where an LRO has already received payment for basic boarding of a client. Comprehensive foster care costs beyond food and shelter are not allowed.

(34) No fee for service may be charged to individuals or families in order to receive service.

(c) *Administrative allowance.* (1) There is an administrative allowance limitation of two percent (2%) of total funds received by the Local Board, excluding any interest earned. This allowance is a part of the total award, not in addition to the award. The local administrative allowance is intended for use by LROs or Local Boards and not for reimbursement of the program or administrative costs that a recipient's parent organization (its State or regional offices) might incur as a result of this additional funding.

(2) The Local Board may elect to use, for its own administrative costs, all or any portion of the 2 percent allowance. The decision on distribution of the allowance among LROs rests with the Local Board. No LRO may receive an allowance greater than 2 percent of that LROs award amount unless the LRO is providing the administrative support for the Local Board and it is approved by the National Board.

(3) The SSA Committee, when in operation, may utilize a maximum of one-half of one percent (0.5%) for its administrative costs in allocating the SSA grant. As with Local Board awards, this administrative allowance is part of the total award, not in addition to the award.

(4) Any of the administrative allowance not used must be put back into program funds for additional services.

**Note:** The administrative allowance may only be allocated in whole-dollar amounts.

### Section 3.0 Independent Annual Audit Requirements

To be eligible to receive or administer EFSP funds, every LRO must have an independent annual audit. Depending on several factors (the size of the agency's budget, the number of Federal grants the agency receives, the size of the agency's grant, the complexity of the agency's accounting system, etc.), the agency's audit may or may not require the expertise of a certified public accountant. In some instances, an agency's accounting system is so simple and the restricted funds are only from EFSP, that a knowledgeable bookkeeper could perform the audit. In other cases, the agency has many Federal grants and is required to have an A-133 audit which must be performed by a CPA. Agencies must carefully choose what type of audit is required and select an appropriate independent auditor.

An independent audit is performed by someone unaffiliated with the organization. For instance, an agency's own accountant cannot audit his employer's books. The audit must include an examination of the agency's fiscal controls as well as an inspection of records (including journals, ledgers, checkbooks and bank statements, receipts, contracts, etc.). Finally, the auditor must render an opinion on the agency's financial records (do the records presented accurately reflect the agency's finances?). The independent annual audit must include the following:

- (1) A balance sheet as of the last day of the fiscal year;
- (2) A statement of revenue and expense for the fiscal year;
- (3) A statement of internal controls;
- (4) The auditor's opinion.

The agency's entire program funds must be included in the audit. The audit must meet the generally accepted auditing standards as set by the American Institute of Certified Public Accountants. For a copy of the generally accepted auditing standards, contact the National Board staff.

### Section 4.0 Appeals Process for Participation/Funding

(a) *Fairness and openness.* An appeals process is a statement to eligible agencies and to the community at large that the Local Board is interested in fairness and openness.

A good appeals process begins with prevention. If the Local Board includes both representatives of affiliates of the National Board and representatives of other groups involved with assisting

hungry and homeless people, it is less likely to experience an appeal. Similarly, if the Local Board's decision-making process is open, thorough, and even-handed, appeals are less likely.

It is the responsibility of the Local Board to establish a written appeals process. That process may be simple or elaborate, depending on the needs of the community.

(b) *Appeals guidelines.* The appeal process should meet the following guidelines:

- (1) It should be available to agencies and to the public upon request;
- (2) It should be timely, without undue delay;
- (3) It should include the basis for appeal (e.g., provision of information not previously available to the group making the appeal or to the Local Board; correction of erroneous information; violation of Federal or National Board guidelines; or allegation of bias, fraud, or misuse of Federal funds on the part of the Local Board may be cause for appeal);
- (4) The decision should be communicated to the organization making the appeal in a timely manner. In the case of an appeal on the basis of fraud or other abuse of Federal funds, the agency making the appeal must be informed of the right of referral to the National Board.

(c) *Primary decision maker.* Except for cost and LRO eligibility, the Local Board is the primary decision maker. Only when there is a significant question of misapplication of guidelines, fraud, or other abuse on the part of the Local Board will the National Board consider action.

(d) *Common appeals practices.* The National Board does not mandate any particular appeals process. However, some Local Boards have developed processes which work well for them and may offer some help to other communities. Common practices include the following:

- (1) Set a time period of not more than 30 days for agencies or organizations to appeal a funding decision;
- (2) Require written notice of appeal, signed by the Chief Volunteer Officer of the organization making the appeal;
- (3) The first level of appeal is usually to the Local Board, or to an executive committee of the board.

(e) *Appeals boards, delegations.* Some boards appoint one or more members to act as a liaison with the organization making the appeal:

(1) In the case of an appeal for the purpose of providing previously unavailable information or correction of erroneous information, the process usually ends with prompt notification of

decision (within 10 working days of appeal).

(2) In the case of appeals for the purpose of contesting alleged prejudice, violation of law or National Board guidelines, fraud, or misuse of Federal funds, some boards have allowed appeals to a group other than the board itself. This practice is not mandated but is permitted by the National Board. Such groups vary. They may simply be composed of different individuals representing the same organizations that make up the Local Board. They may also include an entirely different group of persons who have knowledge of the program and are deemed by the board to be both responsible and unbiased, and to hold the trust of the community at large.

(3) If the board chooses to delegate authority to any third party in an appeals process, the power and authority of that body should be clear. Is it simply advisory to the Local Board? Will the board abide by the decisions of this body as long as they are consistent with the law and the National Board guidelines?

(4) The disposition of appeals is often communicated by telephone to the chief professional and volunteer officers of the organization appealing immediately after a decision is made. In such cases, a written communication is sent as soon as possible confirming the action taken. The written communication is, of course, the official notification.

(f) *National Board role.* It is important to reaffirm that no single appeals process is mandated or advised by the National Board.

### Section 5.0 Variances and Waivers

(a) *Variances.* Local Boards may receive requests for variances in the budgets they have approved for LROs. Local Boards may allow such changes provided that the requested items are eligible under this program. If there is any doubt on the part of the Local Board as to eligibility, it should contact the National Board for clarification.

If an expenditure requested by an LRO falls outside the program guidelines, the Local Board, if in accord, should request in writing a waiver from the National Board in advance of the expenditure.

(b) *Waivers.* Waivers requested because of a compliance exception must be submitted to the Local and then National Board for review. National Board staff will evaluate waiver requests and use discretion to approve or deny requests. In general, the National Board considers waiver requests that are not within the guidelines but address the program's intent.

The waiver request from the Local Board should clearly state the need for the exception, approximate costs, timeliness or any other pertinent information it deems necessary for the National Board to make its decision.

#### Section 6.0 Reporting Requirements

Local Boards must monitor LROs' expenditures and eligible cost compliance throughout the program period. An interim report of expenditures is due to the National Board with each LRO's second/third check request. A final report (accompanied by financial documentation for specified LROs) is due one month after the end of each jurisdiction's program. The National Board will provide forms for all required reports. The National Board advises Local Boards to request at least one other report from their LROs at a time deemed appropriate by each Local Board.

LROs that successfully completed previous program compliance reviews and are receiving funds under this program may not be required to submit documentation with their final reports unless specifically asked to do so by the National Board; however, successful

completion does not mean automatic exemption from submission.

Documentation will be required for LROs not funded in the previous phase of the program.

Failure of an LRO to comply with the National Board's reporting requirements may result in its funds being held in escrow. Funds will be held until all reporting requirements have been satisfied. If an LRO does not comply in a timely manner, the Local Board or National Board may reclaim and reallocate the funds being held in escrow.

The National Board will compile the reports it receives from the Local Boards and submit a detailed accounting of use of all program monies in the form of a report to FEMA.

If the Local Board discovers lack of documentation, ineligible expenditures or any other problem in an LRO report, it should contact the LRO and attempt to correct the problem before submitting the report to the National Board. If the National Board discovers a problem, it will inform the Local Board and LRO and advise them of the action to be taken. It is the responsibility of the Local Board to continue working with LROs which have compliance problems

until they have been cleared by the Secretariat.

To avoid compliance-related problems, the Local Board should ensure that LROs have a thorough understanding of the types of documentation (e.g., canceled checks [both sides], invoices, contracts, lease agreements, utility bills) they must retain to meet cost eligibility guidelines. Items not listed as eligible or ineligible should not be assumed to be eligible. Local Boards are advised to contact National Board staff for clarification on items subject to interpretation.

LROs failing to clear the National Board compliance review after a reasonable amount of time will be referred to FEMA and will remain ineligible to receive funds until audit problems are resolved with FEMA.

#### Section 7.0 Amendments to Plan

The National Board reserves the right to amend this Plan at any time.

Dated: January 13, 1994.

**Dennis H. Kwiatkowski,**  
Deputy Associate Director, Preparedness,  
Training & Exercises.

The following is a list of all Phase XII (Fiscal Year 1994) funded jurisdictions:

### EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS

#### Alabama

12-0030-00	Autauga County .....	\$17,420.00
12-0032-00	Baldwin County .....	46,284.00
12-0034-00	Barbour County .....	17,796.00
12-0036-00	Bibb County .....	12,705.00
12-0038-00	Blount County .....	16,730.00
12-0040-00	Bullock County .....	7,899.00
12-0042-00	Butler County .....	14,867.00
12-0044-00	Calhoun County .....	67,159.00
12-0046-00	Chambers County .....	20,649.00
12-0048-00	Cherokee County .....	8,635.00
12-0050-00	Chilton County .....	21,115.00
12-0052-00	Choctaw County .....	12,645.00
12-0054-00	Clarke County .....	22,061.00
12-0056-00	Clay County .....	8,064.00
12-0060-00	Coffee County .....	19,358.00
12-0062-00	Colbert County .....	30,215.00
12-0064-00	Conecuh County .....	9,491.00
12-0068-00	Covington County .....	23,127.00
12-0072-00	Cullman County .....	36,042.00
12-0074-00	Dale County .....	26,716.00
12-0076-00	Dallas County .....	40,037.00
12-0078-00	De Kalb County .....	31,237.00
12-0080-00	Elmore County .....	23,292.00
12-0082-00	Escambia County .....	23,773.00
12-0084-00	Etowah County .....	53,207.00
12-0086-00	Fayette County .....	11,383.00
12-0088-00	Franklin County .....	17,766.00
12-0090-00	Geneva County .....	11,699.00
12-0094-00	Hale County .....	9,176.00
12-0096-00	Henry County .....	9,641.00
12-0098-00	Houston County .....	42,079.00
12-0102-00	Jackson County .....	36,057.00
12-0104-00	Jefferson County .....	283,172.00
12-0108-00	Lamar County .....	11,278.00
12-0110-00	Lauderdale County .....	38,505.00
12-0112-00	Lawrence County .....	19,784.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-0114-00	Lee County .....	36,974.00
12-0116-00	Limestone County .....	27,392.00
12-0118-00	Lowndes County .....	11,068.00
12-0120-00	Macon County .....	11,248.00
12-0126-00	Marengo County .....	15,258.00
12-0128-00	Marion County .....	17,586.00
12-0130-00	Marshall County .....	41,824.00
12-0132-00	Mobile County .....	225,219.00
12-0136-00	Monroe County .....	21,791.00
12-0138-00	Montgomery County .....	92,959.00
12-0142-00	Morgan County .....	51,510.00
12-0144-00	Perry County .....	10,197.00
12-0146-00	Pickens County .....	14,327.00
12-0148-00	Pike County .....	14,222.00
12-0150-00	Randolph County .....	12,089.00
12-0152-00	Russell County .....	25,770.00
12-0154-00	St. Clair County .....	25,995.00
12-0158-00	Sumter County .....	10,888.00
12-0160-00	Talladega County .....	47,861.00
12-0162-00	Tallapoosa County .....	16,009.00
12-0164-00	Tuscaloosa County .....	62,503.00
12-0168-00	Walker County .....	46,179.00
12-0170-00	Washington County .....	15,093.00
12-0172-00	Wilcox County .....	9,551.00
12-0174-00	Winston County .....	13,711.00
12-0176-00	State Set-Aside Committee, AL .....	87,068.00
		2,065,320.00
<b>Alaska</b>		
12-0196-00	Fairbanks North Star Boro .....	\$45,623.00
12-0202-00	Kenai Peninsula Borough .....	38,610.00
12-0204-00	Ketchikan Gateway Borough .....	10,062.00
12-0208-00	Kodiak Island Borough .....	10,693.00
12-0210-00	Matanuska-Susitna Census .....	34,871.00
12-0232-00	State Set-Aside Committee, AK .....	110,141.00
		250,000.00
<b>Arizona</b>		
12-0242-00	Apache County .....	\$37,664.00
12-0244-00	Cochise County .....	51,766.00
12-0246-00	Coconino County .....	62,128.00
12-0248-00	Gila County .....	23,968.00
12-0250-00	Graham County .....	14,147.00
12-0254-00	La Paz County .....	11,894.00
12-0256-00	Maricopa County .....	918,146.00
12-0268-00	Mohave County .....	58,749.00
12-0270-00	Navajo County .....	54,709.00
12-0272-00	Pima County .....	235,941.00
12-0276-00	Pinal County .....	55,820.00
12-0278-00	Santa Cruz County .....	28,714.00
12-0280-00	Yavapai County .....	46,735.00
12-0282-00	Yuma County .....	207,483.00
12-0284-00	State Set-Aside Committee, AZ .....	3,009.00
		1,810,873.00
<b>Arkansas</b>		
12-0304-00	Arkansas County .....	\$9,191.00
12-0306-00	Ashley County .....	11,113.00
12-0308-00	Baxter County .....	10,062.00
12-0312-00	Boone County .....	9,746.00
12-0318-00	Carroll County .....	9,266.00
12-0320-00	Chicot County .....	8,845.00
12-0322-00	Clark County .....	7,674.00
12-0324-00	Clay County .....	11,939.00
12-0326-00	Cleburne County .....	11,488.00
12-0330-00	Columbia County .....	12,690.00
12-0332-00	Conway County .....	11,053.00
12-0334-00	Craighead County .....	30,050.00
12-0336-00	Crawford County .....	22,947.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-0338-00	Crittenden County .....	25,230.00
12-0340-00	Cross County .....	11,894.00
12-0344-00	Desha County .....	10,122.00
12-0346-00	Drew County .....	9,461.00
12-0348-00	Faulkner County .....	33,850.00
12-0354-00	Garland County .....	38,836.00
12-0358-00	Greene County .....	17,045.00
12-0360-00	Hempstead County .....	11,398.00
12-0362-00	Hot Spring County .....	16,009.00
12-0366-00	Independence County .....	16,204.00
12-0370-00	Jackson County .....	15,799.00
12-0372-00	Jefferson County .....	53,418.00
12-0376-00	Johnson County .....	7,899.00
12-0380-00	Lawrence County .....	9,611.00
12-0382-00	Lee County .....	7,869.00
12-0388-00	Logan County .....	7,749.00
12-0390-00	Lonoke County .....	15,979.00
12-0396-00	Miller County .....	17,375.00
12-0398-00	Mississippi County .....	41,599.00
12-0408-00	Ouachita County .....	20,544.00
12-0412-00	Phillips County .....	17,285.00
12-0416-00	Poinsett County .....	16,159.00
12-0420-00	Pope County .....	20,904.00
12-0422-00	Prairie County .....	8,305.00
12-0424-00	Pulaski County .....	143,748.00
12-0430-00	Randolph County .....	9,927.00
12-0432-00	St. Francis County .....	21,220.00
12-0440-00	Sebastian County .....	52,937.00
12-0450-00	Union County .....	22,256.00
12-0452-00	Van Buren County .....	8,049.00
12-0454-00	Washington County .....	32,859.00
12-0456-00	White County .....	34,766.00
12-0458-00	Woodruff County .....	7,644.00
12-0462-00	State Set-Aside Committee, AR .....	99,563.00
		1,049,577.00

## California

12-0464-00	Fresno City/County .....	\$790,076.00
12-0634-00	Alameda County .....	399,678.00
12-0646-00	Oakland City .....	283,157.00
12-0652-00	Amador County .....	18,321.00
12-0654-00	Butte County .....	150,086.00
12-0656-00	Calaveras County .....	27,332.00
12-0658-00	Colusa County .....	27,768.00
12-0660-00	Contra Costa County .....	448,951.00
12-0668-00	Del Norte County .....	21,851.00
12-0670-00	El Dorado County .....	87,523.00
12-0676-00	Glenn County .....	28,594.00
12-0678-00	Humboldt County .....	87,748.00
12-0680-00	Imperial County .....	222,516.00
12-0682-00	Inyo County .....	11,518.00
12-0684-00	Kern County .....	630,499.00
12-0688-00	Kings County .....	96,593.00
12-0690-00	Lake County .....	44,647.00
12-0692-00	Lassen County .....	19,523.00
12-0695-00	Los Angeles City/County .....	6,770,429.00
12-0760-00	Madera County .....	108,382.00
12-0766-00	Mariposa County .....	10,302.00
12-0768-00	Mendocino County .....	70,958.00
12-0770-00	Merced County .....	208,730.00
12-0772-00	Modoc County .....	7,524.00
12-0774-00	Mono County .....	9,356.00
12-0776-00	Monterey County .....	340,389.00
12-0780-00	Napa County .....	68,255.00
12-0784-00	Nevada County .....	52,156.00
12-0786-00	Orange County .....	1,347,259.00
12-0818-00	Plumas County .....	21,070.00
12-0820-00	Riverside County .....	1,035,238.00
12-0824-00	Sacramento County .....	653,190.00
12-0828-00	San Benito County .....	53,237.00
12-0830-00	San Bernardino County .....	960,165.00
12-0840-00	San Diego County .....	1,424,494.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-0858-00	San Francisco City/County .....	438,649.00
12-0860-00	San Joaquin County .....	480,413.00
12-0864-00	San Luis Obispo County .....	126,463.00
12-0876-00	Santa Barbara County .....	228,102.00
12-0880-00	Santa Clara County .....	866,080.00
12-0892-00	Santa Cruz County .....	216,193.00
12-0896-00	Shasta County .....	131,584.00
12-0900-00	Siskiyou County .....	45,293.00
12-0902-00	Solano County .....	215,503.00
12-0912-00	Stanislaus County .....	457,796.00
12-0916-00	Sutter County .....	91,803.00
12-0918-00	Tehama County .....	44,152.00
12-0920-00	Trinity County .....	13,306.00
12-0922-00	Tulare County .....	394,302.00
12-0926-00	Tuolumne County .....	36,853.00
12-0928-00	Ventura County .....	512,370.00
12-0938-00	Yolo County .....	102,240.00
12-0940-00	Yuba County .....	57,698.00
12-0942-00	State Set-Aside Committee, CA .....	398,997.00
		21,395,312.00
<b>Colorado</b>		
12-0968-00	Adams County .....	\$125,292.00
12-0990-00	Boulder County .....	86,426.00
12-1010-00	Delta County .....	10,272.00
12-1012-00	Denver City/County .....	258,783.00
12-1026-00	Fremont County .....	14,026.00
12-1056-00	La Plata County .....	14,732.00
12-1058-00	Larimer County .....	68,540.00
12-1068-00	Mesa County .....	48,432.00
12-1074-00	Montezuma County .....	11,368.00
12-1076-00	Montrose County .....	12,044.00
12-1080-00	Otero County .....	8,725.00
12-1092-00	Pueblo County .....	60,626.00
12-1116-00	Weld County .....	52,982.00
12-1122-00	State Set-Aside Committee, CO .....	393,706.00
		1,165,954.00
<b>Connecticut</b>		
12-1422-01	Fairfield Census/Bridgeport .....	\$199,499.00
12-1422-02	Fairfield Census/Danbury .....	60,717.00
12-1422-03	Fairfield Census/Norwalk .....	73,728.00
12-1422-04	Fairfield Census/Stamford .....	99,749.00
12-1438-00	Hartford Census County .....	531,157.00
12-1458-00	New Haven Census County .....	490,340.00
12-1472-00	New London Census County .....	135,774.00
12-1478-00	State Set-Aside Committee, CT .....	259,304.00
		1,850,268.00
<b>Delaware</b>		
12-1482-00	New Castle County .....	\$169,368.00
12-1488-00	State Set-Aside Committee, DE .....	80,632.00
		250,000.00
<b>District of Columbia</b>		
12-1492-00	District of Columbia .....	\$350,526.00
		350,526.00
<b>Florida</b>		
12-1556-00	Alachua County .....	\$68,886.00
12-1560-00	Baker County .....	11,353.00
12-1562-00	Bay County .....	88,829.00
12-1564-00	Bradford County .....	9,761.00
12-1566-00	Brevard County .....	234,410.00
12-1570-00	Broward County .....	764,561.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-1586-00	Citrus County .....	46,194.00
12-1590-00	Collier County .....	101,834.00
12-1592-00	Columbia County .....	30,951.00
12-1594-00	Dade County .....	968,560.00
12-1598-00	Miami City .....	324,005.00
12-1604-00	De Soto County .....	15,108.00
12-1608-00	Duval County .....	332,324.00
12-1612-00	Escambia County .....	98,621.00
12-1620-00	Gadsden County .....	19,913.00
12-1628-00	Hamilton County .....	9,116.00
12-1630-00	Hardee County .....	21,085.00
12-1632-00	Hendry County .....	32,453.00
12-1634-00	Hernando County .....	48,462.00
12-1636-00	Highlands County .....	41,163.00
12-1638-00	Hillsborough County .....	472,484.00
12-1642-00	Holmes County .....	7,659.00
12-1644-00	Indian River County .....	67,654.00
12-1646-00	Jackson County .....	21,911.00
12-1652-00	Lake County .....	83,152.00
12-1654-00	Lee County .....	162,475.00
12-1656-00	Leon County .....	70,342.00
12-1660-00	Levy County .....	12,014.00
12-1664-00	Madison County .....	7,989.00
12-1666-00	Manatee County .....	92,704.00
12-1668-00	Marion County .....	109,659.00
12-1670-00	Martin County .....	63,660.00
12-1674-00	Nassau County .....	23,893.00
12-1678-00	Okeechobee County .....	21,941.00
12-1680-00	Orange County .....	407,848.00
12-1684-00	Osceola County .....	67,489.00
12-1686-00	Palm Beach County .....	602,131.00
12-1694-00	Pinellas County .....	404,844.00
12-1702-00	Polk County .....	285,575.00
12-1706-00	Putnam County .....	35,051.00
12-1710-00	St Lucie County .....	142,922.00
12-1712-00	Santa Rosa County .....	31,597.00
12-1714-00	Sarasota County .....	107,826.00
12-1718-00	Seminole County .....	171,906.00
12-1720-00	Sumter County .....	14,056.00
12-1722-00	Suwannee County .....	17,931.00
12-1724-00	Taylor County .....	16,384.00
12-1728-00	Volusia County .....	184,762.00
12-1734-00	Walton County .....	10,813.00
12-1736-00	Washington County .....	10,272.00
12-1738-00	State Set-Aside Committee, FL .....	229,768.00
		7,226,301.00

## Georgia

12-1741-00	Atlanta & College Park/Clayton, DeKalb, Fulton Cos. ....	\$732,979.00
12-1742-00	Macon/Bibb, Jones Counties .....	71,949.00
12-1772-00	Appling County .....	12,405.00
12-1780-00	Baldwin County .....	13,561.00
12-1784-00	Barrow County .....	17,030.00
12-1786-00	Bartow County .....	33,024.00
12-1788-00	Ben Hill County .....	8,966.00
12-1790-00	Berrien County .....	7,644.00
12-1804-00	Bulloch County .....	14,627.00
12-1806-00	Burke County .....	15,859.00
12-1816-00	Carroll County .....	35,652.00
12-1818-00	Catoosa County .....	16,369.00
12-1822-00	Chatham County .....	99,612.00
12-1828-00	Chattooga County .....	11,564.00
12-1832-00	Clarke County .....	29,555.00
12-1840-00	Cobb County .....	208,189.00
12-1842-00	Coffee County .....	17,360.00
12-1844-00	Colquitt County .....	14,702.00
12-1854-00	Crisp County .....	10,662.00
12-1860-00	Decatur County .....	13,501.00
12-1866-00	Dodge County .....	8,815.00
12-1870-00	Dougherty County .....	59,335.00
12-1880-00	Effingham County .....	10,798.00
12-1882-00	Elbert County .....	12,885.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-1884-00	Emanuel County .....	12,885.00
12-1888-00	Fannin County .....	8,695.00
12-1892-00	Floyd County .....	44,182.00
12-1896-00	Franklin County .....	9,056.00
12-1902-00	Gilmer County .....	7,749.00
12-1906-00	Glynn County .....	25,350.00
12-1910-00	Grady County .....	10,467.00
12-1912-00	Greene County .....	7,509.00
12-1922-00	Haralson County .....	13,546.00
12-1926-00	Hart County .....	10,708.00
12-1932-00	Houston County .....	35,922.00
12-1936-00	Jackson County .....	12,975.00
12-1942-00	Jefferson County .....	8,470.00
12-1956-00	Laurens County .....	16,700.00
12-1960-00	Liberty County .....	20,995.00
12-1966-00	Lowndes County .....	32,648.00
12-1970-00	McDuffie County .....	8,996.00
12-1974-00	Macon County .....	10,768.00
12-1976-00	Madison County .....	9,972.00
12-1980-00	Meriwether County .....	12,525.00
12-1984-00	Mitchell County .....	14,537.00
12-1994-00	Muskogee County .....	77,040.00
12-1998-00	Newton County .....	20,844.00
12-2006-00	Peach County .....	12,119.00
12-2008-00	Pickens County .....	7,539.00
12-2014-00	Polk County .....	23,833.00
12-2026-00	Richmond County .....	94,326.00
12-2036-00	Spalding County .....	24,389.00
12-2038-00	Stephens County .....	11,293.00
12-2042-00	Sumter County .....	16,354.00
12-2056-00	Thomas County .....	15,919.00
12-2058-00	Tift County .....	19,763.00
12-2060-00	Toombs County .....	14,537.00
12-2066-00	Troup County .....	31,762.00
12-2074-00	Upson County .....	10,723.00
12-2076-00	Walker County .....	29,600.00
12-2078-00	Walton County .....	20,694.00
12-2080-00	Ware County .....	15,708.00
12-2086-00	Wayne County .....	14,627.00
12-2102-00	Worth County .....	8,860.00
12-2104-00	State Set-Aside Committee, GA .....	456,879.00
		2,738,507.00
<b>Hawaii</b>		
12-2108-00	Hawaii County .....	\$80,900.00
12-2112-00	Kauai County .....	57,653.00
12-2116-00	State Set-Aside Committee, HI .....	146,910.00
		285,463.00
<b>Idaho</b>		
12-2134-00	Bannock County .....	\$30,546.00
12-2140-00	Bingham County .....	18,622.00
12-2146-00	Bonner County .....	20,364.00
12-2156-00	Canyon County .....	51,105.00
12-2160-00	Cassia County .....	11,038.00
12-2164-00	Clearwater County .....	8,966.00
12-2168-00	Elmore County .....	8,755.00
12-2178-00	Idaho County .....	11,954.00
12-2184-00	Kootenai County .....	42,635.00
12-2186-00	Latah County .....	9,506.00
12-2196-00	Minidoka County .....	13,050.00
12-2198-00	Nez Perce County .....	13,215.00
12-2204-00	Payette County .....	11,714.00
12-2208-00	Shoshone County .....	16,069.00
12-2212-00	Twin Falls County .....	26,912.00
12-2218-00	State Set-Aside Committee, ID .....	113,899.00
		408,350.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

## Illinois

12-2220-00	Aurora/Dupage, Kane Counties .....	\$559,300.00
12-2342-00	Adams County .....	38,250.00
12-2344-00	Alexander County .....	7,914.00
12-2346-00	Bond County .....	9,837.00
12-2348-00	Boone County .....	32,333.00
12-2356-00	Carroll County .....	10,002.00
12-2358-00	Cass County .....	7,809.00
12-2360-00	Champaign County .....	70,988.00
12-2364-00	Christian County .....	22,857.00
12-2366-00	Clark County .....	9,416.00
12-2368-00	Clay County .....	9,461.00
12-2372-00	Coles County .....	22,932.00
12-2374-00	Cook County .....	1,241,445.00
12-2378-00	Chicago City .....	1,797,597.00
12-2402-00	Dekalb County .....	31,041.00
12-2414-00	Edgar County .....	11,564.00
12-2420-00	Fayette County .....	14,357.00
12-2424-00	Franklin County .....	34,631.00
12-2426-00	Fulton County .....	23,998.00
12-2430-00	Greene County .....	8,500.00
12-2432-00	Grundy County .....	28,098.00
12-2436-00	Hancock County .....	12,074.00
12-2446-00	Jackson County .....	33,384.00
12-2450-00	Jefferson County .....	29,014.00
12-2456-00	Johnson County .....	8,350.00
12-2464-00	Kankakee County .....	63,464.00
12-2468-00	Knox County .....	31,697.00
12-2470-00	Lake County .....	236,737.00
12-2474-00	La Salle County .....	86,051.00
12-2476-00	Lawrence County .....	9,581.00
12-2484-00	McDonough County .....	13,711.00
12-2488-00	McLean County .....	56,076.00
12-2490-00	Macon County .....	84,474.00
12-2494-00	Macoupin County .....	31,342.00
12-2496-00	Madison County .....	142,051.00
12-2498-00	Marion County .....	34,240.00
12-2502-00	Mason County .....	12,329.00
12-2504-00	Massac County .....	8,515.00
12-2508-00	Mercer County .....	12,224.00
12-2512-00	Montgomery County .....	23,052.00
12-2520-00	Peoria County .....	99,777.00
12-2524-00	Perry County .....	20,154.00
12-2528-00	Pike County .....	10,918.00
12-2536-00	Randolph County .....	26,176.00
12-2538-00	Richland County .....	8,260.00
12-2540-00	Rock Island County .....	91,697.00
12-2542-00	St. Clair County .....	144,740.00
12-2546-00	Saline County .....	21,730.00
12-2548-00	Sangamon County .....	87,718.00
12-2560-00	Stephenson County .....	28,834.00
12-2562-00	Tazewell County .....	70,132.00
12-2564-00	Union County .....	16,925.00
12-2566-00	Vermilion County .....	68,315.00
12-2568-00	Wabash County .....	9,236.00
12-2570-00	Warren County .....	10,647.00
12-2574-00	Wayne County .....	11,564.00
12-2576-00	White County .....	11,924.00
12-2580-00	Will County .....	232,412.00
12-2586-00	Williamson County .....	50,144.00
12-2588-00	Winnebago County .....	178,154.00
12-2594-00	State Set-Aside Committee, IL .....	298,708.00
		6,418,861.00

## Indiana

12-2630-00	Blackford County .....	\$9,656.00
12-2642-00	Clay County .....	11,038.00
12-2648-00	Daviess County .....	11,654.00
12-2656-00	Delaware County .....	57,112.00
12-2662-00	Elkhart County .....	73,932.00
12-2666-00	Fayette County .....	17,901.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-2668-00	Floyd County .....	29,209.00
12-2676-00	Grant County .....	43,851.00
12-2680-00	Greene County .....	19,403.00
12-2690-00	Henry County .....	28,954.00
12-2692-00	Howard County .....	42,290.00
12-2700-00	Jay County .....	13,396.00
12-2704-00	Jennings County .....	9,386.00
12-2708-00	Knox County .....	15,183.00
12-2714-00	Lake County .....	147,578.00
12-2716-00	Gary City .....	104,462.00
12-2720-00	La Porte County .....	52,216.00
12-2722-00	Lawrence County .....	26,101.00
12-2724-00	Madison County .....	65,612.00
12-2728-00	Marion County .....	350,976.00
12-2738-00	Monroe County .....	38,926.00
12-2752-00	Orange County .....	13,261.00
12-2754-00	Owen County .....	8,740.00
12-2758-00	Perry County .....	11,413.00
12-2770-00	Randolph County .....	18,607.00
12-2776-00	St. Joseph County .....	110,545.00
12-2780-00	Scott County .....	13,351.00
12-2786-00	Starke County .....	12,480.00
12-2790-00	Sullivan County .....	11,939.00
12-2794-00	Tippecanoe County .....	37,499.00
12-2800-00	Vanderburgh County .....	82,447.00
12-2804-00	Vermillion County .....	10,197.00
12-2806-00	Vigo County .....	49,438.00
12-2816-00	Washington County .....	13,291.00
12-2818-00	Wayne County .....	54,244.00
12-2826-00	State Set-Aside Committee, IN .....	506,780.00
		2,123,068.00
<b>Iowa</b>		
12-2858-00	Blackhawk County .....	\$54,439.00
12-2866-00	Buchanan County .....	9,116.00
12-2890-00	Clayton County .....	8,019.00
12-2892-00	Clinton County .....	22,391.00
12-2902-00	Delaware County .....	7,764.00
12-2904-00	Des Moines County .....	19,943.00
12-2914-00	Fayette County .....	8,380.00
12-2916-00	Floyd County .....	8,305.00
12-2946-00	Jackson County .....	8,935.00
12-2952-00	Johnson County .....	18,246.00
12-2962-00	Lee County .....	22,271.00
12-2976-00	Mahaska County .....	7,569.00
12-3006-00	Polk County .....	122,243.00
12-3010-00	Pottawattamie County .....	34,781.00
12-3020-00	Scott County .....	68,420.00
12-3028-00	Story County .....	13,966.00
12-3036-00	Wapello County .....	17,285.00
12-3046-00	Webster County .....	17,360.00
12-3050-00	Winneshiek County .....	8,635.00
12-3052-00	Woodbury County .....	28,624.00
12-3060-00	State Set-Aside Committee, IA .....	264,458.00
		771,150.00
<b>Kansas</b>		
12-3061-00	Manhattan/Pottawatomie, Riley Counties .....	\$23,653.00
12-3088-00	Barton County .....	11,413.00
12-3100-00	Cherokee County .....	10,287.00
12-3116-00	Crawford County .....	15,678.00
12-3124-00	Douglas County .....	26,281.00
12-3132-00	Ellis County .....	8,785.00
12-3138-00	Ford County .....	8,200.00
12-3140-00	Franklin County .....	10,948.00
12-3142-00	Geary County .....	10,813.00
12-3182-00	Labette County .....	12,735.00
12-3194-00	Lyon County .....	13,261.00
12-3208-00	Montgomery County .....	16,414.00
12-3238-00	Reno County .....	23,247.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-3252-00	Saline County .....	18,577.00
12-3256-00	Sedgwick County .....	172,432.00
12-3262-00	Shawnee County .....	66,077.00
12-3296-00	Wyandotte County .....	98,981.00
12-3300-00	State Set-Aside Committee, KS .....	200,967.00
		748,749.00

## Kentucky

12-3316-00	Adair County .....	\$9,401.00
12-3324-00	Barren County .....	15,874.00
12-3326-00	Bath County .....	8,575.00
12-3328-00	Bell County .....	15,919.00
12-3332-00	Bourbon County .....	7,974.00
12-3334-00	Boyd County .....	35,336.00
12-3336-00	Boyle County .....	10,497.00
12-3340-00	Breathitt County .....	7,734.00
12-3342-00	Breckinridge County .....	8,275.00
12-3348-00	Caldwell County .....	8,425.00
12-3350-00	Calloway County .....	12,675.00
12-3358-00	Carter County .....	24,013.00
12-3360-00	Casey County .....	8,335.00
12-3362-00	Christian County .....	20,079.00
12-3364-00	Clark County .....	13,936.00
12-3366-00	Clay County .....	9,296.00
12-3374-00	Daviess County .....	46,570.00
12-3378-00	Edmonson County .....	8,981.00
12-3384-00	Fayette County .....	80,705.00
12-3386-00	Fleming County .....	8,290.00
12-3388-00	Floyd County .....	20,604.00
12-3390-00	Franklin County .....	14,912.00
12-3398-00	Grant County .....	9,161.00
12-3400-00	Graves County .....	16,820.00
12-3402-00	Grayson County .....	13,215.00
12-3406-00	Greenup County .....	23,923.00
12-3410-00	Hardin County .....	32,964.00
12-3412-00	Harlan County .....	18,517.00
12-3414-00	Harrison County .....	7,719.00
12-3416-00	Hart County .....	8,064.00
12-3418-00	Henderson County .....	21,806.00
12-3424-00	Hopkins County .....	24,704.00
12-3428-00	Jefferson County .....	305,203.00
12-3432-00	Jessamine County .....	11,549.00
12-3434-00	Johnson County .....	10,227.00
12-3436-00	Kenton County .....	55,475.00
12-3440-00	Knott County .....	9,071.00
12-3442-00	Knox County .....	12,179.00
12-3446-00	Laurel County .....	21,340.00
12-3448-00	Lawrence County .....	7,599.00
12-3454-00	Letcher County .....	16,880.00
12-3456-00	Lewis County .....	12,645.00
12-3458-00	Lincoln County .....	10,602.00
12-3462-00	Logan County .....	10,602.00
12-3466-00	McCracken County .....	22,902.00
12-3468-00	McCreary County .....	8,545.00
12-3470-00	McLean County .....	8,245.00
12-3472-00	Madison County .....	19,238.00
12-3474-00	Magoffin County .....	8,875.00
12-3476-00	Marion County .....	10,963.00
12-3478-00	Marshall County .....	14,447.00
12-3482-00	Mason County .....	10,587.00
12-3484-00	Meade County .....	9,491.00
12-3488-00	Mercer County .....	10,678.00
12-3494-00	Montgomery County .....	13,411.00
12-3498-00	Muhlenberg County .....	16,910.00
12-3500-00	Nelson County .....	18,066.00
12-3504-00	Ohio County .....	13,140.00
12-3514-00	Perry County .....	16,354.00
12-3516-00	Pike County .....	42,605.00
12-3518-00	Powell County .....	8,290.00
12-3520-00	Pulaski County .....	28,443.00
12-3524-00	Rockcastle County .....	7,584.00
12-3526-00	Rowan County .....	9,656.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-3528-00	Russell County .....	9,987.00
12-3530-00	Scott County .....	8,950.00
12-3534-00	Simpson County .....	8,740.00
12-3538-00	Taylor County .....	8,034.00
12-3546-00	Union County .....	7,839.00
12-3548-00	Warren County .....	34,991.00
12-3552-00	Wayne County .....	9,176.00
12-3554-00	Webster County .....	8,004.00
12-3556-00	Whitley County .....	14,402.00
12-3562-00	State Set-Aside Committee, KY .....	155,983.00
		1,621,207.00

## Louisiana

12-3564-00	Shreveport/Bossier, Caddo Parishes .....	\$151,738.00
12-3574-00	Acadia Parish .....	30,035.00
12-3576-00	Allen Parish .....	15,678.00
12-3578-00	Ascension Parish .....	33,519.00
12-3580-00	Assumption Parish .....	12,570.00
12-3582-00	Avoyelles Parish .....	24,974.00
12-3584-00	Beauregard Parish .....	17,180.00
12-3586-00	Bienville Parish .....	7,614.00
12-3598-00	Calcasieu Parish .....	103,787.00
12-3610-00	Concordia Parish .....	15,483.00
12-3612-00	De Soto Parish .....	15,033.00
12-3614-00	East Baton Rouge Parish .....	173,724.00
12-3618-00	East Carroll Parish .....	7,764.00
12-3620-00	East Feliciana Parish .....	8,275.00
12-3622-00	Evangeline Parish .....	16,324.00
12-3624-00	Franklin Parish .....	15,273.00
12-3626-00	Grant Parish .....	9,491.00
12-3628-00	Iberia Parish .....	39,932.00
12-3630-00	Iberville Parish .....	20,334.00
12-3634-00	Jefferson Parish .....	206,943.00
12-3638-00	Jefferson Davis Parish .....	18,336.00
12-3640-00	Lafayette Parish .....	74,487.00
12-3644-00	Lafourche Parish .....	37,709.00
12-3648-00	Lincoln Parish .....	11,158.00
12-3650-00	Livingston Parish .....	48,687.00
12-3652-00	Madison Parish .....	10,137.00
12-3654-00	Morehouse Parish .....	19,283.00
12-3656-00	Natchitoches Parish .....	19,042.00
12-3658-00	New Orleans City/Orleans Parish .....	215,698.00
12-3660-00	Ouachita Parish .....	68,796.00
12-3664-00	Plaquemines Parish .....	11,864.00
12-3666-00	Pointe Coupee Parish .....	13,095.00
12-3668-00	Rapides Parish .....	57,773.00
12-3674-00	Richland Parish .....	13,741.00
12-3676-00	Sabine Parish .....	10,632.00
12-3678-00	St Bernard Parish .....	34,751.00
12-3680-00	St Charles Parish .....	26,851.00
12-3684-00	St James Parish .....	15,048.00
12-3686-00	St John Baptist Parish .....	26,686.00
12-3688-00	St Landry Parish .....	47,711.00
12-3690-00	St Martin Parish .....	22,617.00
12-3692-00	St Mary Parish .....	39,646.00
12-3694-00	St Tammany Parish .....	69,847.00
12-3696-00	Tangipahoa Parish .....	57,232.00
12-3700-00	Terrebonne Parish .....	46,089.00
12-3702-00	Union Parish .....	9,882.00
12-3704-00	Vermilion Parish .....	28,323.00
12-3706-00	Vernon Parish .....	22,842.00
12-3708-00	Washington Parish .....	24,839.00
12-3710-00	Webster Parish .....	27,858.00
12-3712-00	West Baton Rouge Parish .....	11,488.00
12-3714-00	West Carroll Parish .....	12,164.00
12-3720-00	State Set-Aside Committee, LA .....	32,230.00
		2,112,213.00

## Maine

12-3726-00	Androscoggin County .....	\$74,427.00
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## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-3728-00	Aroostock County .....	68,210.00
12-3730-00	Cumberland County .....	116,011.00
12-3734-00	Franklin County .....	17,976.00
12-3740-00	Knox County .....	18,382.00
12-3744-00	Oxford County .....	36,508.00
12-3746-00	Penobscot County .....	82,326.00
12-3748-00	Piscataquis County .....	12,344.00
12-3752-00	Somerset County .....	40,818.00
12-3754-00	Waldo County .....	24,644.00
12-3756-00	Washington County .....	30,516.00
12-3760-00	State Set-Aside Committee, ME .....	120,491.00
		642,653.00
<b>Maryland</b>		
12-3774-00	Allegany County .....	\$53,643.00
12-3776-00	Anne Arundel County .....	194,358.00
12-3778-00	Baltimore County .....	389,797.00
12-3782-00	Caroline County .....	18,652.00
12-3786-00	Cecil County .....	51,075.00
12-3790-00	Dorchester County .....	27,062.00
12-3794-00	Garrett County .....	25,169.00
12-3812-00	Somerset County .....	19,313.00
12-3816-00	Washington County .....	84,849.00
12-3820-00	Worcester County .....	37,829.00
12-3822-00	Baltimore City .....	513,707.00
12-3824-00	State Set-Aside Committee, MD .....	575,901.00
		1,991,355.00
<b>Massachusetts</b>		
12-4476-00	Barnstable County .....	\$140,940.00
12-4478-00	Berkshire County .....	87,297.00
12-4482-00	Bristol County .....	378,143.00
12-4490-00	Essex County .....	404,394.00
12-4500-00	Franklin County .....	38,941.00
12-4502-00	Hampden County .....	284,553.00
12-4508-00	Hampshire County .....	76,950.00
12-4510-00	Middlesex County .....	740,623.00
12-4532-00	Norfolk County .....	323,644.00
12-4540-00	Plymouth County .....	290,530.00
12-4550-00	Suffolk County .....	371,776.00
12-4554-00	Worcester County .....	405,896.00
12-4558-00	State Set-Aside Committee, MA .....	6,695.00
		3,550,382.00
<b>Michigan</b>		
12-4560-00	Lansing/Eaton, Ingham Counties .....	\$166,380.00
12-4561-00	Holland/Allegan, Ottawa Counties .....	127,860.00
12-4632-00	Alcona County .....	8,665.00
12-4638-00	Alpena County .....	25,305.00
12-4640-00	Antrim County .....	14,026.00
12-4642-00	Arenac County .....	9,386.00
12-4648-00	Bay County .....	60,130.00
12-4650-00	Benzie County .....	10,272.00
12-4652-00	Berrien County .....	94,190.00
12-4654-00	Branch County .....	23,548.00
12-4656-00	Calhoun County .....	66,318.00
12-4660-00	Cass County .....	22,556.00
12-4662-00	Charlevoix County .....	18,997.00
12-4664-00	Cheboygan County .....	32,949.00
12-4666-00	Chippewa County .....	26,897.00
12-4668-00	Clare County .....	15,513.00
12-4672-00	Crawford County .....	7,584.00
12-4674-00	Delta County .....	29,389.00
12-4682-00	Emmet County .....	23,908.00
12-4684-00	Genesee County .....	286,190.00
12-4688-00	Gladwin County .....	13,246.00
12-4690-00	Gogebic County .....	10,933.00
12-4694-00	Gratiot County .....	23,442.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-4696-00	Hillsdale County .....	21,565.00
12-4698-00	Houghton County .....	19,853.00
12-4700-00	Huron County .....	24,869.00
12-4708-00	Ionia County .....	32,273.00
12-4710-00	Iosco County .....	18,862.00
12-4712-00	Iron County .....	8,200.00
12-4714-00	Isabella County .....	25,815.00
12-4716-00	Jackson County .....	85,886.00
12-4718-00	Kalamazoo County .....	87,447.00
12-4722-00	Kalkaska County .....	10,602.00
12-4724-00	Kent County .....	260,135.00
12-4734-00	Lapeer County .....	52,802.00
12-4744-00	Mackinac County .....	21,205.00
12-4746-00	Macomb County .....	415,852.00
12-4758-00	Manistee County .....	17,796.00
12-4760-00	Marquette County .....	37,484.00
12-4762-00	Mason County .....	20,319.00
12-4764-00	Mecosta County .....	19,132.00
12-4766-00	Menominee County .....	13,891.00
12-4768-00	Midland County .....	38,595.00
12-4774-00	Montcalm County .....	36,222.00
12-4776-00	Montmorency County .....	8,485.00
12-4778-00	Muskegon County .....	105,514.00
12-4780-00	Newaygo County .....	27,828.00
12-4782-00	Oakland County .....	539,327.00
12-4796-00	Oceana County .....	21,370.00
12-4798-00	Ogemaw County .....	11,413.00
12-4802-00	Osceola County .....	13,170.00
12-4810-00	Presque Isle County .....	12,825.00
12-4812-00	Roscommon County .....	11,428.00
12-4814-00	Saginaw County .....	105,318.00
12-4818-00	St. Clair County .....	94,626.00
12-4822-00	Sanilac County .....	28,518.00
12-4826-00	Shiawassee County .....	47,891.00
12-4828-00	Tuscola County .....	34,766.00
12-4830-00	Van Buren County .....	46,765.00
12-4832-00	Washtenaw County .....	104,447.00
12-4836-00	Wayne County .....	387,799.00
12-4844-00	Detroit County .....	861,965.00
12-4854-00	Wexford County .....	22,031.00
12-4856-00	State Set-Aside Committee, MI .....	204,768.00
		5,076,743.00

## Minnesota

12-4857-00	St. Cloud City/Benton, Sherburne, Stearns Cos .....	\$92,644.00
12-4898-00	Aitkin County .....	10,227.00
12-4902-00	Becker County .....	22,046.00
12-4904-00	Beltrami County .....	18,006.00
12-4910-00	Blue Earth County .....	17,345.00
12-4914-00	Carlton County .....	17,856.00
12-4918-00	Cass County .....	16,084.00
12-4924-00	Clay County .....	18,246.00
12-4926-00	Clearwater County .....	10,212.00
12-4932-00	Crow Wing County .....	27,182.00
12-4938-00	Douglas County .....	14,087.00
12-4940-00	Faribault County .....	7,959.00
12-4942-00	Fillmore County .....	9,386.00
12-4950-00	Hennepin County .....	410,356.00
12-4964-00	Hubbard County .....	10,738.00
12-4968-00	Itasca County .....	30,561.00
12-4972-00	Kanabec County .....	10,572.00
12-4974-00	Kandiyohi County .....	14,447.00
12-4978-00	Koochiching County .....	11,669.00
12-4990-00	Lyon County .....	8,079.00
12-4996-00	Marshall County .....	9,566.00
12-4998-00	Martin County .....	11,744.00
12-5000-00	Meeker County .....	12,239.00
12-5002-00	Mille Lacs County .....	11,879.00
12-5004-00	Morrison County .....	21,160.00
12-5020-00	Otter Tail County .....	28,563.00
12-5022-00	Pennington County .....	9,221.00
12-5024-00	Pine County .....	15,648.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-5028-00	Polk County .....	16,219.00
12-5032-00	Ramsey County .....	176,217.00
12-5040-00	Renville County .....	9,311.00
12-5048-00	St. Louis County .....	112,166.00
12-5066-00	Todd County .....	12,570.00
12-5082-00	Winona County .....	19,012.00
12-5088-00	State Set-Aside Committee, MN .....	375,499.00
		1,618,716.00

## Mississippi

12-5089-00	Hattiesburg/Forrest, Lamar Counties .....	\$40,262.00
12-5090-00	Adams County .....	15,889.00
12-5092-00	Alcorn County .....	17,240.00
12-5096-00	Attala County .....	12,825.00
12-5100-00	Bolivar County .....	24,584.00
12-5106-00	Chickasaw County .....	11,849.00
12-5112-00	Clarke County .....	8,185.00
12-5114-00	Clay County .....	13,501.00
12-5116-00	Coahoma County .....	19,958.00
12-5118-00	Copiah County .....	13,321.00
12-5128-00	George County .....	13,471.00
12-5132-00	Grenada County .....	12,540.00
12-5134-00	Hancock County .....	14,041.00
12-5136-00	Harrison County .....	62,954.00
12-5138-00	Hinds County .....	111,401.00
12-5142-00	Holmes County .....	12,555.00
12-5144-00	Humphreys County .....	7,569.00
12-5148-00	Itawamba County .....	7,854.00
12-5150-00	Jackson County .....	56,286.00
12-5152-00	Jasper County .....	9,761.00
12-5156-00	Jefferson Davis County .....	8,380.00
12-5158-00	Jones County .....	26,116.00
12-5162-00	Lafayette County .....	8,064.00
12-5166-00	Lauderdale County .....	30,891.00
12-5170-00	Leake County .....	9,131.00
12-5172-00	Lee County .....	29,990.00
12-5174-00	Leflore County .....	24,704.00
12-5176-00	Lincoln County .....	17,465.00
12-5178-00	Lowndes County .....	26,927.00
12-5180-00	Madison County .....	21,235.00
12-5182-00	Marion County .....	14,732.00
12-5184-00	Marshall County .....	19,208.00
12-5186-00	Monroe County .....	18,126.00
12-5190-00	Neshoba County .....	10,302.00
12-5192-00	Newton County .....	9,116.00
12-5196-00	Oktibbeha County .....	13,185.00
12-5198-00	Panola County .....	21,355.00
12-5200-00	Pearl River County .....	18,186.00
12-5204-00	Pike County .....	19,553.00
12-5206-00	Pontotoc County .....	10,407.00
12-5208-00	Prentiss County .....	10,467.00
12-5210-00	Quitman County .....	7,569.00
12-5214-00	Scott County .....	9,281.00
12-5218-00	Simpson County .....	7,689.00
12-5224-00	Sunflower County .....	22,812.00
12-5226-00	Tallahatchie County .....	9,506.00
12-5228-00	Tate County .....	11,518.00
12-5230-00	Tippah County .....	9,296.00
12-5232-00	Tishomingo County .....	9,701.00
12-5236-00	Union County .....	9,341.00
12-5240-00	Warren County .....	28,729.00
12-5242-00	Washington County .....	46,254.00
12-5244-00	Wayne County .....	12,209.00
12-5250-00	Winston County .....	15,003.00
12-5254-00	Yazoo County .....	12,224.00
12-5256-00	State Set-Aside Committee, MS .....	100,225.00
		1,164,943.00

## Missouri

12-5257-00	Joplin/Jasper, Newton Counties .....	\$61,542.00
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## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-5258-00	Kansas City/Clay, Jackson, Platte Cos .....	380,095.00
12-5272-00	Adair County .....	7,554.00
12-5278-00	Audrain County .....	9,566.00
12-5280-00	Barry County .....	11,999.00
12-5284-00	Bates County .....	7,569.00
12-5286-00	Benton County .....	7,749.00
12-5290-00	Boone County .....	35,832.00
12-5294-00	Buchanan County .....	42,800.00
12-5298-00	Butler County .....	20,003.00
12-5304-00	Camden County .....	17,195.00
12-5306-00	Cape Girardeau County .....	22,977.00
12-5332-00	Crawford County .....	14,162.00
12-5346-00	Dunklin County .....	18,186.00
12-5350-00	Gasconade County .....	9,942.00
12-5354-00	Greene County .....	87,162.00
12-5362-00	Henry County .....	10,828.00
12-5370-00	Howell County .....	15,348.00
12-5384-00	Johnson County .....	14,162.00
12-5388-00	Laclede County .....	15,663.00
12-5390-00	Lafayette County .....	13,080.00
12-5392-00	Lawrence County .....	13,711.00
12-5396-00	Lincoln County .....	18,051.00
12-5398-00	Linn County .....	9,266.00
12-5404-00	Macon County .....	9,626.00
12-5406-00	Madison County .....	8,410.00
12-5410-00	Marion County .....	13,636.00
12-5414-00	Miller County .....	15,513.00
12-5416-00	Mississippi County .....	11,293.00
12-5424-00	Morgan County .....	9,822.00
12-5426-00	New Madrid County .....	12,870.00
12-5438-00	Pemiscot County .....	14,387.00
12-5442-00	Pettis County .....	20,709.00
12-5444-00	Phelps County .....	14,943.00
12-5446-00	Pike County .....	8,680.00
12-5452-00	Polk County .....	8,860.00
12-5454-00	Pulaski County .....	15,633.00
12-5460-00	Randolph County .....	11,969.00
12-5472-00	Ste. Genevieve County .....	7,854.00
12-5474-00	St. Francis County .....	30,065.00
12-5476-00	St. Louis County .....	369,283.00
12-5480-00	Saline County .....	10,753.00
12-5486-00	Scott County .....	21,971.00
12-5492-00	Stoddard County .....	17,781.00
12-5494-00	Stone County .....	17,991.00
12-5498-00	Taney County .....	27,557.00
12-5500-00	Texas County .....	16,459.00
12-5506-00	Washington County .....	16,129.00
12-5508-00	Wayne County .....	9,626.00
12-5510-00	Webster County .....	12,810.00
12-5514-00	Wright County .....	8,110.00
12-5516-00	St. Louis City .....	226,691.00
12-5518-00	State Set-Aside Committee, MO .....	297,412.00
		2,131,285.00
<b>Montana</b>		
12-5530-00	Big Horn County .....	\$9,461.00
12-5540-00	Cascade County .....	37,139.00
12-5558-00	Flathead County .....	40,818.00
12-5560-00	Gallatin County .....	16,264.00
12-5564-00	Glacier County .....	10,242.00
12-5570-00	Hill County .....	8,590.00
12-5576-00	Lake County .....	14,462.00
12-5578-00	Lewis and Clark County .....	20,259.00
12-5582-00	Lincoln County .....	16,324.00
12-5592-00	Missoula County .....	34,555.00
12-5610-00	Ravalli County .....	17,601.00
12-5622-00	Silver Bow County .....	16,820.00
12-5640-00	Yellowstone County .....	51,000.00
12-5644-00	State Set-Aside Committee, MT .....	56,022.00
		349,557.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

Nebraska		
12-5686-00	Buffalo County .....	\$7,614.00
12-5722-00	Douglas County .....	114,404.00
12-5782-00	Lincoln County .....	9,311.00
12-5828-00	Scotts Bluff County .....	11,819.00
12-5858-00	State Set-Aside Committee, NE .....	119,687.00
		262,835.00
Nevada		
12-5868-00	Clark County .....	\$441,878.00
12-5886-00	Lyon County .....	15,844.00
12-5890-00	Nye County .....	10,092.00
12-5904-00	Carson City .....	30,456.00
12-5906-00	State Set-Aside Committee, NV .....	108,534.00
		606,804.00
New Hampshire		
12-5922-00	Coos County .....	\$32,288.00
12-5926-00	Hillsborough County .....	227,336.00
12-5936-00	Rockingham County .....	176,442.00
12-5942-00	State Set-Aside Committee, NH .....	146,194.00
		582,260.00
New Jersey		
12-5948-00	Atlantic County .....	\$190,754.00
12-5950-00	Bergen County .....	449,342.00
12-5952-00	Burlington County .....	199,359.00
12-5954-00	Camden County .....	294,961.00
12-5960-00	Cape May County .....	93,064.00
12-5962-00	Cumberland County .....	114,479.00
12-5966-00	Essex County .....	263,319.00
12-5974-00	Newark City .....	281,069.00
12-5976-00	Gloucester County .....	137,246.00
12-5978-00	Hudson County .....	453,832.00
12-5988-00	Mercer County .....	161,875.00
12-5994-00	Middlesex County .....	419,532.00
12-6004-00	Monmouth County .....	307,365.00
12-6012-00	Ocean County .....	226,586.00
12-6018-00	Passaic County .....	352,643.00
12-6034-00	Union County .....	330,778.00
12-6042-00	State Set-Aside Committee, NJ .....	285,070.00
		4,561,274.00
New Mexico		
12-6044-00	Bernalillo County .....	\$198,367.00
12-6050-00	Chaves County .....	27,692.00
12-6052-00	Cibola County .....	15,934.00
12-6056-00	Curry County .....	18,952.00
12-6060-00	Dona Ana County .....	72,310.00
12-6064-00	Eddy County .....	27,753.00
12-6066-00	Grant County .....	15,423.00
12-6074-00	Lea County .....	22,331.00
12-6080-00	Luna County .....	22,541.00
12-6082-00	McKinley County .....	25,785.00
12-6086-00	Otero County .....	24,644.00
12-6090-00	Rio Arriba County .....	29,299.00
12-6094-00	Sandoval County .....	29,735.00
12-6096-00	San Juan County .....	61,782.00
12-6098-00	San Miguel County .....	14,958.00
12-6100-00	Santa Fe County .....	38,775.00
12-6106-00	Socorro County .....	8,320.00
12-6108-00	Taos County .....	27,017.00
12-6114-00	Valencia County .....	19,703.00
12-6116-00	State Set-Aside Committee, NM .....	25,712.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

		727,033.00
<b>New York</b>		
12-6120-00	Albany County .....	\$97,134.00
12-6126-00	Allegany County .....	26,101.00
12-6130-00	Broome County .....	98,410.00
12-6136-00	Cattaraugus County .....	49,138.00
12-6138-00	Cayuga County .....	38,926.00
12-6140-00	Chautauqua County .....	66,828.00
12-6142-00	Chemung County .....	37,559.00
12-6144-00	Chenango County .....	28,023.00
12-6146-00	Clinton County .....	44,167.00
12-6150-00	Cortland County .....	25,290.00
12-6152-00	Delaware County .....	20,094.00
12-6154-00	Dutchess County .....	128,836.00
12-6156-00	Erie County .....	460,890.00
12-6168-00	Essex County .....	27,722.00
12-6170-00	Franklin County .....	27,993.00
12-6172-00	Fulton County .....	30,681.00
12-6180-00	Herkimer County .....	33,624.00
12-6182-00	Jefferson County .....	74,427.00
12-6186-00	Lewis County .....	19,012.00
12-6192-00	Monroe County .....	249,127.00
12-6200-00	Montgomery County .....	27,602.00
12-6202-00	Nassau County .....	587,083.00
12-6212-00	Niagara County .....	124,526.00
12-6216-00	Oneida County .....	104,522.00
12-6220-00	Onondaga County .....	196,235.00
12-6232-00	Oswego County .....	78,392.00
12-6234-00	Otsego County .....	25,575.00
12-6240-00	Rensselaer County .....	64,020.00
12-6254-00	St. Lawrence County .....	61,497.00
12-6258-00	Schenectady County .....	59,184.00
12-6268-00	Steuben County .....	46,645.00
12-6270-00	Suffolk County .....	720,184.00
12-6282-00	Sullivan County .....	41,148.00
12-6286-00	Tompkins County .....	27,152.00
12-6290-00	Warren County .....	38,911.00
12-6296-00	Westchester County .....	382,814.00
12-6308-00	Wyoming County .....	24,163.00
12-6310-00	Yates County .....	10,392.00
12-6312-00	State Set-Aside Committee, NY .....	430,303.00
12-6314-00	New York City .....	5,298,705.00
		<b>9,933,035.00</b>
<b>North Carolina</b>		
12-6315-00	Kannapolis/Cabarrus, Rowan Counties .....	\$81,320.00
12-6316-00	High Point City/Davidson, Guilford Co .....	210,472.00
12-6317-00	Rocky Mount/Edgecombe, Nash Counties .....	68,015.00
12-6326-00	Anson County .....	16,174.00
12-6328-00	Ashe County .....	13,140.00
12-6330-00	Avery County .....	8,575.00
12-6332-00	Beaufort County .....	21,025.00
12-6334-00	Bertie County .....	8,275.00
12-6336-00	Bladen County .....	18,787.00
12-6338-00	Brunswick County .....	43,371.00
12-6340-00	Buncombe County .....	67,474.00
12-6354-00	Caswell County .....	7,944.00
12-6360-00	Cherokee County .....	13,291.00
12-6368-00	Columbus County .....	30,771.00
12-6370-00	Craven County .....	30,005.00
12-6372-00	Cumberland County .....	99,732.00
12-6386-00	Duplin County .....	23,262.00
12-6388-00	Durham County .....	67,069.00
12-6394-00	Forsyth County .....	100,227.00
12-6398-00	Franklin County .....	20,784.00
12-6400-00	Gaston County .....	83,888.00
12-6406-00	Graham County .....	7,854.00
12-6408-00	Granville County .....	14,882.00
12-6418-00	Halifax County .....	28,098.00
12-6420-00	Harnett County .....	26,071.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-6422-00	Haywood County .....	20,064.00
12-6426-00	Hertford County .....	14,747.00
12-6428-00	Hoke County .....	14,222.00
12-6434-00	Jackson County .....	13,426.00
12-6436-00	Johnston County .....	34,766.00
12-6440-00	Lee County .....	19,658.00
12-6442-00	Lenoir County .....	30,516.00
12-6448-00	Macon County .....	12,029.00
12-6452-00	Martin County .....	11,969.00
12-6458-00	Mitchell County .....	8,455.00
12-6460-00	Montgomery County .....	14,402.00
12-6466-00	New Hanover County .....	70,372.00
12-6468-00	Northampton County .....	7,854.00
12-6470-00	Onslow County .....	32,603.00
12-6472-00	Orange County .....	23,127.00
12-6476-00	Pasquotank County .....	11,413.00
12-6478-00	Pender County .....	17,646.00
12-6482-00	Person County .....	18,652.00
12-6484-00	Pitt County .....	46,119.00
12-6490-00	Richmond County .....	25,350.00
12-6492-00	Robeson County .....	66,693.00
12-6494-00	Rockingham County .....	41,298.00
12-6498-00	Rutherford County .....	26,476.00
12-6500-00	Sampson County .....	22,286.00
12-6502-00	Scotland County .....	20,980.00
12-6510-00	Swain County .....	12,765.00
12-6512-00	Transylvania County .....	8,155.00
12-6518-00	Vance County .....	24,944.00
12-6520-00	Wake County .....	149,245.00
12-6524-00	Warren County .....	8,545.00
12-6526-00	Washington County .....	7,644.00
12-6528-00	Watauga County .....	10,873.00
12-6530-00	Wayne County .....	41,404.00
12-6532-00	Wilkes County .....	19,673.00
12-6534-00	Wilson County .....	52,231.00
12-6536-00	Yadkin County .....	9,176.00
12-6538-00	Yancey County .....	7,809.00
12-6540-00	State Set-Aside Committee, NC .....	422,040.00
		2,510,133.00
<b>North Dakota</b>		
12-6576-00	Cass County .....	\$28,744.00
12-6596-00	Grand Forks County .....	20,169.00
12-6622-00	Morton County .....	9,957.00
12-6642-00	Rolette County .....	10,587.00
12-6652-00	Stark County .....	8,410.00
12-6664-00	Ward County .....	20,259.00
12-6668-00	Williams County .....	7,734.00
12-6670-00	State Set-Aside Committee ND .....	144,140.00
		250,000.00
<b>Ohio</b>		
12-6672-00	Columbus/Fairfield, Franklin Cos .....	\$458,367.00
12-6678-00	Adams County .....	23,983.00
12-6680-00	Allen County .....	61,632.00
12-6684-00	Ashtabula County .....	65,056.00
12-6686-00	Athens County .....	25,695.00
12-6690-00	Belmont County .....	40,412.00
12-6692-00	Brown County .....	27,512.00
12-6694-00	Butler County .....	160,703.00
12-6698-00	Carroll County .....	15,528.00
12-6702-00	Clark County .....	70,658.00
12-6708-00	Clinton County .....	20,589.00
12-6710-00	Columbiana County .....	67,429.00
12-6712-00	Coshocton County .....	17,345.00
12-6714-00	Crawford County .....	32,723.00
12-6716-00	Cuyahoga County .....	713,351.00
12-6734-00	Erie County .....	44,512.00
12-6740-00	Fayette County .....	14,537.00
12-6748-00	Gallia County .....	18,397.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-6752-00	Greene County .....	50,940.00
12-6754-00	Guernsey County .....	37,048.00
12-6756-00	Hamilton County .....	373,428.00
12-6762-00	Hardin County .....	17,616.00
12-6764-00	Harrison County .....	8,680.00
12-6766-00	Henry County .....	19,177.00
12-6768-00	Highland County .....	20,604.00
12-6770-00	Hocking County .....	16,655.00
12-6772-00	Holmes County .....	11,068.00
12-6774-00	Huron County .....	50,925.00
12-6776-00	Jackson County .....	16,835.00
12-6778-00	Jefferson County .....	42,680.00
12-6780-00	Knox County .....	23,307.00
12-6784-00	Lawrence County .....	30,636.00
12-6786-00	Licking County .....	61,332.00
12-6790-00	Lorain County .....	168,708.00
12-6796-00	Lucas County .....	249,127.00
12-6802-00	Mahoning County .....	153,014.00
12-6806-00	Marion County .....	35,396.00
12-6810-00	Meigs County .....	14,177.00
12-6816-00	Monroe County .....	11,173.00
12-6818-00	Montgomery County .....	253,782.00
12-6824-00	Morgan County .....	10,647.00
12-6828-00	Muskingum County .....	51,495.00
12-6832-00	Ottawa County .....	31,071.00
12-6836-00	Perry County .....	23,818.00
12-6838-00	Pickaway County .....	20,064.00
12-6840-00	Pike County .....	17,105.00
12-6842-00	Portage County .....	75,644.00
12-6848-00	Richland County .....	74,758.00
12-6852-00	Ross County .....	36,418.00
12-6856-00	Scioto County .....	48,131.00
12-6858-00	Seneca County .....	35,066.00
12-6862-00	Stark County .....	198,548.00
12-6866-00	Summit County .....	257,642.00
12-6870-00	Trumbull County .....	154,441.00
12-6884-00	Washington County .....	40,758.00
12-6886-00	Wayne County .....	43,251.00
12-6894-00	State Set-Aside Committee, OH .....	517,706.00
		5,181,300.00

## Oklahoma

12-6896-00	Oklahoma City/Canadian, McClain, Oklahoma Cos .....	\$279,147.00
12-6897-00	Tulsa/Osage, Tulsa Counties .....	251,830.00
12-6910-00	Beckham County .....	8,049.00
12-6914-00	Bryan County .....	9,401.00
12-6916-00	Caddo County .....	11,939.00
12-6922-00	Carter County .....	17,961.00
12-6924-00	Cherokee County .....	15,829.00
12-6926-00	Choctaw County .....	9,611.00
12-6930-00	Cleveland County .....	48,537.00
12-6938-00	Comanche County .....	42,395.00
12-6946-00	Creek County .....	28,669.00
12-6948-00	Custer County .....	8,830.00
12-6950-00	Delaware County .....	10,017.00
12-6956-00	Garfield County .....	17,240.00
12-6960-00	Garvin County .....	10,993.00
12-6962-00	Grady County .....	15,378.00
12-6972-00	Haskell County .....	9,461.00
12-6974-00	Hughes County .....	8,845.00
12-6976-00	Jackson County .....	7,734.00
12-6982-00	Kay County .....	25,305.00
12-6988-00	Latimer County .....	9,311.00
12-6990-00	Le Flore County .....	22,992.00
12-6992-00	Lincoln County .....	10,122.00
12-6994-00	Logan County .....	8,590.00
12-7002-00	McCurtain County .....	15,949.00
12-7004-00	McIntosh County .....	7,524.00
12-7010-00	Mayes County .....	17,315.00
12-7012-00	Murray County .....	7,824.00
12-7014-00	Muskogee County .....	33,639.00
12-7028-00	Okmulgee County .....	20,754.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-7034-00	Ottawa County .....	13,095.00
12-7036-00	Pawnee County .....	9,266.00
12-7038-00	Payne County .....	19,613.00
12-7040-00	Pittsburg County .....	26,566.00
12-7042-00	Pontotoc County .....	15,363.00
12-7044-00	Pottawatomie County .....	21,836.00
12-7054-00	Seminole County .....	13,140.00
12-7056-00	Sequoyah County .....	18,832.00
12-7058-00	Stephens County .....	17,225.00
12-7069-00	Wagoner County .....	20,259.00
12-7076-00	Woodward County .....	7,884.00
12-7078-00	State Set-Aside Committee, OK .....	75,916.00
		1,250,186.00

## Oregon

12-7080-00	Portland/Clackamas, Multnomah, Washington Cos .....	\$631,085.00
12-7082-00	Salem/Marion, Polk Cos .....	158,931.00
12-7088-00	Baker County .....	10,557.00
12-7090-00	Benton County .....	24,313.00
12-7096-00	Clatsop County .....	27,873.00
12-7098-00	Columbia County .....	30,020.00
12-7100-00	Coos County .....	44,722.00
12-7104-00	Curry County .....	11,428.00
12-7106-00	Deschutes County .....	59,995.00
12-7108-00	Douglas County .....	74,232.00
12-7112-00	Grant County .....	7,554.00
12-7116-00	Hood River County .....	14,702.00
12-7118-00	Jackson County .....	100,408.00
12-7120-00	Jefferson County .....	9,506.00
12-7122-00	Josephine County .....	45,308.00
12-7124-00	Klamath County .....	43,581.00
12-7128-00	Lane County .....	170,960.00
12-7132-00	Lincoln County .....	24,238.00
12-7134-00	Linn County .....	66,603.00
12-7136-00	Malheur County .....	20,499.00
12-7154-00	Tillamook County .....	11,113.00
12-7156-00	Umatilla County .....	42,395.00
12-7158-00	Union County .....	14,462.00
12-7162-00	Wasco County .....	15,799.00
12-7170-00	Yamhill County .....	32,003.00
12-7172-00	State Set-Aside Committee, OR .....	19,161.00
		1,711,448.00

## Pennsylvania

12-7174-00	Bethlehem/Lehigh, Northampton Cos .....	\$290,380.00
12-7180-00	Allegheny County .....	639,269.00
12-7184-00	Armstrong County .....	47,561.00
12-7186-00	Beaver County .....	99,251.00
12-7188-00	Bedford County .....	35,772.00
12-7190-00	Berks County .....	180,031.00
12-7194-00	Blair County .....	74,412.00
12-7198-00	Bradford County .....	31,477.00
12-7200-00	Bucks County .....	301,253.00
12-7208-00	Cambria County .....	116,236.00
12-7212-00	Carbon County .....	39,016.00
12-7214-00	Centre County .....	62,924.00
12-7218-00	Clarion County .....	27,542.00
12-7220-00	Clearfield County .....	52,862.00
12-7222-00	Clinton County .....	24,929.00
12-7224-00	Columbia County .....	42,725.00
12-7226-00	Crawford County .....	50,099.00
12-7230-00	Dauphin County .....	116,251.00
12-7234-00	Delaware County .....	265,796.00
12-7242-00	Erie County .....	151,663.00
12-7246-00	Fayette County .....	87,282.00
12-7254-00	Greene County .....	26,686.00
12-7256-00	Huntingdon County .....	36,508.00
12-7258-00	Indiana County .....	66,528.00
12-7260-00	Jefferson County .....	27,512.00
12-7262-00	Juniata County .....	16,354.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-7264-00	Lackawanna County .....	140,880.00
12-7268-00	Lancaster County .....	179,535.00
12-7272-00	Lawrence County .....	61,032.00
12-7274-00	Lebanon County .....	55,715.00
12-7282-00	Luzerne County .....	233,358.00
12-7284-00	Lycoming County .....	73,601.00
12-7286-00	McKean County .....	27,662.00
12-7288-00	Mercer County .....	87,027.00
12-7290-00	Mifflin County .....	29,450.00
12-7292-00	Monroe County .....	77,971.00
12-7306-00	Northumberland County .....	71,349.00
12-7310-00	Philadelphia City/County .....	918,356.00
12-7314-00	Potter County .....	11,609.00
12-7316-00	Schuylkill County .....	102,285.00
12-7320-00	Somerset County .....	53,388.00
12-7324-00	Susquehanna County .....	27,783.00
12-7326-00	Tioga County .....	22,361.00
12-7330-00	Venango County .....	32,498.00
12-7334-00	Washington County .....	110,995.00
12-7336-00	Wayne County .....	28,098.00
12-7340-00	Wyoming County .....	21,700.00
12-7342-00	York County .....	176,126.00
12-7344-00	State Set-Aside Committee, PA .....	575,043.00
		6,028,141.00
<b>Rhode Island</b>		
12-7354-00	Providence Census County .....	\$385,277.00
12-7368-00	State Set-Aside Committee, RI .....	217,585.00
		612,862.00
<b>South Carolina</b>		
12-7370-00	Abbeville County .....	\$12,570.00
12-7372-00	Aiken County .....	58,283.00
12-7374-00	Allendale County .....	7,809.00
12-7376-00	Anderson County .....	62,128.00
12-7378-00	Bamberg County .....	10,647.00
12-7380-00	Barnwell County .....	16,835.00
12-7382-00	Beaufort County .....	29,059.00
12-7384-00	Berkeley County .....	50,564.00
12-7388-00	Charleston County .....	131,299.00
12-7394-00	Cherokee County .....	20,859.00
12-7396-00	Chester County .....	24,749.00
12-7398-00	Chesterfield County .....	19,027.00
12-7400-00	Clarendon County .....	18,246.00
12-7402-00	Colleton County .....	22,767.00
12-7404-00	Darlington County .....	45,999.00
12-7406-00	Dillon County .....	19,538.00
12-7410-00	Edgefield County .....	7,959.00
12-7412-00	Fairfield County .....	13,276.00
12-7414-00	Florence County .....	62,113.00
12-7416-00	Georgetown County .....	34,090.00
12-7418-00	Greenville County .....	131,749.00
12-7422-00	Greenwood County .....	29,900.00
12-7424-00	Hampton County .....	9,356.00
12-7426-00	Horry County .....	101,354.00
12-7430-00	Kershaw County .....	29,209.00
12-7432-00	Lancaster County .....	33,760.00
12-7434-00	Laurens County .....	23,833.00
12-7436-00	Lee County .....	11,518.00
12-7442-00	Marion County .....	26,176.00
12-7444-00	Marlboro County .....	17,706.00
12-7446-00	Newberry County .....	17,420.00
12-7450-00	Orangeburg County .....	52,727.00
12-7452-00	Pickens County .....	36,072.00
12-7454-00	Richland County .....	119,615.00
12-7458-00	Saluda County .....	7,899.00
12-7460-00	Spartanburg County .....	87,523.00
12-7462-00	Sumter County .....	48,492.00
12-7464-00	Union County .....	18,367.00
12-7466-00	Williamsburg County .....	24,869.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-7468-00	York County .....	69,156.00
12-7470-00	State Set-Aside Committee, SC .....	76,337.00
		1,640,855.00
<b>South Dakota</b>		
12-7486-00	Brown County .....	\$10,107.00
12-7580-00	Pennington County .....	21,220.00
12-7614-00	State Set-Aside Committee, SD .....	218,673.00
		250,000.00
<b>Tennessee</b>		
12-7616-00	Anderson County .....	\$26,161.00
12-7618-00	Bedford County .....	14,912.00
12-7620-00	Benton County .....	8,380.00
12-7624-00	Blount County .....	41,614.00
12-7626-00	Bradley County .....	36,298.00
12-7628-00	Campbell County .....	25,154.00
12-7632-00	Carroll County .....	13,966.00
12-7634-00	Carter County .....	25,590.00
12-7640-00	Claiborne County .....	11,113.00
12-7644-00	Cocke County .....	28,458.00
12-7646-00	Coffee County .....	18,006.00
12-7648-00	Crockett County .....	8,230.00
12-7650-00	Cumberland County .....	22,962.00
12-7652-00	Davidson County .....	181,428.00
12-7658-00	De Kalb County .....	8,335.00
12-7660-00	Dickson County .....	14,612.00
12-7662-00	Dyer County .....	20,709.00
12-7664-00	Fayette County .....	15,318.00
12-7666-00	Fentress County .....	11,473.00
12-7668-00	Franklin County .....	15,423.00
12-7670-00	Gibson County .....	25,455.00
12-7672-00	Giles County .....	11,488.00
12-7674-00	Grainger County .....	7,779.00
12-7676-00	Greene County .....	42,800.00
12-7678-00	Grundy County .....	8,890.00
12-7680-00	Hambien County .....	28,473.00
12-7682-00	Hamilton County .....	108,968.00
12-7688-00	Hardeman County .....	12,390.00
12-7690-00	Hardin County .....	17,946.00
12-7692-00	Hawkins County .....	18,862.00
12-7694-00	Haywood County .....	17,796.00
12-7696-00	Henderson County .....	12,269.00
12-7698-00	Henry County .....	14,777.00
12-7700-00	Hickman County .....	10,092.00
12-7704-00	Humphreys County .....	12,029.00
12-7708-00	Jefferson County .....	20,439.00
12-7710-00	Johnson County .....	8,079.00
12-7712-00	Knox County .....	116,912.00
12-7718-00	Lauderdale County .....	17,916.00
12-7720-00	Lawrence County .....	20,769.00
12-7724-00	Lincoln County .....	12,329.00
12-7726-00	Loudon County .....	14,747.00
12-7728-00	McMinn County .....	25,860.00
12-7730-00	McNairy County .....	13,080.00
12-7734-00	Madison County .....	37,093.00
12-7738-00	Marion County .....	15,033.00
12-7740-00	Marshall County .....	9,656.00
12-7742-00	Mauzy County .....	32,678.00
12-7744-00	Meigs County .....	7,734.00
12-7746-00	Monroe County .....	22,541.00
12-7748-00	Montgomery County .....	43,431.00
12-7754-00	Morgan County .....	9,446.00
12-7756-00	Obion County .....	15,859.00
12-7758-00	Overton County .....	13,261.00
12-7764-00	Polk County .....	8,155.00
12-7766-00	Putnam County .....	27,512.00
12-7768-00	Rhea County .....	15,513.00
12-7770-00	Roane County .....	23,142.00
12-7774-00	Rutherford County .....	49,528.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-7776-00	Scott County .....	17,946.00
12-7780-00	Sevier County .....	41,479.00
12-7782-00	Shelby County .....	332,565.00
12-7790-00	Sullivan County .....	51,465.00
12-7794-00	Tipton County .....	17,075.00
12-7798-00	Unicoi County .....	12,570.00
12-7804-00	Warren County .....	20,469.00
12-7806-00	Washington County .....	40,878.00
12-7808-00	Wayne County .....	8,530.00
12-7810-00	Weakley County .....	11,503.00
12-7812-00	White County .....	13,200.00
12-7818-00	State Set-Aside Committee, TN .....	117,303.00
		2,163,852.00

## Texas

12-7820-00	Abilene/Jones, Taylor Cos. ....	\$55,580.00
12-7822-00	Amarillo/Potter, Randall Cos .....	78,092.00
12-7824-00	Austin/Travis, Williamson Cos .....	312,141.00
12-7826-00	Dallas/Collin, Dallas, Denton Cos. ....	1,349,391.00
12-7828-00	Houston/Fort Bend, Harris Cos. ....	1,817,490.00
12-7830-00	Longview/Gregg, Harrison Cos. ....	114,254.00
12-7856-00	Anderson County .....	21,986.00
12-7860-00	Angeline County .....	37,048.00
12-7868-00	Atascosa County .....	13,170.00
12-7876-00	Bastrop County .....	13,786.00
12-7880-00	Bee County .....	20,214.00
12-7882-00	Bell County .....	90,541.00
12-7886-00	Bexar County .....	541,760.00
12-7896-00	Bowie County .....	47,576.00
12-7902-00	Brazos County .....	38,160.00
12-7912-00	Brown County .....	17,871.00
12-7918-00	Caldwell County .....	9,026.00
12-7920-00	Calhoun County .....	13,576.00
12-7924-00	Cameron County .....	198,052.00
12-7930-00	Camp County .....	7,914.00
12-7934-00	Cass County .....	21,550.00
12-7938-00	Chambers County .....	9,266.00
12-7940-00	Cherokee County .....	19,913.00
12-7964-00	Comal County .....	20,769.00
12-7970-00	Cooke County .....	13,801.00
12-8004-00	Deaf Smith County .....	11,143.00
12-8020-00	Dimmit County .....	9,356.00
12-8024-00	Duval County .....	8,485.00
12-8028-00	Ector County .....	81,320.00
12-8034-00	Ellis County .....	47,396.00
12-8036-00	El Paso County .....	403,147.00
12-8040-00	Erath County .....	11,293.00
12-8044-00	Fannin County .....	12,224.00
12-8060-00	Freestone County .....	8,215.00
12-8062-00	Frio County .....	14,973.00
12-8066-00	Galveston County .....	150,041.00
12-8080-00	Gray County .....	9,626.00
12-8084-00	Grayson County .....	50,084.00
12-8090-00	Grimes County .....	7,839.00
12-8092-00	Guadalupe County .....	18,847.00
12-8094-00	Hale County .....	17,706.00
12-8104-00	Hardin County .....	27,722.00
12-8122-00	Hays County .....	23,307.00
12-8126-00	Henderson County .....	29,540.00
12-8128-00	Hidalgo County .....	399,048.00
12-8132-00	Hill County .....	13,576.00
12-8134-00	Hockley County .....	9,461.00
12-8138-00	Hopkins County .....	16,339.00
12-8142-00	Howard County .....	13,681.00
12-8146-00	Hunt County .....	40,773.00
12-8148-00	Hutchinson County .....	13,681.00
12-8158-00	Jasper County .....	26,326.00
12-8162-00	Jefferson County .....	165,239.00
12-8170-00	Jim Wells County .....	24,584.00
12-8180-00	Kaufman County .....	24,389.00
12-8188-00	Kerr County .....	10,047.00
12-8196-00	Kleberg County .....	16,339.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-8200-00	Lamar County .....	24,944.00
12-8214-00	Liberty County .....	40,713.00
12-8216-00	Limestone County .....	7,584.00
12-8226-00	Lubbock County .....	105,724.00
12-8234-00	McLennan County .....	89,835.00
12-8248-00	Matagorda County .....	36,898.00
12-8250-00	Maverick County .....	45,248.00
12-8252-00	Medina County .....	9,446.00
12-8256-00	Midland County .....	54,874.00
12-8260-00	Milam County .....	8,800.00
12-8266-00	Montague County .....	8,170.00
12-8268-00	Montgomery County .....	90,871.00
12-8272-00	Morris County .....	9,897.00
12-8276-00	Nacogdoches County .....	25,965.00
12-8278-00	Navarro County .....	22,316.00
12-8280-00	Newton County .....	10,212.00
12-8282-00	Nolan County .....	9,026.00
12-8284-00	Nueces County .....	188,681.00
12-8292-00	Orange County .....	79,698.00
12-8294-00	Palo Pinto County .....	15,768.00
12-8296-00	Panola County .....	11,669.00
12-8302-00	Pecos County .....	7,704.00
12-8304-00	Polk County .....	16,444.00
12-8310-00	Presidio County .....	13,711.00
12-8324-00	Reeves County .....	15,378.00
12-8336-00	Rusk County .....	23,488.00
12-8344-00	San Patricio County .....	39,631.00
12-8350-00	Scurry County .....	11,143.00
12-8354-00	Shelby County .....	10,873.00
12-8358-00	Smith County .....	86,877.00
12-8364-00	Starr County .....	51,480.00
12-8376-00	Tarrant County .....	670,175.00
12-8402-00	Titus County .....	15,678.00
12-8404-00	Tom Green County .....	40,202.00
12-8414-00	Tyler County .....	9,897.00
12-8416-00	Upshur County .....	18,036.00
12-8420-00	Uvalde County .....	20,889.00
12-8422-00	Val Verde County .....	26,025.00
12-8424-00	Van Zandt County .....	15,528.00
12-8426-00	Victoria County .....	35,381.00
12-8430-00	Walker County .....	13,155.00
12-8438-00	Webb County .....	81,546.00
12-8442-00	Wharton County .....	22,136.00
12-8446-00	Wichita County .....	57,022.00
12-8452-00	Willacy County .....	21,445.00
12-8462-00	Wise County .....	13,576.00
12-8464-00	Wood County .....	12,750.00
12-8468-00	Young County .....	9,056.00
12-8472-00	Zavala County .....	14,162.00
12-8474-00	State Set-Aside Committee, TX .....	357,161.00
		9,225,562.00
<b>Utah</b>		
12-8480-00	Cache County .....	\$18,382.00
12-8482-00	Carbon County .....	9,056.00
12-8410-00	Salt Lake County .....	225,684.00
12-8426-00	Uintah County .....	9,311.00
12-8428-00	Utah County .....	74,502.00
12-8536-00	Washington County .....	15,468.00
12-8540-00	Weber County .....	67,910.00
12-8544-00	State Set-Aside Committee, UT County .....	74,578.00
		494,891.00
<b>Vermont</b>		
12-8552-00	Caledonia County .....	\$17,315.00
12-8554-00	Chittenden County .....	56,827.00
12-8566-00	Orleans County .....	19,523.00
12-8576-00	State Set-Aside Committee, VT .....	156,335.00
		250,000.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

## Virginia

12-8584-00	Accomack County .....	\$20,184.00
12-8608-00	Brunswick County .....	10,002.00
12-8610-00	Buchanan County .....	21,025.00
12-8616-00	Caroline County .....	13,801.00
12-8618-00	Carroll County .....	14,762.00
12-8622-00	Charlotte County .....	9,056.00
12-8634-00	Dickenson County .....	12,239.00
12-8644-00	Floyd County .....	9,041.00
12-8652-00	Giles County .....	11,624.00
12-8658-00	Grayson County .....	7,509.00
12-8664-00	Halifax County .....	15,138.00
12-8674-00	Isle of Wight County .....	13,966.00
12-8684-00	Lancaster County .....	10,437.00
12-8686-00	Lee County .....	15,138.00
12-8690-00	Louisa County .....	13,876.00
12-8698-00	Mecklenburg County .....	16,129.00
12-8702-00	Montgomery County .....	43,972.00
12-8710-00	Northumberland County .....	10,242.00
12-8716-00	Page County .....	15,408.00
12-8720-00	Pittsylvania County .....	25,710.00
12-8724-00	Prince Edward County .....	12,029.00
12-8730-00	Pulaski County .....	30,951.00
12-8738-00	Rockbridge County .....	12,074.00
12-8742-00	Russell County .....	18,021.00
12-8744-00	Scott County .....	10,437.00
12-8748-00	Smyth County .....	27,843.00
12-8760-00	Tazewell County .....	33,504.00
12-8762-00	Warren County .....	19,253.00
12-8764-00	Washington County .....	24,479.00
12-8766-00	Westmoreland County .....	11,248.00
12-8768-00	Wise County .....	30,771.00
12-8770-00	Wythe County .....	19,208.00
12-8778-00	Bristol City .....	8,996.00
12-8782-00	Charlottesville City .....	13,170.00
12-8792-00	Danville City .....	33,054.00
12-8802-00	Fredericksburg City .....	13,321.00
12-8808-00	Harrisonburg City .....	16,760.00
12-8810-00	Hopewell City .....	14,552.00
12-8814-00	Lynchburg City .....	26,806.00
12-8820-00	Martinsville City .....	8,665.00
12-8822-00	Newport News City .....	88,364.00
12-8824-00	Norfolk City .....	102,946.00
12-8828-00	Petersburg City .....	27,798.00
12-8832-00	Portsmouth City .....	56,256.00
12-8834-00	Radford City .....	11,158.00
12-8836-00	Richmond City .....	109,568.00
12-8838-00	Roanoke City .....	48,687.00
12-8844-00	Staunton City .....	8,425.00
12-8846-00	Suffolk City .....	29,029.00
12-8852-00	Williamsburg City .....	11,143.00
12-8856-00	State Set-Aside Committee, VA .....	869,074.00
		2,056,849.00

## Washington

12-8858-00	Adams County .....	\$19,568.00
12-8860-00	Asofin County .....	8,380.00
12-8862-00	Benton County .....	70,763.00
12-8864-00	Chelan County .....	52,607.00
12-8866-00	Ciallam County .....	36,403.00
12-8868-00	Clark County .....	148,164.00
12-8872-00	Cowlitz County .....	62,653.00
12-8874-00	Douglas County .....	21,175.00
12-8878-00	Franklin County .....	38,340.00
12-8882-00	Grant County .....	52,366.00
12-8884-00	Grays Harbor County .....	56,331.00
12-8888-00	Jefferson County .....	12,269.00
12-8890-00	King County .....	847,533.00
12-8896-00	Kitsap County .....	89,054.00
12-8898-00	Kittitas County .....	31,972.00
12-8900-00	Klickitat County .....	17,375.00

## EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-8902-00	Lewis County .....	45,518.00
12-8906-00	Mason County .....	22,496.00
12-8908-00	Okanogan County .....	38,911.00
12-8910-00	Pacific County .....	13,876.00
12-8914-00	Pierce County .....	326,633.00
12-8920-00	Skagit County .....	70,493.00
12-8922-00	Skamania County .....	8,710.00
12-8924-00	Snohomish County .....	270,797.00
12-8928-00	Spokane County .....	186,504.00
12-8932-00	Stevens County .....	22,782.00
12-8934-00	Thurston County .....	93,244.00
12-8938-00	Walla Walla County .....	26,596.00
12-8940-00	Whatcom County .....	86,606.00
12-8942-00	Whitman County .....	9,701.00
12-8944-00	Yakima County .....	221,975.00
12-8948-00	State Set-Aside Committee, WA .....	28,125.00
		3,037,920.00
<b>West Virginia</b>		
12-8950-00	Huntington/Cabell, Wayne Cos. ....	\$80,915.00
12-8954-00	Barbour County .....	14,327.00
12-8956-00	Berkeley County .....	40,953.00
12-8958-00	Boone County .....	22,707.00
12-8960-00	Braxton County .....	13,891.00
12-8962-00	Brooke County .....	18,472.00
12-8968-00	Calhoun County .....	9,131.00
12-8970-00	Clay County .....	8,335.00
12-8974-00	Fayette County .....	37,424.00
12-8978-00	Grant County .....	7,674.00
12-8980-00	Greenbrier County .....	29,555.00
12-8982-00	Hampshire County .....	11,248.00
12-8984-00	Hancock County .....	23,533.00
12-8988-00	Harrison County .....	50,955.00
12-8990-00	Jackson County .....	23,052.00
12-8994-00	Kanawha County .....	125,097.00
12-8998-00	Lewis County .....	14,777.00
12-9000-00	Lincoln County .....	17,706.00
12-9002-00	Logan County .....	33,549.00
12-9004-00	McDowell County .....	19,883.00
12-9006-00	Marion County .....	56,977.00
12-9008-00	Marshall County .....	29,690.00
12-9010-00	Mason County .....	24,644.00
12-9012-00	Mercer County .....	40,172.00
12-9014-00	Mineral County .....	12,390.00
12-9016-00	Mingo County .....	21,640.00
12-9018-00	Monongalia County .....	41,358.00
12-9020-00	Monroe County .....	8,064.00
12-9024-00	Nicholas County .....	24,374.00
12-9026-00	Ohio County .....	29,239.00
12-9032-00	Pocahontas County .....	8,155.00
12-9034-00	Preston County .....	22,827.00
12-9036-00	Putnam County .....	28,098.00
12-9038-00	Raleigh County .....	59,875.00
12-9040-00	Randolph County .....	23,337.00
12-9042-00	Ritchie County .....	11,969.00
12-9044-00	Roane County .....	13,861.00
12-9046-00	Summers County .....	8,710.00
12-9048-00	Taylor County .....	13,050.00
12-9050-00	Tucker County .....	7,629.00
12-9054-00	Upshur County .....	17,811.00
12-9060-00	Webster County .....	8,485.00
12-9062-00	Wetzel County .....	17,976.00
12-9066-00	Wood County .....	59,995.00
12-9068-00	Wyoming County .....	22,151.00
12-9070-00	State Set-Aside Committee, WV .....	34,498.00
		1,250,159.00
<b>Wisconsin</b>		
12-9072-00	Eau Claire/Chippewa, Eau Claire Cos. ....	\$62,713.00
12-9098-00	Ashland County .....	8,950.00

EMERGENCY FOOD AND SHELTER, NATIONAL BOARD PROGRAM, PHASE XII ALLOCATIONS—Continued

12-9104-00	Brown County .....	79,068.00
12-9120-00	Clark County .....	17,916.00
12-9126-00	Dane County .....	88,198.00
12-9134-00	Douglas County .....	18,802.00
12-9136-00	Dunn County .....	15,078.00
12-9148-00	Grant County .....	19,403.00
12-9158-00	Jackson County .....	7,959.00
12-9162-00	Juneau County .....	12,089.00
12-9164-00	Kenosha County .....	51,225.00
12-9170-00	LaCrosse County .....	38,055.00
12-9176-00	Langlade County .....	9,071.00
12-9182-00	Marathon County .....	56,842.00
12-9184-00	Marinette County .....	18,006.00
12-9190-00	Milwaukee County .....	342,927.00
12-9198-00	Monroe County .....	16,639.00
12-9200-00	Oconto County .....	15,829.00
12-9214-00	Polk County .....	15,738.00
12-9216-00	Portage County .....	34,270.00
12-9220-00	Racine County .....	84,099.00
12-9226-00	Rock County .....	67,819.00
12-9230-00	Rusk County .....	10,693.00
12-9236-00	Sawyer County .....	8,140.00
12-9242-00	Taylor County .....	11,609.00
12-9246-00	Vernon County .....	10,903.00
12-9264-00	Waushara County .....	10,002.00
12-9266-00	Winnebago County .....	53,733.00
12-9272-00	State Set-Aside Committee, WI .....	413,340.00
		1,599,116.00
<b>Wyoming</b>		
12-9276-00	Albany County .....	\$7,674.00
12-9288-00	Fremont County .....	16,189.00
12-9302-00	Natrona County .....	32,663.00
12-9326-00	State Set-Aside Committee, WY .....	193,474.00
		250,000.00
<b>Territories</b>		
12-9328-00	American Samoa .....	\$137,235.00
12-9330-00	Guam .....	130,700.00
12-9332-00	No. Mariana Islands .....	84,955.00
12-9334-00	Puerto Rico .....	2,442,643.00
12-9338-00	Trust Territories .....	117,630.00
12-9340-00	Virgin Islands .....	182,980.00

[FR Doc. 94-1578 Filed 1-25-94; 8:45 am]  
BILLING CODE 6719-02-P

**FEDERAL MARITIME COMMISSION**

[Petition for Permanent Filing Exemption;  
Petition No. P108-93]

**Petition No. P108-93**

**Petition of Totem Ocean Trailer  
Express, Inc.; Extension of Time for  
Replies**

Notice was published on January 6, 1994, 59 FR 748, of the filing of a petition by Totem Ocean Trailer Express, Inc. pursuant to 46 CFR 514.8(a), for permanent exemption of its Local Freight Tariff No. 3-C, FMC—F No. 4, ICC TOTE 201, from the electronic tariff filing requirements of

the Commission's ATFI System, on the grounds that the tariff is jointly filed with the Interstate Commerce Commission and the Federal Maritime Commission, and is therefore not compatible with the ATFI filing requirements. Alternatively, petitioner seeks complete exemption from filing the tariff in paper or electronic form.

Upon the request of Sea-Land Service, Inc., the Commission has now determined to extend the time provided for interested persons to reply to the petition. Replies are now due by February 17, 1994, and shall be directed to the Secretary, Federal Maritime Commission, Washington, DC 20573-0001, shall consist of an original and 15 copies, and shall be served on Counsel for petitioner, Mr. Michael D. Duppenhaler, Registered Practitioner, Interstate Commerce Commission, 1100

Olive Way, suite 1150, Seattle, Washington 98101-1839.

Copies of the petition are available for examination at the Washington, DC office of the Secretary of the Commission, 800 N. Capitol Street, NW., room 1046.

By the Commission.

**Ronald D. Murphy,**  
Assistant Secretary.

[FR Doc. 94-1611 Filed 1-25-94; 8:45 am]

BILLING CODE 6730-01-M

**GENERAL SERVICES  
ADMINISTRATION**

**Delegation of Authority to The National  
Science Foundation**

Pursuant to the authority vested in me by section 3726 of title 31, United States

Code, I have determined that it is both cost-effective and in the public interest to delegate authority to the National Science Foundation to conduct a prepayment audit of domestic and foreign household goods transportation services, subject to the provisions of the Federal Property Management Regulations, title 41, Code of Federal Regulations, subpart 101-41, and amendments thereto. This prepayment audit will be conducted by a General Services Administration's (GSA's) contractor, at the contractor's site, for the National Science Foundation, 4201 Wilson Blvd., Arlington, Virginia 22230. This delegation is effective upon publication in the Federal Register.

Dated: January 14, 1994.

Joseph J. Cosimano,

Director, Office of Transportation Audits (FW).

[FR Doc. 94-1637 Filed 1-25-94; 8:45 am]

BILLING CODE 6820-24-M

#### Post-FTS2000 Concept Development Record Conference Proceedings; Date Change

January 12, 1994.

AGENCY: General Services Administration.

ACTION: Notice for Request for Post-FTS2000 Ideas/Comments—Inter-city Telecommunications Services—Public Review of the Post-FTS2000 Concept Development Record (Release #2)—Conference Proceedings.

SUMMARY: The availability date for public review of the Post-FTS2000 conference proceedings originally publicized in the CBD dated 9/1/93 and 9/9/93 and revised on 11/17/93 is changed.

The Video of the conference proceedings conducted on October 19-21, 1993, is currently available for purchase from NTIS under document ordering No. PB94780103 at \$90.00/set.

The Post FTS2000 Concept Development Record—Release #2 which includes: (A) Transcript of the Concept Development Conference proceedings and (B) Appendices A through D (list of attendees, questions/answers, speakers' view-graphs, and misc. items) will be available for public review beginning January 21, 1994, Mon-Fri from 8:15 a.m.-4:45 p.m. at the General Services Administration Bid Room, room 1701, 7th & D Streets, SW., Washington, DC 20407. Copies of the Record will be available in hard copy format at \$105.00/ea. and on Microfiche for \$39.00 under document ordering No. PB94130838. Diskettes (3.5" MS-DOS) of the transcript are currently being

processed at this time; please contact NTIS for the document ordering number to receive the transcript on diskettes. Please note that Appendices A through D are available in hard copy and microfiche format only. To place your order for a copy of the Record (Release #2) or the Video, please call the NTIS Sales Desk (with the document ordering number) at (703) 487-4650. The address for NTIS is: Department of Commerce, National Technical Information Services (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

Written responses to the Concept Development Record—Release #2 is changed from January 15, 1994 to February 15, 1994. All other information publicized in the original synopsis is correct. This is a Notice for Request for Ideas/Comments, There is no Solicitation Document Available at this time.

DATES: The due date for Written responses to the Concept Development Record (Release #2) is February 15, 1994.

ADDRESSES: Please Mail all Responses pertaining to the Concept Development Record (Rel. #2) to the: General Services Administration, Attention: Concept Development Conference, 7980 Boeing Court, Vienna, VA 22182-3988.

FOR FURTHER INFORMATION CONTACT: Richard J. Kosko at (703) 760-7562.

Barbara R. Norsworthy,  
Deputy Director, Network  
Telecommunications, Procurement Division.  
[FR Doc. 94-1636 Filed 1-25-94; 8:45 am]

BILLING CODE 6820-25-M

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### Health Resources and Services Administration

##### Health Education Assistance Loan Program: Correction to List of Defaulted Borrowers

AGENCY: Public Health Service, HHS.

ACTION: Notice.

SUMMARY: The Public Health Service (PHS) is publishing this notice of 159 Health Education Assistance Loan (HEAL) borrowers who should not have been included in the August 30, 1993 Federal Register (58 FR 45654) publication of HEAL borrowers in default. The August 30, 1993 publication was required by section 709(c)(1) of the Public Health Service Act (the Act), as amended by the Health Professions Education Extension Amendments of 1992. This was the first

annual publication and identified 4,973 HEAL borrowers in default.

FOR FURTHER INFORMATION CONTACT: Director, Division of Student Assistance, Bureau of Health Professions, Health Resources and Services Administration, Parklawn Building, Room 8-48, 5600 Fishers Lane, Rockville, Maryland 20857. All media inquiries should be directed to the HRSA Office of Communications at (301) 443-3376.

SUPPLEMENTARY INFORMATION: Section 709(c)(1) of the Act (42 U.S.C. 292h(c)(1)) requires the Agency to compile and publish in the Federal Register a list of HEAL borrowers who are in default. All borrowers who had defaulted on HEAL loans and for whom claims had been paid by the Department of Health and Human Services (Department), from the beginning of the HEAL program through March 31, 1993, were subject to inclusion in the August 30, 1993 notice. However, to identify most accurately those HEAL borrowers who were in an unsatisfactory status with the Department, borrowers in the following categories were excluded from the August 30, 1993 listing: (1) Those who had paid their loan in full subsequent to their default; (2) those who had received HEAL loan cancellation due to death or permanent and total disability; (3) those whose loans had been repurchased from the Department by a HEAL school, lender, or holder; (4) those who had been approved by the Department for deferment or forbearance; and (5) those who had made 12 monthly payments or the equivalent during the 12-month period ending March 31, 1993.

Borrowers in the above five categories were viewed by the Department as having made satisfactory arrangements to resolve the default or as no longer obligated to repay a HEAL loan to the Department, and therefore were excluded from publication in the August 30, 1993 listing.

Since publication of the August 30, 1993 listing, the Department has determined that the names of some borrowers should not have been published. Accordingly, this notice lists borrowers who should not have been included in the August 30, 1993 listing.

The first category of borrowers whose names should not have been published are those for whom, as of March 31, 1993, the Department had paid one or more claims due to the borrower filing for protection under bankruptcy law and who were not in default status on a HEAL loan. A total of 115 names are included for this reason.

It is important to note that this category of corrections includes only

loans in bankruptcy that were not in a default status as of March 31, 1993. Thus, any borrower with a loan in bankruptcy that was in default prior to or subsequent to the bankruptcy proceedings, and who did not qualify for any of the 5 exclusionary categories listed above, was included appropriately in the August 30, 1993 publication. In addition, it should be noted that HEAL loans are not eligible for discharge in bankruptcy except under very limited circumstances, as set forth in 42 U.S.C. 292f(g). Thus, a HEAL borrower generally remains responsible for repayment of the HEAL loan once the bankruptcy proceedings have been completed, and could be included in a future listing of HEAL defaulters if he or she failed to enter a satisfactory repayment arrangement subsequent to the completion of the bankruptcy proceedings.

The second category of borrowers, whose names were published in error, are those for whom default claims were paid by the Department, but who, subsequent to publication of the notice, were determined by the Department to have met one of the following categories for exclusion from the listing, based on their status as of March 31, 1993: (1) Had paid their loans in full; (2) had been approved by the Department for forbearance; or (3) had made the equivalent of 12 monthly payments during the 12-month period ending March 31, 1993. A total of 44 names are included for these reasons.

An updated listing of HEAL defaulters who are not in a satisfactory repayment status will be published in late 1994. Those who have entered satisfactory repayment will not be included in that listing.

#### Retraction List (Category One)

##### Alabama

###### Osteopathy

Yanulis, George E., Birmingham, AL, \$24,094.78, Chicago College of Ost Med, Downers Grove, IL, Osteopathy, February 1984.

##### Arizona

###### Chiropractic

Fisher, Edwin L., Scottsdale, AZ, \$73,827.12, Cleveland Chiropractic College, Los Angeles, CA, Chiropractic, December 1987.

###### Dentistry

Chang, Mona, Phoenix, AZ, \$46,407.14, Loma Linda University, Loma Linda, CA, Dentistry, July 1984.  
Kohler, Anthony J., Phoenix, AZ, \$6,939.74, Univ of Minnesota, Minneapolis, MN, Dentistry, June 1986.

##### California

###### Allopathic Medicine

Chambers, Michael J., Laguna Beach, CA, \$36,385.03, Univ of Miami, Miami, FL, Allopathic Medicine, March 1992.  
Hammond, Terry C., San Diego, CA, \$20,546.35, Univ of Texas-Med Branch, Galveston, TX, Allopathic Medicine, May 1986.  
Lacaman, Vernon H., Granada Hills, CA, \$99,050.21, George Washington Univ, Washington, DC, Allopathic Medicine, May 1988.

###### Chiropractic

Anderson, Duane L., Oxnard, CA, \$8,231.24, Life College, Marietta, GA, Chiropractic, November 1983.  
Anderson, Russell N., Lake Isabella, CA, \$35,183.96, Cleveland Chiropractic College, Los Angeles, CA, Chiropractic, December 1987.  
Brunn, Louie P., San Rafael, CA, \$10,015.48, Life Chiropractic College-West, San Lorenzo, CA, Chiropractic, September 1986.  
Cates, John H., Bakersfield, CA, \$13,195.67, Cleveland Chiropractic College, Los Angeles, CA, Chiropractic, December 1985.  
Nicholls, Hilary J., Carmel, CA, \$29,942.85, Logan College of Chiropractic, Chesterfield, MO, Chiropractic, August 1985.  
Pugh, Christopher M., Ceres, CA, \$39,820.84, Palmer College of Chiropractic-West, Sunnyvale, CA, Chiropractic, December 1987.  
Springfield, Teddy C., El Toro, CA, \$24,226.21, Cleveland Chiropractic College, Los Angeles, CA, Chiropractic, January 1984.  
Webster, Melinda J., Santa Clara, CA, \$64,767.81, Palmer College of Chiropractic-West, Sunnyvale, CA, Chiropractic, September 1988.  
Webster III, Richard D., Santa Clara, CA, \$17,218.29, Palmer College of Chiropractic-West, Sunnyvale, CA, Chiropractic, June 1985.  
Wood, Barbara D., Menlo Park, CA, \$21,381.74, Palmer College of Chiropractic-West, Sunnyvale, CA, Chiropractic, March 1986.

###### Clinical Psychology

Cummins, Sharon E., San Diego, CA, \$64,948.20, California Sch. of Prof. Psy., San Diego, CA, Clinical Psychology, December 1988.

###### Dentistry

Call, Stephen C., Clearlake Oaks, CA, \$7,036.98, Univ of the Pacific, San Francisco, CA, Dentistry, June 1987.  
Cruz, Rosiemarie M., Long Beach, CA, \$3,874.12, Univ of California-Los Angeles, Los Angeles, CA, Dentistry, June 1988.  
Herber, Harry A., Pismo Beach, CA, \$27,489.25, Loma Linda University, Loma Linda, CA, Dentistry, June 1985.  
McKinley, Robert M., Newport Beach, CA, \$9,666.62, Univ of Southern California, Los Angeles, CA, Dentistry, May 1985.

Moulton, Gregory B., Antioch, CA, \$37,076.88, Univ of THE PACIFIC, San Francisco, CA, Dentistry, September 1983.

##### Colorado

###### Chiropractic

Chenes, Brian P., Breckenridge, CO, \$32,684.48, Western States Chiropractic CLG, Portland, OR, Chiropractic, December 1988.  
Redfield Jr, Thomas C., Littleton, CO, \$5,554.28, Palmer College of Chiropractic, Davenport, IA, Chiropractic, November 1983.

##### Connecticut

###### Chiropractic

McQueen, Debra A., Wolcott, CT, \$67,204.21, Los Angeles Clg of Chiropractic, Whittier, CA, Chiropractic, December 1987.  
Szykowitz, Peter P., Hebron, CT, \$40,264.17, New York Chiropractic College, Seneca Falls, NY, Chiropractic, December 1986.

###### Dentistry

Rosinsky, Hollie G., Hartford, CT, \$83,246.72, Marquette University, Milwaukee, WI, Dentistry, June 1987.

##### Delaware

###### Optometry

Lim, Kim L., Newark, DE, \$23,327.60, New England College of Optometry, Boston, MA, Optometry, August 1985.

##### Florida

###### Allopathic Medicine

Holt, Todd N., Saint Petersburg, FL, \$59,289.26, Univ of Arkansas for Med Sci, Little Rock, AR, Allopathic Medicine, May 1986.

###### Pharmacy

Vinci, Robert M., Tampa, FL, \$16,513.93, Creighton University, Omaha, NE, Pharmacy, August 1987.

##### Georgia

###### Chiropractic

Richardson, David M., Norcross, GA, \$36,547.84, Life College, Marietta, GA, Chiropractic, January 1984.  
Webb, Margie M., Winston, GA, \$10,409.72, Life College, Marietta, GA, Chiropractic, July 1983.

##### Illinois

###### Allopathic Medicine

Weinsweig, David L., Chicago, IL, \$67,698.66, Univ of Pittsburgh, Pittsburgh, PA, Allopathic Medicine, June 1990.

###### Clinical Psychology

Brayton, Sue E., Chicago, IL, \$9,015.90, Illinois Sch Professional Psycholog, Chicago, IL, Clinical Psychology, June 1990.

**Dentistry**

Chiompos, Alexander C., Mount Prospect, IL, \$18,316.23, Northwestern Univ, Chicago, IL, Dentistry, June 1989.

**Podiatry**

Lee, Michael S., Wheeling, IL, \$3,851.53, Dr. William M. Scholl Clg Pod Med, Chicago, IL, Podiatry, November 1986.

**Indiana****Podiatry**

Beatty, Deborah L., Indianapolis, IN, \$22,694.84, Dr. William M. Scholl Clg Pod Med, Chicago, IL, Podiatry, May 1993.

**Iowa****Chiropractic**

Clawson, Patricia A., Des Moines, IA, \$1,103.53, Palmer College of Chiropractic, Davenport, IA, Chiropractic, January 1984.

Falzone, Susan M., Davenport, IA, \$25,096.35, Logan College of Chiropractic, Chesterfield, MO, Chiropractic, August 1988.

McNeilderr, Diana J., Davenport, IA, \$4,425.09, Palmer College of Chiropractic, Davenport, IA, Chiropractic, December 1989.

Raguse, Annete L., Davenport, IA, \$18,452.60, Palmer College of Chiropractic, Davenport, IA, Chiropractic, February 1990.

Vyverberg, Kim M., Dubuque, IA, \$11,279.21, Palmer College of Chiropractic, Davenport, IA, Chiropractic, March 1988.

**Kentucky****Allopathic Medicine**

Dillihay, Lori A., Louisville, KY, \$11,779.39, Univ of Louisville, Louisville, KY, Allopathic Medicine, May 1991.

**Chiropractic**

Buerger, David J., Louisville, KY, \$65,681.98, Logan College of Chiropractic, Chesterfield, MO, Chiropractic, December 1988.

**Clinical Psychology**

Davis, Norman A., Lexington, KY, \$22,742.78, Florida Inst. of Technology, Melbourne, FL, Clinical Psychology, July 1988.

**Dentistry**

Salyer, Jimmy R., Lexington, KY, \$4,758.41, Univ of Kentucky, Lexington, KY, Dentistry, May 1986.

**Louisiana****Chiropractic**

Bradley, Fred E., Shreveport, LA, \$2,063.06, Western States Chiropractic Clg, Portland, OR, Chiropractic, June 1986.

Walker, Mark K., Kenner, LA, \$67,339.54, Texas Chiropractic Clg Foundation, Pasadena, TX, Chiropractic, December 1988.

**Optometry**

Strickland, Gregory C., New Orleans, LA, \$56,741.16, Southern College of Optometry, Memphis, TN, Optometry, June 1985.

**Maine****Osteopathy**

Psonak, Raymond J., Topsham, ME, \$23,200.35, Univ of New England, Biddeford, ME, Osteopathy, May 1991.

**Maryland****Allopathic Medicine**

Hurson, Susan B., Bethesda, MD, \$36,328.66, Georgetown University, Washington, DC, Allopathic Medicine, June 1988.

Rosenthal, James, Grasonville, MD, \$16,192.84, Southern Illinois Univ, Carbondale, IL, Allopathic Medicine, July 1982.

**Massachusetts****Osteopathy**

Peters, Victoria P., East Longmeadow, MA, \$101,369.74, New York Inst Tech, Old Westbury, NY, Osteopathy, June 1987.

**Michigan****Allopathic Medicine**

Twomley, James D., Berrien Springs, MI, \$6,687.53, Loma Linda University, Loma Linda, CA, Allopathic Medicine, June 1989.

**Dentistry**

Wenturine, James A., Fraser, MI, \$41,145.97, Univ of Detroit, Detroit, MI, Dentistry, June 1985.

**Osteopathy**

Racicot, Terry A., Troy, MI, \$10,042.90, Oklahoma Clg of Ost Med & Surgery, Tulsa, OK, Osteopathy, May 1989.

**Minnesota****Allopathic Medicine**

Obregon, Kathryn E., Minneapolis, MN, \$62,320.35, Univ of North Dakota, Grand Forks, ND, Allopathic Medicine, August 1985.

Shipp, Deborah A., Saint Paul, MN, \$2,388.52, Univ of Wisconsin, Madison, WI, Allopathic Medicine, May 1988.

**Dentistry**

Lalomia, Terese A., Minneapolis, MN, \$6,024.81, Univ of Minnesota, Minneapolis, MN, Dentistry, June 1986.

**Osteopathy**

Cavalancia, Barry J., Minneapolis, MN, \$29,543.65, Univ of Ost. Med & Health Sciences, Des Moines, IA, Osteopathy, July 1985.

**Mississippi****Chiropractic**

Clark, Ronald H., Meridian, MS, \$8,307.19, Life College, Marietta, GA, Chiropractic, March 1984.

**Missouri****Dentistry**

Pierce, Connie L., Kansas City, MO, \$53,171.38, Univ of Missouri-Kansas City, Kansas City, MO, Dentistry, June 1986.

**Osteopathy**

Simhachalam, Morris N., Kansas City, MO, \$36,031.74, Univ of Health Sciences, Kansas City, MO, Osteopathy, (No Separation Date).

**Nebraska****Chiropractic**

Wall, Homer G., Lincoln, NE, \$10,967.23, Logan College of Chiropractic, Chesterfield, MO, Chiropractic, January 1983.

**Nevada****Allopathic Medicine**

Leaks, Joan S., Las Vegas, NV, \$9,475.96, Wright State Univ, Dayton, OH, Allopathic Medicine, July 1982.

**Chiropractic**

Hansen, Kris T., Las Vegas, NV, \$52,678.20, Palmer College of Chiropractic-West, Sunnyvale, CA, Chiropractic, June 1989.

**Dentistry**

Turner, Lee R., Las Vegas, NV, \$3,699.22, Univ of the Pacific, San Francisco, CA, Dentistry, June 1988.

**New Jersey****Dentistry**

Celentano-Steidl, Donna M., Stillwater, NJ, \$57,191.27, Univ of Med & Dent NJ-Dental, Newark, NJ, Dentistry, May 1987.

**Pharmacy**

Portnoy, Michael A., Marlton, NJ, \$5,416.13, Temple University, Philadelphia, PA, Pharmacy, June 1984.

**New York****Allopathic Medicine**

George, James K., Albany, NY, \$29,855.52, Univ of Massachusetts, Worcester, MA, Allopathic Medicine, June 1987.

**Podiatry**

D'Orazio, Leonard, Brooklyn, NY, \$23,038.90, New York Clg of Podiatric Med, New York, NY, Podiatry, June 1988.

Kelly, Laura, Farmingdale, NY, \$60,739.35, New York Clg of Podiatric Med, New York, NY, Podiatry, June 1989.

**Veterinary Medicine**

Murphy, William M., Rochester, NY, \$22,907.99, Univ of Tennessee-Knoxville, Knoxville, TN, Veterinary Medicine, August 1987.

**North Carolina****Chiropractic**

Gould, Jane M., Chapel Hill, NC, \$44,997.80, Northwestern Clg of Chiropractic, Bloomington, MN, Chiropractic, December 1988.

**Oklahoma***Public Health*

Codopony Jr, Jackie L., Del City, OK,  
\$7,374.04, Univ of Oklahoma, Oklahoma  
City, OK, Public Health, May 1987.

**Oregon***Chiropractic*

- Beuttler, Cynthia M., Portland, OR,  
\$16,198.37, Western States Chiropractic  
Clg, Portland, OR, Chiropractic, June  
1989.
- Dawson, Jay S., Portland, OR, \$40,616.51,  
Western States Chiropractic Clg,  
Portland, OR, Chiropractic, April 1988.
- Marshall, David L., Portland, OR, \$35,328.01,  
Western States Chiropractic Clg,  
Portland, OR, Chiropractic, June 1986.
- Megyesi, Ronald J., Portland, OR, \$3,534.14,  
Western States Chiropractic Clg,  
Portland, OR, Chiropractic, July 1982.
- Newton, Donald F., Portland, OR, \$17,087.34,  
Western States Chiropractic Clg,  
Portland, OR, Chiropractic, June 1984.
- Palmblad, Michael K., Hermiston, OR,  
\$53,403.81, Western States Chiropractic  
Clg, Portland, OR, Chiropractic, July  
1985.
- Schwartz, Janice L., Eagle Point, OR,  
\$18,186.45, Palmer College of  
Chiropractic, Davenport, IA,  
Chiropractic, March 1989.
- Seitz, Brian D., Forest Grove, OR, \$41,050.77,  
Western States Chiropractic Clg,  
Portland, OR, Chiropractic, June 1988.

*Clinical Psychology*

Chamberlain, Dennis H., Gresham, OR,  
\$13,377.65, Pacific Grad School of  
Psychology, Palo Alto, CA, Clinical  
Psychology, June 1989.

*Optometry*

- Mellem, Lisa G., Portland, OR, \$455.82,  
Pacific University, Forest Grove, OR,  
Optometry, May 1990.
- Owsley, Philip J., Beaverton, OR, \$22,397.00,  
Pacific University, Forest Grove, OR,  
Optometry, (No Separation Date).

**Pennsylvania***Dentistry*

Brown, Glenn A., Media, PA, \$50,724.74,  
Univ of Pennsylvania, Philadelphia, PA,  
Dentistry, May 1982.

**Puerto Rico***Dentistry*

Latalladi, Luz H., Patillas, PR, \$147,338.79,  
Marquette University, Milwaukee, WI,  
Dentistry, August 1988.

**South Carolina***Allopathic Medicine*

Steen, Ronald G., Columbia, SC, \$22,767.17,  
Medical Univ of South Carolina,  
Charleston, SC, Allopathic Medicine,  
July 1983.

**South Dakota***Chiropractic*

Hagedorn, Gene H., Sioux Falls, SD,  
\$16,065.99, Northwestern Clg of  
Chiropractic, Bloomington, MN,  
Chiropractic, June 1986.

*Osteopathy*

Bandettini, Francis C., Sioux Falls, SD,  
\$169,846.12, Univ of Ost. Med & Health  
Sciences, Des Moines, IA, Osteopathy,  
June 1990.

**Tennessee***Allopathic Medicine*

Wright, Becky B., Germantown, TN,  
\$12,111.98, Univ of Tennessee Health  
Sci Ctr, Memphis, TN, Allopathic  
Medicine, June 1987.

*Chiropractic*

Kirkwood, Robert D., Memphis, TN,  
\$35,725.60, Logan College of  
Chiropractic, Chesterfield, MO,  
Chiropractic, April 1988.

*Podiatry*

Staton, Rodney J., Jackson, TN, \$12,042.34,  
California Clg of Pod Med, San  
Francisco, CA, Podiatry, May 1981.

**Texas***Allopathic Medicine*

- Avina, Cecilia B., San Antonio, TX,  
\$4,945.75, Univ of Texas S.W. Medical  
Ctr, Dallas, TX, Allopathic Medicine,  
May 1987.
- Hargett, John M., McKinney, TX, \$19,573.90,  
Univ of Texas-Med Branch, Galveston,  
TX, Allopathic Medicine, July 1982.
- Jacobs, Carol L., San Antonio, TX,  
\$38,593.45, Univ of Texas-Health Sci Ctr,  
San Antonio, TX, Allopathic Medicine,  
May 1993.
- Luther, Vera M., Van, TX, \$7,613.53, Texas  
Tech University, Lubbock, TX,  
Allopathic Medicine, July 1989.

*Chiropractic*

- Billingsley, Craig A., San Antonio, TX,  
\$12,167.26, Texas Chiropractic Clg  
Foundation, Pasadena, TX, Chiropractic,  
September 1985.
- Lyons, Cristina S., Grand Prairie, TX,  
\$8,153.54, Cleveland Chiropractic Clg  
(MO), Kansas City, MO, Chiropractic,  
May 1990.
- Lyons, Eric P., Grand Prairie, TX, \$55,295.51,  
Parker College of Chiropractic, Dallas,  
TX, Chiropractic, May 1990.
- Rubio Jr, Raymundo, Brownwood, TX,  
\$10,284.12, Texas Chiropractic Clg  
Foundation, Pasadena, TX, Chiropractic,  
January 1990.

*Dentistry*

Fulmer, James C., Austin, TX, \$10,794.19,  
Marquette University, Milwaukee, WI,  
Dentistry, June 1986.

**Utah***Optometry*

Boyer, David L., Salt Lake City, UT,  
\$8,569.54, Illinois College of Optometry,  
Chicago, IL, Optometry, June 1982.

**Vermont***Allopathic Medicine*

Owenashley, Frances, Essex Junction, VT,  
\$24,816.03, Wright State Univ, Dayton,  
OH, Allopathic Medicine, June 1985.

**Virginia***Allopathic Medicine*

Porres, Felipe G., Charlottesville, VA,  
\$26,335.26, Univ of Texas-Med Branch,  
Galveston, TX, Allopathic Medicine,  
May 1987.

*Chiropractic*

Bol, Robert A., Herndon, VA, \$16,603.37,  
National College of Chiropractic,  
Lombard, IL, Chiropractic, December  
1987.

Johnson, Robert H., Herndon, VA,  
\$69,001.75, Palmer College of  
Chiropractic, Davenport, IA,  
Chiropractic, August 1987.

*Dentistry*

Febus, Helby E., Alexandria, VA, \$12,384.76,  
Georgetown University, Washington, DC,  
Dentistry, May 1990.

**Washington***Dentistry*

Ip, Stephen C., Seattle, WA, \$3,703.98, Univ  
of Washington, Seattle, WA, Dentistry,  
June 1988.

**West Virginia***Chiropractic*

Loesser, Raymond J., Williamstown, WV,  
\$23,475.38, Palmer College of  
Chiropractic, Davenport, IA,  
Chiropractic, March 1987.

*Dentistry*

Graham, James B., Princeton, WV,  
\$177,286.44, Boston University, Boston,  
MA, Dentistry, June 1986.

**Wisconsin***Dentistry*

Lovas, James R., Three Lakes, WI, \$83,514.71,  
Marquette University, Milwaukee, WI,  
Dentistry, May 1987.

**Wyoming***Chiropractic*

Hildebrand, Todd, Gillette, WY, \$1,292.84,  
Palmer College of Chiropractic,  
Davenport, IA, Chiropractic, September  
1989.

**RETRACTION LIST (CATEGORY TWO)****Alaska***Dentistry*

Greenough III, Harry W., Anchorage, AK,  
\$53,739.83, Virginia Commonwealth  
Univ-MCV, Richmond, VA, Dentistry,  
June 1985.

**Arizona***Allopathic Medicine*

Kvien, William K., Winslow, AZ, \$513.27,  
Harvard Univ Med Sch, Boston, MA,  
Allopathic Medicine, June 1981.

**Podiatry**

Tallis, Arthur J., Phoenix, AZ, \$23,218.84, Ohio College of Podiatric Med, Cleveland, OH, Podiatry, June 1983.

**California****Chiropractic**

Hoover, Wayne N., Redondo Beach, CA, \$37,423.03, Los Angeles Clg of Chiropractic, Whittier, CA, Chiropractic, December 1986.

Roma, Ann, Felton, CA, \$63,425.11, Life College, Marietta, GA, Chiropractic, October 1987.

Wolff, Kenneth M., San Marcos, CA, \$17,766.23, Los Angeles Clg of Chiropractic, Whittier, CA, Chiropractic, May 1984.

**Podiatry**

Kerns, Bryan D., Laguna Niguel, CA, \$3,361.11, California Clg of Pod Med, San Francisco, CA, Podiatry, May 1980.

**Florida****Chiropractic**

Fabricant, Michael J., Davie, FL, \$54,807.72, Cleveland Chiropractic Clg (MO), Kansas City, MO, Chiropractic, June 1984.

Gillman, Barry M., Lauderhill, FL, \$28,927.22, Life College, Marietta, GA, Chiropractic, June 1984.

**Osteopathy**

Baldwin, Barbara L., Orlando, FL, \$12,654.64, Texas College of Ost Med, Fort Worth, TX, Osteopathy, June 1986.

**Illinois****Allopathic Medicine**

Ford, Natalie H., Chicago, IL, \$9,126.31, Univ of Illinois-Chicago, Chicago, IL, Allopathic Medicine, June 1987.

**Chiropractic**

Martin, Donald L., Chicago, IL, \$7,930.16, National College of Chiropractic, Lombard, IL, Chiropractic, May 1983.

**Iowa****Dentistry**

Lewis, Wayne A., Sioux City, IA, \$16,918.24, Univ of Iowa, Iowa City, IA, Dentistry, May 1987.

**Maryland****Allopathic Medicine**

Awh, Carl C., Baltimore, MD, \$2,690.08, Univ of Mississippi Med Center, Jackson, MS, Allopathic Medicine, June 1989.

Briggs, Nathaniel C., Rockville, MD, \$805.45, Univ of Massachusetts, Worcester, MA, Allopathic Medicine, June 1987.

Figaro, Kelson M., Bowie, MD, \$123,145.15, Eastern Virginia Med Sch, Norfolk, VA, Allopathic Medicine, December 1989.

**Dentistry**

Irey, John P., Silver Spring, MD, \$8,544.08, Univ of Maryland-Baltimore, Baltimore, MD, Dentistry, June 1983.

**Osteopathy**

Waltman, Bonnie J., Columbia, MD, \$20,357.57, Philadelphia College of Ost Med, Philadelphia, PA, Osteopathy, June 1987.

**Michigan****Chiropractic**

Koffeman, John N., Chelsea, MI, \$36,989.73, National College of Chiropractic, Lombard, IL, Chiropractic, December 1983.

**New Hampshire****Veterinary Medicine**

Stone, David B., Gilford, NH, \$30,527.55, Tufts University, Boston, MA, Veterinary Medicine, May 1988.

**New Jersey****Allopathic Medicine**

Roberts, Barbara T., Marlton, NJ, \$21,245.89, Hahnemann Med Clg and Hosp of Phila, Philadelphia, PA, Allopathic Medicine, June 1981.

**Chiropractic**

Neuner, John S., Port Republic, NJ, \$31,577.34, New York Chiropractic College, Seneca Falls, NY, Chiropractic, April 1986.

**Podiatry**

Purvis, Chris A., Sicklerville, NJ, \$14,200.35, Pennsylvania Clg of Podiatric Med, Philadelphia, PA, Podiatry, June 1988.

**New York****Allopathic Medicine**

Gatell, John A., Garden City, NY, \$3,236.66, Univ of Rochester, Rochester, NY, Allopathic Medicine, May 1985.

Sanel, Henry B., Rensselaer, NY, \$113,460.58, Albany Med College, Albany, NY, Allopathic Medicine, June 1991.

Simmons, Belinda L., Port Jervis, NY, \$30,917.59, Georgetown University, Washington, DC, Allopathic Medicine, May 1983.

**Chiropractic**

Zipkin, Martin R., Monsey, NY, \$14,714.60, Life College, Marietta, GA, Chiropractic, January 1984.

**Clinical Psychology**

Nicoll, Dolores L., New York, NY, \$9,217.77, Yeshiva Univ, New York, NY, Clinical Psychology, September 1986.

**Dentistry**

Cubano, Vladimir, Colonie, NY, \$1,408.82, Univ of Med & Dent NJ—Dental, Newark, NJ, Dentistry, June 1984.

Hammond, Robert J., Brooklyn, NY, \$18,116.07, Georgetown University, Washington, DC, Dentistry, May 1987.

**Podiatry**

Pelletier, James P., Watertown, NY, \$2,037.35, Pennsylvania Clg of Podiatric Med, Philadelphia, PA, Podiatry, June 1989.

**Ohio****Clinical Psychology**

Zursick, Joel L., Cleveland, OH, \$3,380.93, Ohio State University, Columbus, OH, Clinical Psychology, August 1987.

**Dentistry**

Morgan, Jackson P., Chagrin Falls, OH, \$7,139.08, Univ of Texas-Health Sci Ctr, San Antonio, TX, Dentistry, May 1988.

**Veterinary Medicine**

Andrews, Janice M., Columbus, OH, \$4,475.75, Univ of Missouri-Columbia, Columbia, MO, Veterinary Medicine, July 1987.

**Pennsylvania****Allopathic Medicine**

Gyda, Michael A., Philadelphia, PA, \$76,973.78, Hahnemann Med Clg and Hosp of Phila, Philadelphia, PA, Allopathic Medicine, January 1987.

Miller, Beverly C., Philadelphia, PA, \$3,461.78, Temple University, Philadelphia, PA, Allopathic Medicine, June 1984.

**Tennessee****Allopathic Medicine**

Ladson, James W., Nashville, TN, \$18,036.45, Meharry Med College, Nashville, TN, Allopathic Medicine, May 1984.

**Virginia****Allopathic Medicine**

Camacho, Aubrey A., Arlington, VA, \$11,612.45, Cuny Mount Sinai School of Med, New York, NY, Allopathic Medicine, June 1986.

Lisner, Blaine M., Blacksburg, VA, \$19,083.86, Ohio State University, Columbus, OH, Allopathic Medicine, August 1985.

**Veterinary Medicine**

Edwards, Deborah A., Chesapeake, VA, \$12,994.03, Tuskegee University, Tuskegee Institute, AL, Veterinary Medicine, May 1982.

**Washington****Chiropractic**

Turner, Scot A., Olympia, WA, \$6,569.54, Texas Chiropractic Clg Foundation, Pasadena, TX, Chiropractic, June 1983.

**Dentistry**

Adams, Larry R., Olympia, WA, \$10,784.18, Washington Univ, St Louis, Mo, Dentistry, May 1983.

**West Virginia****Health Administration**

Shelton, Sharon T., Princeton, WV,  
\$13,960.98, Univ of Pennsylvania,  
Philadelphia, PA, Health  
Administration, May 1987.

**Wisconsin****Dentistry**

Blank, William C., Milwaukee, WI, \$8,741.67,  
Marquette University, Milwaukee, WI,  
Dentistry, May 1981.

Dated: January 18, 1994.

**William A. Robinson,****Acting Administrator.**

[FR Doc. 94-1597 Filed 1-25-94; 8:45 am]

BILLING CODE 4160-15-P

**National Institutes of Health****National Institute of Mental Health;  
Notice of Meeting**

Pursuant to Public Law 92-463,  
notice is hereby given of the meeting of  
a review committee of the National  
Institute of Mental Health for February  
1994.

The meeting will be open to the  
public as indicated below for the  
discussion of NIMH policy issues and  
will include current administrative,  
legislative, and program developments.  
Attendance by the public will be limited  
to space available.

The meeting will be closed to the  
public as indicated below in accordance  
with the provisions set forth in sections  
552b(c)(4) and 552(c)(6), title 5, U.S.C.  
and section 10(d) of Public Law 92-463,  
for the review, discussion and  
evaluation of individual grant  
applications. These applications and the  
discussions could reveal confidential  
trade secrets or commercial property  
such as patentable material, and  
personal information concerning  
individuals associated with the  
applications, the disclosure of which  
would constitute a clearly unwarranted  
invasion of personal privacy.

Ms. Joanna L. Kieffer, Committee  
Management Officer, National Institute  
of Mental Health, Parklawn Building,  
room 9-105, 5600 Fishers Lane,  
Rockville, MD 20857, Area Code 301,  
443-4333, will provide a summary of  
the meeting and a roster of committee  
members.

Other information pertaining to the  
meeting may be obtained from the  
contact person indicated.

**Committee Name:** Clinical Subcommittee,  
Mental Health Special Projects Review  
Committee.

**Contact:** Phyllis L. Zusman, Parklawn  
Building, room 9C-18, Telephone: 301, 443-  
1340.

**Meeting Date:** February 4, 1994.

**Place:** Crowne Plaza Holiday Inn, 1750  
Rockville Pike, Rockville, MD 20852.

**Open:** February 4, 1994, 8:30 a.m.-9 a.m.

**Closed:** February 4, 1994, 9 a.m.—  
adjournment.

Individuals who plan to attend and need  
special assistance, such as sign language  
interpretation or other reasonable  
accommodations, should contact the contact  
person named above in advance of the  
meeting.

(Catalog of Federal Domestic Assistance  
Program Numbers 93.126, Small Business  
Innovation Research; 93.176, ADAMHA  
Small Instrumentation Program Grants;  
93.242, Mental Health Research Grants;  
93.281, Mental Research Scientist  
Development Award and Research Scientist  
Development Award for Clinicians; 93.282,  
Mental Health Research Service Awards for  
Research Training; and 93.921, ADAMHA  
Science Education Partnership Award.)

Dated: January 13, 1994.

**Susan K. Feldman,**

**Committee Management Officer, NIH.**

[FR Doc. 94-1745 Filed 1-25-94; 8:45 am]

BILLING CODE 4140-01-M

**National Institute of Nursing Research;  
Meeting**

Pursuant to Public Law 92-463,  
notice is hereby given of the meetings of  
the National Advisory Council for  
Nursing Research, National Institute of  
Nursing Research; and its  
Subcommittees, February 7-9, 1994,  
National Institutes of Health, Bethesda,  
Maryland.

Meetings of the full Council and its  
Subcommittees will be held at times  
and places listed below. Attendance by  
the public will be limited to space  
available.

The full Council will meet in open  
session February 8, Building 31C,  
Conference Room 6, from 9 a.m. to 5  
p.m., and on February 9, from  
approximately 11 a.m. to adjournment.  
Agenda items will include: the NINR  
Director's Report, Inclusion of Women &  
Minorities as Subjects in Clinical  
Biomedical Research, Physiological  
Mechanisms Contributing to Illness  
Induced Anorexia, Strategies for NINR  
Success Rate Issues, Research,  
Infrastructure Biological Interface  
Issues, Pre- and Post-Review Policy  
Issues Relevant to Grant Review, Report  
on Peer Review, NACNR Subcommittee  
Issues, Preliminary Report on 1994  
Nursing Research Task Force.

The Planning Subcommittee will meet  
in open session February 7, Building  
31C, Conference Room 6, from 11:30  
a.m. to 1 p.m., to discuss long-term and  
strategic planning and policy issues.

The Biennial Report Subcommittee  
will meet in open session February 7,

Building 31, NINR Conference Room  
(5B-03), from 1:30 p.m. to 2:30 p.m., to  
discuss the activities and program  
policies of the Institute.

The National Nursing Research  
Agenda Subcommittee will meet in  
open session February 7, Building 31C,  
Conference Room 6, from 3 p.m. to 5  
p.m., to discuss issues related to the  
National Nursing Research Agenda.

The Nursing Resources and Health  
Policy Subcommittee will meet in open  
session February 8, Building 31, NINR  
Conference Room (5B-03), from 5 p.m.  
to 6 p.m., to discuss nursing resources  
and health policy as they relate to  
nursing science and the achievement of  
quality and effective outcomes in  
patient care.

In accordance with the provisions set  
forth in sections 552b(c)(4) and  
552b(c)(6), title 5, U.S. Code and section  
10(d) of Public Law 92-463, the meeting  
of the Research Subcommittee, February  
7, from 1 p.m. to 3 p.m., will be closed  
to the public, and the meeting of the full  
Council will be closed on February 9,  
from 9 a.m. to approximately 11 a.m.,  
for the review, discussion, and  
evaluation of individual grant  
applications. The applications and the  
discussions could reveal confidential  
trade secrets or commercial property  
such as patentable material, and  
personal information concerning  
individuals associated with the  
applications, the disclosure of which  
would constitute a clearly unwarranted  
invasion of personal privacy.

Individuals who plan to attend and  
need special assistance, such as sign  
language interpretation or other  
reasonable accommodations, should  
contact Dr. Ernest Marquez, 301-594-  
7865, in advance of the meeting.

Dr. Ernest Marquez, Executive  
Secretary, National Advisory Council  
for Nursing Research, National Institutes  
of Health, Westwood Building, room  
740, Bethesda, Maryland 20892, 301-  
594-7865, will provide a summary of  
the meeting, roster of committee  
members, and substantive program  
information upon request.

This notice is being published less  
than 15 days prior to the meetings due  
to difficulty in finalizing some  
administrative issues.

(Catalog of Federal Domestic Assistance  
Program No. 93.361, Nursing Research,  
National Institutes of Health.)

Dated: January 24, 1994.

**Susan K. Feldman,**

**Committee Management Officer, NIH.**

[FR Doc. 94-1744 Filed 1-25-94; 8:45 am]

BILLING CODE 4140-01-M

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****Office of the Assistant Secretary for Community Planning and Development**

[Docket No. N-94-3644; FR-3451-N-02]

**Opportunities for Youth: Notice of Funds Availability for the Development and Implementation of Youthbuild Programs****AGENCY:** Office of Assistant Secretary for Community Planning and Development, HUD.**ACTION:** Notice; extension of the deadline; use of emergency funds.

**SUMMARY:** Because of weather and delivery problems, this Notice announces an extension of the deadline for applications for the Notice of Funds Availability (NOFA) for Opportunities for Youth: Youthbuild Programs which was published on September 23, 1993, at 58 FR 49849. This notice also announces that because of the recent earthquake in the Los Angeles area, the Department is using its authority under the Youthbuild Program to provide emergency funds through the Youthbuild Program to Los Angeles city and county.

**DATES:** January 31, 1994.

**ADDRESSES:** Applications which were not submitted previously because of weather and delivery problems will now be accepted up to 4:30 p.m. EST, on January 31, 1994, in the Processing and Control Unit, room 7255, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:** Roy O. Priest, Director, Office of Economic Development, CPD, Department of Housing and Urban Development, room 7136, 451 Seventh Street, SW., Washington, DC 20410. Telephone: (202) 708-2290. Hearing-impaired or speech impaired individuals may call HUD's TDD number (202)708-2565. (These numbers are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** I. This Notice announces an extension of the deadline for applications for the NOFA for the Opportunities for Youth: Youthbuild Program which was published on September 23, 1993, at 58 FR 49849, until January 31, 1994. The Department has decided to extend the deadline for all applicants that completed the preparation of an application by the original application

deadline of January 7, 1994, but were unable to meet the submission deadline for all or part of the application because of weather and other delivery problems. The new deadline is to accommodate applicants who encountered such problems and is not intended to generate new applications. Applications received by HUD between the original deadline date of January 7, 1994 and the date of publication of this notice will also be accepted for processing. In addition, all applicants may revise parts of their applications if they wish and submit the revised parts or the revised application by the new date of January 31, 1994.

The Department will announce a new NOFA later this year for the next Youthbuild funding competition. Those parties interested in developing a new application will have the opportunity to apply for funding consideration during the next funding round.

II. The Youthbuild Program, as established by the NOFA published on September 23, 1993, at 58 FR 49849, and the proposed rule also published on September 23, 1993, at 58 FR 49830, provides for the Department to reserve up to five percent of the program funds for emergencies. The Department has decided that the recent earthquake in the Los Angeles area is such an emergency and that the Department will act promptly on applications received from Los Angeles city and county and award up to \$1.9 million for implementation grants to applicants from Los Angeles. The Department intends to review the implementation and combined applications received from Los Angeles city and county by the deadline on an immediate basis. If applications meet the thresholds set forth in the September 23, 1993 NOFA and score at least at the minimum level (60 points with at least 15 points in capability and 30 points in feasibility and quality), they are eligible for immediate award. If there are more eligible applications from Los Angeles city and county than can be funded under the \$1.9 million, applications rating the highest will be funded. Any other applications not funded under this emergency fund will be considered in the regular Youthbuild implementation funding competition.

Dated: January 19, 1994.

**Andrew Cuomo,***Assistant Secretary for Community Planning and Development.*

[FR Doc. 94-1565 Filed 1-25-94; 8:45 am]

**BILLING CODE 4210-29-P****DEPARTMENT OF THE INTERIOR****Bureau of Land Management**

[NV-930-04-4210-04; N-57917]

**Realty Action; Exchange of Public Lands in Clark County, NV****AGENCY:** Bureau of Land Management, Interior.**ACTION:** Cancellation of NORA.

**SUMMARY:** The Notice of Realty Action (NORA) published in the *Federal Register* on October 21, 1993 (58 FR 54371; FR Doc. 93-25901), is hereby cancelled in full. The selected lands are not within an area designated for disposal. Therefore, the lands are not available for exchange at this time.

Dated: January 11, 1994.

**Gary Ryan,***District Manager, Las Vegas, NV.*

[FR Doc. 94-1567 Filed 1-25-94; 8:45 am]

**BILLING CODE 4310-HC-M**

[NV-930-4210-06; N-57922]

**Second Public Meeting/Hearing on Air Force Proposed Withdrawal Adjacent to Nellis Range Complex, Nevada**

HJanuary 20, 1994.

**AGENCY:** Bureau of Land Management, Interior.**ACTION:** Notice.

**SUMMARY:** This notice sets forth the schedule for a second public meeting/hearing to be held on the Air Force's proposed withdrawal application. This meeting will provide another opportunity for public involvement in the Air Force's proposed withdrawal the purpose of which is to ensure the public safety and the safe and secure operation of activities in the Nellis Range Complex.

**FOR FURTHER INFORMATION CONTACT:** Curtis Tucker, Area Manager, BLM Caliente, Caliente, Nevada 702-726-8100.

**SUPPLEMENTARY INFORMATION:** The Notice of Proposed Withdrawal for the Air Force proposed withdrawal was published in the *Federal Register* on October 18, 1993, and a correction notice was published on November 5, 1993. The same notice was also published in the *Las Vegas Review Journal*.

A second public meeting/hearing to gather information as to the proposed withdrawal will be held as follows:

Meeting address	Date	Time
Cashman Field Center, Rooms 203-204, 850 North Las Vegas Blvd., Las Vegas .....	March 2, 1994 ..	5-8 p.m. PST.

This meeting will be open to all interested persons, including those who desire to be heard in person and those who desire to submit written statements on the proposed withdrawal. Oral statements will be limited to 3 minutes. Written comments can be submitted at the meeting.

Robert G. Steele,

Deputy State Director, Operations.

[FR Doc. 94-1685 Filed 1-24-94; 9:14 am]

BILLING CODE 4310-HC-M

### Fish and Wildlife Service

#### Privacy Act of 1974—Deletion of System of Records

Pursuant to the provisions of the Privacy Act of 1974, as amended (5 U.S.C. 552a), notice is hereby given that the Department of the Interior is deleting from its inventory of Privacy Act systems of records a notice describing records maintained by the U.S. Fish and Wildlife Service. The systems of records notice being abolished is entitled "Travel Records—Interior, FW-2," which was previously published in the *Federal Register* on December 6, 1983 (48 FR 54715). This system of records is no longer being maintained in the Department of the Interior.

Prior to October 14, 1992, the U.S. Fish and Wildlife Service maintained a separate record of official employee travel for the purpose of processing travel authorizations and claims. With the establishment of the Departmentwide system of records "Federal Financial System—Interior, OS-90" (57 FR 47118), this system became obsolete. On December 14, 1992, the records maintained in this system were incorporated into the Federal Financial System.

This change shall be effective on publication in the *Federal Register* (January 26, 1994). Additional information regarding this action may be obtained from the Departmental Privacy Act Officer, Office of the Secretary, Office of Administrative Services, 1849 "C" Street NW., Mail Stop 5412 MIB, Washington, DC 20240, telephone (202) 208-6045.

Dated: January 18, 1994.

Albert C. Camacho,

Director, Office of Administrative Services.

[FR Doc. 94-1638 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-55

### Geological Survey

#### Application Notice Establishing the Closing Date for Transmittal of Applications Under the National Earthquake Hazards Reduction Program (NEHRP) for Fiscal Year (FY) 1995

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice.

**SUMMARY:** Applications are invited for research projects under the NEHRP.

Authority for this program is contained in the Earthquake Hazards Reduction Act of 1977, Public Law 95-124 (42 U.S.C. 7701, *et seq.*).

The purpose of this program is to support research in earthquake hazards prediction to provide earth-science data and information essential to mitigate earthquake damage.

Applications may be submitted by educational institutions, private firms, private foundations, individuals, and agencies of State and local governments.

The NEHRP supports research related to the following general areas of interest: I. Understanding the earthquake source: Determine the physical properties and mechanical behavior of active crustal fault zones and their surroundings; and develop quantitative models of the physics of earthquake processes. II. Evaluating earthquake potential: Determine the geological and geophysical setting and characteristics of seismically active regions; determine the occurrence, distribution and source properties of earthquakes, and relate seismicity to geologic structures and tectonic processes; determine the nature and rates of crustal deformation; characterize the earthquake potential of the United States on a regional and national basis; identify active faults, define their geometry, and determine the characteristics and dates of past earthquakes; conduct research to facilitate long-term probabilistic forecasts of the likelihood of large earthquakes on active fault; conduct intensified monitoring experiments in selected regions of high seismic potential; and develop and evaluate short- and intermediate-term earthquake prediction methods. III. Predicting the effects of earthquakes: Acquire data needed for the prediction of ground shaking, ground failure, and response of engineered structures; predict strong ground shaking at local, regional and

national scales; predict ground failure at local and regional scales; and evaluate earthquake risk and losses. IV. Applying and utilizing research results: Application of research results; transference of hazards and risk information and assessment methods to users.

**ADDRESSES:** The program announcement is expected to be available on or about February 14, 1994. You may obtain a copy of Announcement 8064 by writing to Mary Burkett, U.S. Geological Survey, Office of Procurement and Contracts—Mail Stop 205C, 12201 Sunrise Valley Drive, Reston, Virginia 22092. Organizations that applied for an FY 1994 award, and organizations that requested to be retained on the mailing list since the last announcement will be mailed a copy of Announcement 8064.

**DATES:** Applications must be received on or about April 14, 1994.

**FOR FURTHER INFORMATION CONTACT:** John Sims, Office of Earthquakes, Volcanoes, and Engineering—U.S. Geological Survey, Mail Stop 905, 12201 Sunrise Valley Drive, Reston, Virginia 22092. (703) 648-6722.

Dated: January 7, 1994.

Jack J. Stassi,

Assistant Director for Administration.

[FR Doc. 94-1590 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-31-M

### Minerals Management Service

#### Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related form and explanatory material may be obtained by contacting Jeane Kalas at (303) 231-3046. Comments and suggestions on the requirement should be made directly to the Bureau Clearance Officer at the telephone number listed below, and to the OMB Paperwork Reduction Project, Washington, DC 20503, telephone (202) 395-7340.

**Title:** Proposed Form MMS-4393—Request to Exceed Regulatory Allowance Limitation.

**Abstract:** The Minerals Management Service (MMS) Royalty Management Program is proposing a new form to be used by royalty payors on Federal or Indian mineral leases when requesting MMS approval to exceed established transportation or processing allowance limits. The form will be included with the payor's request to exceed allowance limits in order to ensure that MMS receives the lease data required to make a decision on the request.

**Bureau Form Number:** MMS-4393.

**Frequency:** Annually.

**Description of Respondents:** Oil and gas companies.

**Estimated Completion Time:** Average of one-half hour.

**Annual Responses:** 50.

**Annual Burden Hours:** 25.

**Bureau Clearance Officer:** Arthur Quintana (703) 787-1101.

Dated: December 13, 1993.

**James W. Shaw,**

*Associate Director for Royalty Management.*

[FR Doc. 94-1635 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-MR-M

**Outer Continental Shelf (OCS), Advisory Board Scientific Committee (SC); Notice of Plenary Session Meeting**

This Notice is issued in accordance with the provisions of the Federal Advisory Committee Act, Public Law 92-463, 5 U.S.C., Appendix I, and the Office of Management and Budget Circular A-63, Revised.

The OCS Advisory Board SC will meet in plenary sessions on Wednesday, February 2, and Thursday, February 3, 1994, at the Hyatt Regency Reston, 1800 Presidents Street, Reston, Virginia 22090, telephone (703) 709-1234.

The SC is an outside group of scientists which advises the Director, MMS, on the feasibility, appropriateness, and scientific value of the MMS' OCS Environmental Studies Program.

Below is a schedule of meetings that will occur.

The SC will meet in plenary session on Wednesday, February 2, from 8:30 a.m. to noon, and in subcommittee from 1:30 p.m. to 5:30 p.m.

The Committee will also meet in plenary session Thursday, February 3, from 8:15 a.m. to 5 p.m. Discussion will include the following subjects:

- Committee Business and Resolutions
- Environmental Studies Program Status Review

**• MMS Goals and Objectives**

The meetings are open to the public. Approximately 30 visitors can be accommodated on a first-come-first-served basis at the plenary session.

A copy of the agenda may be requested from the MMS by writing Ms. Phyllis Treichel at the address below.

Other inquiries concerning the SC meeting should be addressed to Dr. Ken Turgeon, Executive Secretary to the Scientific Committee, Minerals Management Service, 381 Elden Street, Mail Stop 4310, Herndon, Virginia 22070. He may be reached by telephone at (703) 787-1717.

Dated: January 6, 1994.

**Alan D. Powers,**

*Associate Director for Offshore Minerals Management.*

[FR Doc. 94-1568 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-MR-M

**National Park Service**

**National Register of Historic Places; Notification of Pending Nominations**

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before January 15, 1994. Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013-7127. Written comments should be submitted by February 10, 1994.

**Carol D. Shull,**

*Chief of Registration, National Register.*

**ARIZONA**

**Yavapai County**

*Santa Fe, Prescott & Phoenix Railway, Limestone Canyon District, Address Restricted, Chino Valley vicinity, 94000031*

**CALIFORNIA**

**Santa Clara County**

*US Naval Air Station Sunnyvale, California, Historic District, Naval Air Station Moffett Field, Sunnydale, 9400045*

**COLORADO**

**Jefferson County**

*Barber, Oscar, House, 714 Cheyenne St., Golden, 94000039*

**Montrose County**

*Montrose County Courthouse, 320 S. 1st St., Montrose, 94000040*

**MASSACHUSETTS**

**Norfolk County**

*Mount Wollaston Cemetery, 20 Sea St., Quincy, 94000035*

*Smith, A. C., & Co. Gas Station (Quincy MRA), 117 Beale St., Quincy, 94000036*

**NEW YORK**

**Lewis County**

*Bateman Hotel, 7574 S. State St., Lowville, 94000046*

**Ontario County**

*Cleveland, Ephraim, House, 210 N. Main St., Naples, 94000047*

**Saratoga County**

*Broadway Historic District (Boundary Increase II), Roughly bounded by Woodlawn, Greenfield, Clement, Carriage House, Latrobe, Clinton, State and First, Saratoga Springs, 94000049*

**Sullivan County**

*Callicoon National Bank, (Upper Delaware Valley, New York and Pennsylvania, MPS), 133 Main St., Callicoon, 94000048*

**NORTH CAROLINA**

**Cumberland County**

*Long Valley Farm, Address Restricted, Spring Lake vicinity, 94000032*

**Transylvania County**

*Lake Toxaway Methodist Church, Cold Mountain Rd. N side, 0.1 mi. NW of jct. with NC 281, Lake Toxaway, 94000033*  
*McMinn Building (Transylvania MPS), 2-6 W. Main St., Brevard, 94000034*

**SOUTH CAROLINA**

**Beaufort County**

*Stoney-Baynard Plantation, Jct. of Baynard Park Rd. and Plantation Dr., Hilton Head Island vicinity, 94000038*

**Chester County**

*Cornwell Inn, Jct. of US 321 and SC 205, Blackstock vicinity, 94000044*

**TEXAS**

**Bee County**

*NAS Chase Field—Building 1001 (NAS Chase Field MPS), Independence St., 0.45 mi. S of jct. with TX 202, Beeville, 94000050*

*NAS Chase Field—Building 1009 (NAS Chase Field MPS), Essex St. 0.68 mi. SSE of the jct. of TX 202 and Independence St., Beeville, 94000051*

*NAS Chase Field—Building 1015 (NAS Chase Field MPS), Byrd St. 0.82 mi. SSE of jct. of TX 202 and Independence St., Beeville, 94000052*

*NAS Chase Field—Building 1040 (NAS Chase Field MPS), Enterprise St. 0.37 mi. SSE of the jct. of TX 202 and Independence St., Beeville, 94000053*

*NAS Chase Field—Building 1042 (NAS Chase Field MPS), Ofstie Rd. 0.6 mi. SSE of the jct. of TX 202 and Independence St., Beeville, 94000054*

*NAS Chase Field—Quarters R (NAS Chase Field MPS), Essex St. 0.43 mi. SSW of the jct. of TX 202 and Independence St., Beeville, 94000055*

*NAS Chase Field—Quarters S (NAS Chase Field MPS), Essex St. 0.45 mi. SSW of the*

ct, of TX 202 and Independence St.,  
Beeville, 94000056

**UTAH****Sevier County**

Peterson—Burr House, 190 W. Main, Saline,  
94000037

**WYOMING****Natrona County**

Casper Motor Company—Natrona Motor  
Company, 230 W. Yellowstone Hwy.,  
Casper, 94000042

North Casper Clubhouse, 1002 E. L St.,  
Casper, 94000043

Tribune Building, 216 E. 2nd St., Casper,  
94000041

[FR Doc. 94-1585 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-70-M

**Office of the Assistant Secretary for  
Water and Science**

**Central Utah Project Completion Act;  
Scoping on the Daniel Replacement/  
Wasatch County Water Efficiency  
Project EIS**

**AGENCY:** Central Utah Water  
Conservancy District, Interior.

**ACTION:** Notice of scoping meetings to  
invite public input for use in preparing  
the Daniel Replacement/Wasatch  
County Water Efficiency Project EIS.

**SUMMARY:** Public Law 102-575 Section  
202(a)(3) and 303(b)(3)(a) directs the  
Central Utah Water Conservancy District  
(CUWCD) to conduct, within two years  
from the date of enactment of this Act,  
a feasibility study with public  
involvement, of efficiency  
improvements in the management,  
delivery and treatment of water in  
Wasatch County; and to construct a  
Daniel Replacement pipeline from the  
Jordanelle Reservoir to the existing  
Daniel Irrigation Company water  
regulating facilities for the purpose of  
providing a permanent replacement of  
water in an amount equal to the water  
being diverted from the Strawberry  
watershed (Colorado River Basin) to the  
Daniels Creek irrigation area. This  
replacement would allow the water  
currently being diverted from streams  
tributary to Strawberry Reservoir to flow  
unrestricted into the reservoir, resulting  
in improvement to the fishery resources.  
This improvement is a segment of the  
aquatic mitigation plan for the  
Bonneville Unit of the Central Utah  
Project.

CUWCD will serve as the joint lead  
agency with the Secretary of the Interior  
for preparation of the Daniel  
Replacement/Wasatch County Water  
Efficiency Project EIS pursuant to  
Section 102(2)(c) of the NEPA of 1969

as amended and the Central Utah  
Project Completion Act.

A Federal Register notice 57 FR 62576  
issued on December 31, 1992,  
announced the CUWCD's intent to  
prepare an EIS. The purpose of this  
notice is to invite the public's  
participation in the EIS scoping process.  
The purpose of scoping is to solicit  
public input on the scope and content  
of the Daniel Replacement/Wasatch  
County Water Efficiency Project EIS.

The EIS for the Daniel Replacement/  
Wasatch County Water Efficiency  
Project will be prepared in two sections.  
One section will evaluate the  
environmental impact of the Daniel  
Replacement Project and alternatives for  
providing greater water efficiency and  
certain environmental improvements in  
Wasatch County, Utah. Preliminary  
alternatives to be included in this  
section of the EIS are: Daniel  
Replacement Project using only a  
pipeline to transport the water; Daniel  
Replacement Project using a  
combination of pipeline and enlarging  
existing canals; Daniel Replacement  
Project in combination with efficiency  
projects (i.e. conversion of flood  
irrigation to sprinkler irrigation) using  
only pipelines to convey the water;  
Daniel Replacement Project in  
combination with efficiency projects  
(i.e. conversion of flood irrigation to  
sprinkler irrigation) with maximum use  
of existing canals to transport the water;  
and Daniel Replacement Project in  
combination with efficiency projects  
(i.e. conversion of flood irrigation to  
sprinkler irrigation) and use of River  
Ditch, Wasatch Canal and enlarged  
Timpanogos Canal to transport the  
water. The EIS will also evaluate the  
impact of the No-Action alternative.

Type of potential issues include  
impacts to wetlands and downstream  
water users associated with the  
conversion from flood to sprinkler  
irrigation; impacts associated with flow  
reduction in upper Daniels Creek;  
impacts on threatened and endangered  
species; and, the impact of restoring the  
natural flow to several streams in the  
upper Strawberry River basin.

The second section of the EIS will  
cover the Provo River Restoration Prjct  
(PRRP). The principal objective of the  
PRRP is to return the Provo River  
between Jordanelle Dam and Deer Creek  
Reservoir to a naturally functional state,  
wherein long-term dynamic equilibrium  
and stability would be self-sustaining.  
Three alternatives for the PRRP will be  
analyzed in the EIS. They are: no action,  
which would consist of making only  
those improvements (i.e. fisherman  
access to the river and installation of in-  
channel fish habitat enhancement

structures) covered by the 1987 Final  
Supplement to the Municipal &  
Industrial System Bonneville Unit EIS;  
existing channel enhancement, which  
would consist of transforming the  
channel into a step-pool system to the  
extent possible within the existing flood  
easements; and maximum practical  
restoration which would involve  
reconstructing essentially the entire  
river channel as a meandering riffle-  
pool system which may extend well  
beyond the present diked and flood  
easement area.

Type of potential issues include  
impacts to wetlands and riparian  
vegetation; and impact of increased  
recreational use along the Provo River  
corridor on ranching operations.

**DATES:** The scoping meetings which will  
begin at 7 p.m. will be held: March 1,  
1994 at the Utah Department of Natural  
Resources auditorium, 1636 West North  
Temple, Salt Lake City, Utah; and  
March 2, 1994 at the Wasatch County  
High School, 64 East 600 South, Heber,  
Utah. The CUWCD seeks participation  
in the scoping process from interested  
members of the public, including  
potentially affected landowners, public  
officials, agency representatives, special  
interest groups and interested  
individuals. CUWCD will make every  
effort to make these meetings accessible  
to disabled attendees. Please contact  
CUWCD at 801-226-7171 with any  
special needs or requests at least three  
days prior to the meeting. For those who  
are unable to attend the meetings,  
written input on the issues or  
alternatives which should be included  
in the EIS should be received no later  
than April 4, 1994.

**FOR FURTHER INFORMATION CONTACT:** An  
information package on the project is  
available upon request from the  
CUWCD. All such requests and written  
input should be addressed to: Kirt  
Carpenter, Project Manager, Daniels  
Replacement/Wasatch County Water  
Efficiency Project, 355 West 1300 South,  
Orem, Utah 84058-7303, 801/226-7171  
or 801/226-7150 (fax).

**Ron Johnston,**

*CUPCA Program Director, Department of the  
Interior.*

[FR Doc. 94-1581 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-RK-M

**INTERNATIONAL TRADE  
COMMISSION**

[Investigation No. 22-55]

**Peanut Butter and Peanut Paste**

**AGENCY:** U.S. International Trade  
Commission.

**ACTION:** Institution of investigation and scheduling of a public hearing.

**SUMMARY:** Following receipt of a request from the President for an investigation under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624), the Commission hereby gives notice of the institution of investigation No. 22-55 under section 22(a) of the act for the purpose of determining whether peanut butter and peanut paste, provided for in Harmonized Tariff Schedule of the United States (HTS) subheading 2008.11.00, are being or are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with, the price support and production adjustment program conducted by the Department of Agriculture for peanuts. The Commission anticipates submitting its report to the President by June 30, 1994.

**EFFECTIVE DATE:** January 18, 1994.

**FOR FURTHER INFORMATION CONTACT:** Robert Eninger (202-205-3194), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**SUPPLEMENTARY INFORMATION:** For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201, subparts A through E), and part 204 (19 CFR part 204).

**Participation in the investigation.**—Persons wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, not later than twenty-one (21) days after publication of this notice in the *Federal Register*. Any entry of appearance filed after this date will be referred to the Chairman, who will determine whether to accept the late entry for good cause shown by the person desiring to file the entry.

**Service List.**—Pursuant to § 201.11(d) of the Commission's rules, the Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation upon expiration of the period for filing entries of appearance.

In accordance with section 201.16(c) of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the service list), and a certificate of service must accompany the document. The Secretary will not accept a document for filing without a certificate of service.

**Hearing.**—The Commission will hold a hearing in connection with this investigation beginning at 9:30 a.m. on April 28, 1994, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before April 21, 1994. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on April 25, 1994, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by §§ 201.6(b)(2) and 201.13(f) of the Commission's rules. Parties are strongly encouraged to submit as early in the investigation as possible any requests to present a portion of their hearing testimony *in camera*.

Testimony at the public hearing should be limited to a nonconfidential summary and analysis of material contained in the prehearing briefs and to information not available at the time the prehearing brief was submitted. All legal arguments, economic analyses, and factual materials relevant to the public hearing should be included in prehearing briefs. The deadline for filing prehearing briefs is the close of business on April 21, 1994. Posthearing briefs must be submitted not later than the close of business on May 5, 1994. In addition, the presiding official may permit persons to file answers to requests made by the Commission at the hearing within a specified time. The Secretary will not accept for filing posthearing briefs or answers which do not comply with the provisions contained in this notice.

**Written submissions.**—Each party is encouraged to submit prehearing and posthearing briefs to the Commission by the dates shown above. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before May 5, 1994. A signed original and fourteen (14) copies of each submission must be filed with the

Secretary in accordance with the provisions of § 201.8 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's rules.

All written submissions except for confidential business information will be available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary.

Any information for which confidential business treatment is desired must be submitted separately. The envelopes and all pages of such submissions must be clearly labeled "Confidential Business Information." Confidential submissions and requests for confidential treatment must conform with the requirements of § 201.6 of the Commission's rules.

This notice is published pursuant to § 204.4 of the Commission's rules.

By order of the Commission.

Issued: January 19, 1994.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 94-1595 Filed 1-25-94; 8:45 am]  
BILLING CODE 7020-20-P

[Investigation No. 731-TA-651 (Final)]

### Silicon Carbide From the People's Republic of China; Investigation

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution and scheduling of a final antidumping investigation.

**SUMMARY:** The Commission hereby gives notice of the institution of final antidumping investigation No. 731-TA-651 (Final) under section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from the People's Republic of China of silicon carbide,<sup>1</sup> provided for

<sup>1</sup> As defined by the Department of Commerce, the product covered by this investigation is silicon carbide, regardless of grade or form, containing by weight from 20 to 98 percent, inclusive, silicon carbide and with a grain size coarser than size 325F (as set by the American National Standards Institute), and inclusive of split sizes. Silicon carbide covered by this investigation typically contains additional impurities: iron, aluminum, silica, silicon, and carbon as well as calcium and magnesium.

For further information concerning the conduct of this investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**EFFECTIVE DATE:** December 8, 1993.

**FOR FURTHER INFORMATION CONTACT:** Woodley Timberlake (202-205-3188), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**SUPPLEMENTARY INFORMATION:**

*Background*

This investigation is being instituted as a result of an affirmative preliminary determination by the Department of Commerce that imports of silicon carbide from the People's Republic of China are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigation was requested in a petition filed on June 21, 1993, by counsel for the Ad Hoc Silicon Carbide Coalition.<sup>2</sup>

*Participation in the Investigation and Public Service List*

Persons wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's rules, not later than twenty-one (21) days after publication of this notice in the *Federal Register*. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

*Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List*

Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this final investigation available to authorized applicants under the APO issued in the investigation, provided that the

application is made not later than twenty-one (21) days after the publication of this notice in the *Federal Register*. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

*Staff Report*

The prehearing staff report in this investigation will be placed in the nonpublic record on April 12, 1994, and a public version will be issued thereafter, pursuant to § 207.21 of the Commission's rules.

*Hearing*

The Commission will hold a hearing in connection with this investigation beginning at 9:30 a.m. on April 27, 1994, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before April 18, 1994. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on April 20, 1994, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by §§ 201.6(b)(2), 201.13(f), and 207.23(b) of the Commission's rules. Parties are strongly encouraged to submit as early in the investigation as possible any requests to present a portion of their hearing testimony *in camera*.

*Written Submissions*

Each party is encouraged to submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.22 of the Commission's rules; the deadline for filing is April 20, 1994. Parties may also file written testimony in connection with their presentation at the hearing, as provided in § 207.23(b) of the Commission's rules, and posthearing briefs, which must conform with the provisions of § 207.24 of the Commission's rules. The deadline for filing posthearing briefs is May 5, 1994; witness testimony must be filed no later than three (3) days before the hearing. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before May 4, 1994. All written submissions must conform with the provisions of § 201.8 of the

Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules.

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This investigation is being conducted under authority of the Tariff Act of 1930, title VII. This notice is published pursuant to § 207.20 of the Commission's rules.

By order of the Commission.

Issued: January 19, 1994.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 94-1593 Filed 1-25-94; 8:45 am]

BILLING CODE 7020-20-P

[Investigation No. 22-54]

**Wheat, Wheat Flour, and Semolina**

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of investigation and scheduling of a public hearing.

**SUMMARY:** Following receipt of a request from the President for an investigation under section 22 of the Agricultural Adjustment Act (7 U.S.C. 624), the Commission hereby gives notice of the institution of investigation No. 22-54 under section 22(d) of the act for the purpose of determining whether wheat classified under Harmonized Tariff Schedule of the United States (HTS) heading 1001, wheat flour classified under HTS subheading 1101.00.00, and semolina classified under HTS subheading 1103.11.00 are being or are practically certain to be imported into the United States under such conditions or in such quantities as to render or tend to render ineffective, or materially interfere with, the price support, payment and production adjustment program conducted by the Department of Agriculture for wheat, and to report its findings and recommendations at the earliest practicable date. The Commission anticipates submitting its report to the President by July 18, 1994.

**EFFECTIVE DATE:** January 18, 1994.

**FOR FURTHER INFORMATION CONTACT:** Brian Walters (202-205-3198), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain

<sup>2</sup> The coalition members include Exolon-ESK Co., Tonawanda, NY; General Abrasives Treibacher, Inc., Niagara Falls, NY; and Saint-Gobain/Norton Industrial Ceramics Corp., Worcester, MA.

information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

**SUPPLEMENTARY INFORMATION:** For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 204 (19 CFR part 204).

**Participation in the investigation.**—Persons wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided § 201.11 of the Commission's rules, not later than twenty-one (21) days after publication of this notice in the *Federal Register*. Any entry of appearance filed after this date will be referred to the Chairman, who will determine whether to accept the late entry for good cause shown by the person desiring to file the entry.

**Service List.**—Pursuant to § 201.11(d) of the Commission's rules (19 CFR part 201.11(d)), the Secretary will prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation upon expiration of the period for filing entries of appearance. In accordance with § 201.16(c) of the Commission's rules (19 CFR part 201.16(c)), each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by the service list), and a certificate of service must accompany the document. The Secretary will not accept a document for filing without a certificate of service.

**Hearing.**—The Commission will hold a hearing in connection with this investigation beginning at 9:30 a.m. on May 12, 1994, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before May 5, 1994. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on May 9, 1994, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by § 201.6(b)(2), and 201.13(f) of the Commission's rules. Parties are strongly

encouraged to submit as early in the investigation as possible any requests to present a portion of their hearing testimony *in camera*.

Testimony at the public hearing should be limited to a nonconfidential summary and analysis of material contained in the prehearing briefs and to information not available at the time the prehearing brief was submitted. All legal arguments, economic analyses, and factual materials relevant to the public hearing should be included in prehearing briefs. The deadline for filing prehearing briefs is the close of business on May 5, 1994. Posthearing briefs must be submitted not later than the close of business on May 19, 1994. In addition, the presiding official may permit persons to file answers to requests made by the Commission at the hearing within a specified time. The Secretary will not accept for filing posthearing briefs or answers which do not comply with the provisions contained in this notice.

**Written submissions.**—Each party is encouraged to submit prehearing and posthearing briefs to the Commission by the dates shown above. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before May 19, 1994. A signed original and fourteen (14) copies of each submission must be filed with the Secretary in accordance with the provisions of § 201.8 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain confidential business information must also conform with the requirements of section 201.6 of the Commission's rules.

All written submissions except for confidential business information will be available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary.

Any information for which confidential business treatment is desired must be submitted separately. The envelope and all pages of such submission must be clearly labeled "Confidential Business Information." Confidential submission and requests for confidential treatment must conform with the requirements of § 201.6 of the Commission's rules (19 CFR 201.6).

This notice is published pursuant to § 204.4 of the Commission's rules (19 CFR 204.4).

By order of the Commission.

Issued: January 19, 1994.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 94-1594 Filed 1-25-94; 8:45 am]

BILLING CODE 7020-20-P

## DEPARTMENT OF JUSTICE

### Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States v. Lord Corporation*, Civil Action No. 94-4E, was lodged on January 3, 1994 with the United States District Court for the Western District of Pennsylvania. The Consent Decree requires the Lord Corporation to design and implement a groundwater treatment system for the Saegertown Industrial Area Site in Saegertown, Crawford County, Pennsylvania. The Consent Decree also requires Lord Corporation to pay a portion of the United States past and future costs associated with the Site.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. Lord Corporation*, DOJ Ref. #90-11-2-870A.

The proposed consent decree may be examined at the office of the United States Attorney, 633 Post Office & Courthouse, 7th & Grant Streets, Pittsburgh, PA 15219; the Region III Office of the Environmental Protection Agency, 841 Chestnut Building, Philadelphia, Pennsylvania 19107; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005, (202) 624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, DC 20005. In requesting a copy please refer to the referenced case and enclose a check in the amount of \$44.55 (25 cents per page reproduction costs), payable to the Consent Decree Library.

**John C. Cruden,**

Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.

[FR Doc. 94-1629 Filed 1-25-94; 8:45 am]

BILLING CODE 4410-01-M

### Lodging of Consent Decree Pursuant to CERCLA

In accordance with section 122(d)(2) of CERCLA, 42 U.S.C. 9622(d)(2) as well as Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. NSA, Division of Southwire Company* ("NSA"), Civil Action No. 93-00159 was lodged with the United States District Court for the Western District of Kentucky on December 16, 1993. Under this Decree, the settling defendant, NSA, will construct and operate an interim remedial action at its aluminum production facility located near Hawesville, Kentucky. The interim action requires that NSA extract contaminated groundwater from the surficial aquifer beneath its site, treat it, and discharge the treated water in compliance with its existing Kentucky Pollution Discharge Elimination System permit. The interim remedial action is designed to prevent the migration of contaminants in the surficial aquifer while NSA completes its ongoing Remedial Investigation and Feasibility Study ("RI/FS"). At the completion of the RI/FS process, EPA will select a final remedial action for the site. The Decree also requires that NSA reimburse EPA for costs incurred and to be incurred at the site.

The Department of Justice will receive for a period of (30) days from the date of this publication, comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States v. NSA, Division of Southwire Company*, DOJ #90-11-3-1148.

The Decree may be examined at the offices of the United States Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365, and at the Consent Decree Library, 1120 G Street, NW., 4th floor, Washington, DC (20005), 202-624-0892. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, NW., 4th floor, Washington, DC (20005). In requesting a copy, please enclose a check in the amount of \$18.00 (25 cents per page reproduction costs) for the Decree only or \$58.00 for the Decree plus technical appendices payable to Consent Decree Library.

**John C. Cruden,**

*Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 94-1628 Filed 1-25-94; 8:45 am]

BILLING CODE 4410-01-M

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Citronella Joint Venture

Notice is hereby given that, on December 15, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Flintlock, Ltd. has filed a written notification simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the Citronella Joint Venture (the "venture") and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are American Candle Company, Inc., Haskell, NJ; Empire Manufacturing Company, Kansas City, MO; Flintlock, Ltd., Houston, TX; Kameyama USA, Inc., Fall River, MA; Lamplight Farms, Menomonee Falls, WI; Primavera Laboratories, Inc., New York, NY; and Tender Corporation, Littleton, NH. The objective of the venture is to develop data on the chemical known as Oil of Citronella that might be required by the Environmental Protection Agency ("EPA") or by any other governmental entity. Membership in the venture remains open, and the parties intend to file additional written notification disclosing all changes in membership to the venture.

**Joseph H. Widmar,**

*Director of Operations, Antitrust Division.*

[FR Doc. 94-1573 Filed 1-25-94; 8:45 am]

BILLING CODE 4410-01-M

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993, Further Development of Molecular Sieves To Reduce Cold Start Emissions From Automobiles, Part II

Notice is hereby given that, on December 22, 1993, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Southwest Research Institute ("SwRI") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to

actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Volvo Car Corporation, Goteborg, Sweden; W.R. Grace & Company, Novi, MI; Degussa AF, Hanau, Germany; Ford Motor Company, Dearborn, MI; AC Rochester, Flint, MI; Isuzu Motors, Kanagawa-ken, Japan; Honda R&D Company, Ltd., Saitama, Japan; Mercedes-Benz of North America, Inc., Montvale, NJ; and Corning Inc., Corning, NY and its general areas of planned activities are to demonstrate an on-vehicle adsorption and desorption of a molecular sieve storage system for exhaust hydrocarbons; to investigate the effects of repetitive starts and durability of current storage materials; and to investigate the basic storage phenomenon in order to evaluate improved absorbers through the performance of such activities on a chassis dynamometer as well as the performance of theoretical computer modelling studies of hydrocarbon adsorption.

**Joseph H. Widmar,**

*Director of Operations, Antitrust Division.*

[FR Doc. 94-1571 Filed 1-25-94; 8:45 am]

BILLING CODE 4410-01-M

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Synthesis and Processing of Intelligent Cost Effective Structures (Spices) Program Consortium

Notice is hereby given that, on December 22, 1993, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), the Synthesis and Processing of Intelligent Cost Effective Structures (SPICES) Program Consortium ("the SPICES Consortium") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties are Active Control Experts, Inc., Cambridge, MA; Fiber Materials, Inc., Biddeford, ME; General Dynamics Corporation, Electric Boat Division\*, Groton, CT; Martin Marietta Technologies, Inc., Littleton, CO; McDonnell Douglas Corporation, Berkeley, MO; The Pennsylvania State

University<sup>1</sup>, University Park, PA; SRI International, Menlo Park, CA; and United Technologies Research Center on behalf of United Technologies Corporation, East Hartford, CT.

The general area of planned activity is to conduct research and development in the cost-effective design and manufacturing processes of advanced structural materials which incorporate embedded sensors and actuators.

**Joseph H. Widmar,**

*Director of Operations, Antitrust Division.*

[FR Doc. 94-1572 Filed 1-25-94; 8:45 am]

BILLING CODE 4410-01-M

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Public Meeting on Proposal for Ordering Reproductions of Archival Motion Picture and Video Recordings

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of meeting.

**SUMMARY:** NARA will hold a public meeting to discuss a proposal to change procedures for ordering reproductions of archival motion picture and video recordings from the Motion Picture, Sound, and Video Branch (NNSM). The proposed procedure would allow customers to place their orders directly with a vendor reproduction lab approved for such work by NARA. The proposed procedure, which will be tested for a nine-month trial period, is intended to expedite the reproduction ordering process and to allow customers to discuss technical requirements of their reproductions with the reproduction lab.

**DATES:** The meeting will be held on Thursday, February 10, 1994, at 1 p.m. The trial period is proposed to begin on March 21, 1994, and end on December 21, 1994.

**ADDRESSES:** The meeting will be held in the National Archives Building, room 105, 7th and Pennsylvania Avenue NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** The Motion Picture, Sound, and Video Branch at (202) 501-5449, or Jennifer Nelson at (202) 501-5445. After March 1, 1994, the telephone numbers will change to (301) 713-7060.

Dated: January 14, 1994.

**Trudy Huskamp Peterson,**

*Acting Archivist of the United States.*

[FR Doc. 94-1632 Filed 1-25-94; 8:45 am]

BILLING CODE 7515-01-M

<sup>1</sup> Indicates associate members; all other parties are full members.

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (94-003)]

### NASA Advisory Council; Life and Microgravity Sciences and Applications Advisory Committee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council, Life and Microgravity Sciences and Applications Advisory Committee.

**DATES:** February 4, 1994, 8:30 a.m. to 5:30 p.m.; and February 5, 1994, 8:50 a.m. to 3 p.m.

**ADDRESSES:** National Aeronautics and Space Administration, Room MIC-7, 300 E Street SW., Washington, DC 20546.

#### FOR FURTHER INFORMATION CONTACT:

Dr. Arnauld Nicogossian, Code U, National Aeronautics and Space Administration, Washington, DC 20546, 202/358-0215.

**SUPPLEMENTARY INFORMATION:** The meeting will be closed to the public on Saturday, February 5, 1994, from 1:50 p.m. to 3 p.m. in accordance with 5 U.S.C. 522b(c)(6), to allow for discussion on qualifications of individuals being considered for membership to the Committee. The remainder of the meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Member Introductions
- Committee Charter Discussion
- Presentation of Office of Life and Microgravity Sciences and Applications' Programs
- Space Station Status
- Russian Mir Program
- Committee Recommendations

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 19, 1994.

**Timothy M. Sullivan,**

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. 94-1588 Filed 1-25-94; 8:45 am]

BILLING CODE 7510-01-M

[Notice (94-004)]

### NASA Advisory Council (NAC), Space Science Advisory Committee; Astrophysics Subcommittee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee, Astrophysics Subcommittee.

**DATES:** February 10, 1994, 9 a.m. to 5:30 p.m., and February 11, 1994, 9 a.m. to 3:15 p.m.

**ADDRESSES:** National Aeronautics and Space Administration, room MIC-5, 300 E Street SW., Washington, DC 20546.

#### FOR FURTHER INFORMATION CONTACT:

Ms. Lia LaPiana, Code SZ, National Aeronautics and Space Administration, Washington, DC 20546, 202/358-0367.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- New Developments at NASA
- Status of the FY94 and FY95 Budgets
- Strategic Planning
- Reorganization of the Astrophysics Division, Astrophysics Subcommittee, and Mission Operations Working Groups
- International Collaborations
- Science Operations Overview
- Status of Gravity Physics Missions

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 19, 1994.

**Timothy M. Sullivan,**

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. 94-1589 Filed 1-25-94; 8:45 am]

BILLING CODE 7510-01-M

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Council on the Humanities; Meeting

January 14, 1994.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, as amended), notice is hereby given that a meeting of the National Council on the Humanities will be held

in Washington, DC on February 10-11, 1994.

The purpose of the meeting is to advise the Chairman of the National Endowment for the Humanities with respect to policies, programs, and procedures for carrying out his functions, and to review applications for financial support and gifts offered to the Endowment and to make recommendations thereon to the Chairman.

The meeting will be held in the Old Post Office Building, 1100 Pennsylvania Avenue, NW., Washington, DC. A portion of the morning and afternoon sessions on February 10-11, 1994, will not be open to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code because the Council will consider information that may disclose: Trade secrets and commercial or financial information obtained from a person and privileged or confidential; information of a personal nature the disclosure of which will constitute a clearly unwarranted invasion of personal privacy; and information the disclosure of which would significantly frustrate implementation of proposed agency action. I have made this determination under the authority granted me by the Chairman's Delegation of Authority dated July 19, 1993.

The agenda for the sessions on February 10, 1994, will be as follows:

8:30-9 a.m.	Coffee for Council Members (Open to the Public). Committee Meetings (Open to the Public) Policy Discussion	—Room 527.
9-10 a.m.	Education Programs. Fellowships Programs. Public Programs	—Room M-14. —Room 315. —Room 415.
	Research Programs/	
	Preservation and Access.	—Room M-07.
	State Programs and Office of Outreach.	—Room 507.
10 a.m. until adjourned.	(Closed to the Public for the reasons stated above)—Consideration of specific applications. (Closed to the Public)	

3 p.m. until adjourned.	Jefferson Lecture Committee to review Jefferson Lecture nominees.	—Room 430.
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The morning session on February 11, 1994, will convene at 9 a.m., in the 1st Floor Council Room, M-09, and will be open to the public. The agenda for the morning session will be as follows:

(Coffee for Council Members from 8:30-9 a.m.)

Minutes of the Previous Meeting Reports  
 A. Introductory Remarks  
 B. Introduction of New Staff  
 C. Contracts Awarded in the Previous Quarter  
 D. Budget Report  
 E. Legislative Report/Reauthorization  
 F. Committee Reports on Policy and General Matters  
 1. Overview  
 2. Education Programs  
 3. Fellowships Programs  
 4. Research Programs  
 5. Preservation and Access  
 6. Public Programs  
 7. State Programs and Office of Outreach  
 8. Jefferson Lecture  
 G. Challenge Grants: Policy Discussion

The remainder of the proposed meeting will be given to the consideration of future budget requests and specific applications (closed to the public for the reasons stated above).

Further information about this meeting can be obtained from Mr. David C. Fisher, Advisory Committee Management Officer, Washington, DC 20506, or call area code (202) 606-8322, TDD (202) 606-8282. Advance notice of any special needs or accommodations is appreciated.

David C. Fisher,  
*Advisory Committee Management Officer.*  
 [FR Doc. 94-1586 Filed 1-25-94; 8:45 am]  
 BILLING CODE 7537-01-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-9014]

### Final Finding of No Significant Impact and Intent To Terminate Source and Byproduct Material License SUA-1556 To Bingham Engineering, Salt Lake County, UT

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of Final Finding of No Significant Impact and Intent to Terminate Source and Byproduct Material License.

### 1. Proposed Action

The proposed administrative action is to terminate a source and byproduct material license which will remove the NRC authorization for Bingham Engineering to extract leachate solution from mill tailings for purposes of clay liner testing.

### 2. Reasons for Final Finding of No Significant Impact

Bingham Engineering, holder of Source Material License SUA-1556 never received, held, or transferred byproduct material. The licensee's proposed project for extraction of uranium mill tailings leachate was never performed. Therefore, there was no impact to human health or the environment as a consequence of release of radionuclides.

In accordance with 10 CFR 51.33(e), the Director, Uranium Recovery Field Office, made the determination to issue a final finding of no significant impact in the **Federal Register**. Concurrent with this finding, NRC will terminate Source and Byproduct Material License SUA-1556 which had authorized Bingham Engineering to receive and handle 25 kg of byproduct material.

This finding, together with documents setting forth the bases for the finding, are available for public inspection and copying at the Commission's Public Document Room at 2120 L Street, NW., Washington, DC.

Dated at Denver, Colorado, this 13th day of January, 1994.

For the Nuclear Regulatory Commission.

Ramon E. Hall,  
*Director, Uranium Recovery Field Office.*  
 [FR Doc. 94-1604 Filed 1-25-94; 8:45 am]  
 BILLING CODE 7590-01-M

### Uranium Recovery Field Office

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of signing of Memorandum of Understanding (MOU) between the Nuclear Regulatory Commission (NRC) and the Environmental Protection Agency (EPA) concerning the Homestake Uranium Mill.

SUMMARY: On December 14, 1993, the NRC and the EPA signed an MOU delineating agency responsibilities in regulating activities at the Homestake Mining Company's Grants Uranium Mill. The NRC has regulated activities at the site since June 1, 1986, under a source and byproduct material license issued in accordance with title 10 of the Code of Federal Regulations, part 40. Prior to June 1, 1986, activities at the

site were regulated under a license issued by the State of New Mexico in accordance with its status as an NRC agreement state. During the period of State regulatory authority, the Homestake site was placed on the EPA's Superfund National Priorities List at the request of the State. A copy of the MOU, which delineates agency responsibilities at the site, is printed following this notice.

**FOR FURTHER INFORMATION CONTACT:**  
Ramon E. Hall, Director, Uranium Recovery Field Office, Region IV, U.S. Nuclear Regulatory Commission, P.O. Box 25325, Denver, Colorado, 80225. Telephone: (303) 231-5800.

**MEMORANDUM OF UNDERSTANDING BETWEEN REGION 6 OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY AND REGION IV OF THE U.S. NUCLEAR REGULATORY COMMISSION FOR REMEDIAL ACTION AT THE HOMESTAKE MINING COMPANY URANIUM MILL IN CIBOLA COUNTY, NM**

#### I. Purpose

This document establishes the roles, responsibilities, and relationships between Region 6 of the U.S. Environmental Protection Agency (EPA) and Region IV of the U.S. Nuclear Regulatory Commission (NRC), hereinafter collectively referred to as the "Parties," regarding remedial action at the Homestake Mining Company (HMC) uranium mill in Cibola County, New Mexico. The Parties have overlapping authority in connection with this site and, consistent with the purposes of the March 16, 1992, interagency Memorandum of Understanding between EPA and NRC entitled "Guiding Principles for EPA/NRC Cooperation and Decision Making," this Memorandum of Understanding (MOU) will help assure that remedial actions occur in a timely and effective manner.

#### II. Basis for Agreement

NRC will assume the role of lead regulatory agency for the byproduct material disposal area reclamation and closure activities and EPA will monitor all such activities and provide review comments directly to NRC. The objective of EPA's review and comment will be to assure that activities to be conducted under NRC's regulatory authority will allow attainment of applicable or relevant and appropriate requirements under the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended ("CERCLA"). 42 U.S.C. 9601 et seq., outside of the byproduct material disposal site. NRC will require the Licensee to implement an approved disposal site reclamation plan which

meets the requirements of 10 CFR part 40, Appendix A, as amended at 52 FR 43553 through 43568 (November 1987), "Uranium Mill Tailings Regulations; Ground Water Protection and other Issues," which conforms with EPA 40 CFR part 192, subpart D. EPA and NRC agree that the requirements of 10 CFR part 40, Appendix A, are the Federal environmental and public health requirements applicable or relevant and appropriate to the disposal site. EPA and NRC believe that conformance with 10 CFR part 40, Appendix A, will generally assure conformance with CERCLA requirements. However, each party will be responsible for assuring compliance with its specific regulatory requirements as discussed in this section. The parties believe that the U.S. Department of Energy or another responsible State or Federal authority will assume responsibility for long-term care of the byproduct material disposal site following remediation of the site.

#### III. Background

The State of New Mexico was responsible as an "Agreement State" for licensing and regulating uranium mills within the State until June 1, 1986, at which time, NRC reassumed this authority at the request of the Governor of New Mexico. Prior to this change, EPA had placed the HMC site on the National Priority List (NPL) of sites for response action under CERCLA. EPA's policy is to list only those uranium mills meeting criteria for placement on the NPL which are located in Agreement States, i.e., States which have entered into agreements with NRC pursuant to section 274 of the Atomic Energy Act of 1954, as amended, to regulate certain nuclear activities in a manner compatible with NRC's program. Mills in States where NRC has direct licensing authority have not been placed on the list. Although New Mexico is no longer an Agreement State insofar as uranium recovery operations are concerned and NRC has reassumed primary jurisdiction, the site was properly placed on the NPL and the physical conditions resulting in that placement are still present. After completion of the closure of the disposal area and other remedial measures undertaken in full compliance with 10 CFR part 40, Appendix A (the applicable Federal standards for disposal site reclamation), EPA, pursuant to 40 CFR parts 425(e) and 515(c)(3) and in consultation with the State of New Mexico, shall determine whether all required response actions with respect to the site have been implemented. Following such a determination, the site may be considered for deletion for the NPL.

#### IV. Agreement

In order to achieve satisfactory cleanup of the HMC site, NRC and EPA agree to do the following:

1. The Parties shall cooperate with each other in the oversight of reclamation and remedial activity at the HMC site.

2. EPA will review the amendments to the site reclamation plan ("the plan") and will provide comments to NRC. NRC will review and, if necessary, require revisions to the plan to assure conformance to 10 CFR part 40, Appendix A, as amended, prior to approving the plan via license amendments. NRC will provide EPA with copies of all license amendments which affect the site closure plan prior to issuance for comment. If no comments are received within 30 calendar days, NRC will issue the amendment.

3. If EPA determines that remedial actions are deficient or unsatisfactory, then EPA shall provide notice to NRC of the deficiency. NRC shall assume the lead role for notification to HMC, except for such notification as EPA might statutorily be required to provide in certain events. The notification shall specify a time period within which regulatory compliance is expected to be achieved. Should compliance not be achieved in this time period, EPA will assume the lead for taking or seeking any enforcement action within its area of regulatory responsibility and NRC will assume the lead for any enforcement actions necessary within its area of regulatory responsibility. Both Parties reserve all rights under this MOU to take whatever actions are determined to be necessary, including the conduct of remedial actions within and outside the disposal area, in order to fulfill their regulatory requirements. In any event, no actions affecting site remediation will be taken by either Party without prior consultation with the other Party.

4. Both Parties shall appoint a facility coordinator who shall be responsible for oversight of the implementation of this MOU and the activities required herein. The facility coordinators shall be appointed by each Party within seven (7) days of the effective date of this MOU. Each Party has the right to appoint a new facility coordinator at any time. Such a change shall be accomplished by notifying the other Party, in writing, at least five (5) days prior to the appointment, of the name, telephone number, and mailing address of said facility coordinator.

5. The Parties will meet periodically at the request of either Party and at least

semiannually insofar as it is necessary to accomplish the objectives of this MOU. The facility coordinators should communicate with each other on a routine basis by telephone.

6. The Parties will provide technical advice and any necessary regulatory consultation to one another upon request.

7. The Parties will generally provide each other with copies of all official correspondence and documents related to remedial actions at the site. The Parties will also normally provide copies of other information upon request. In the event that one of the Parties does not wish to furnish certain specific information, documents, or correspondence to the other, then said material shall be identified to the other Party along with the reasons for withholding it.

8. Whenever notice or information is required to be forwarded by one party to another under the terms of this MOU, it shall be given by and directed to the individuals at the addresses specified as follows:

EPA: Director, Hazardous Waste Management Division (6H), U.S. EPA, Region 6, 1445 Ross Avenue, suite 1200, Dallas, Texas 75202-2733.

NRC: Director, Uranium Recovery Field Office, Region IV, U.S. Nuclear Regulatory Commission, P.O. Box 25325, Denver, Colorado 80225.

9. Routine communications may be exchanged verbally, in person, or by telephone between the Parties to facilitate the orderly conduct of work contemplated by this MOU.

10. EPA enforcement documentation provided under this MOU will be kept as exempt material by EPA and NRC, to the extent legally possible, according to the policies and procedures under 40 CFR part 2 and 10 CFR part 2.790, respectively.

11. The Parties shall notify each other of any pending visits to the HMC property which relate to the site closure plan. To the extent that they are otherwise authorized to do so, either Party and their consultants may, at their option, accompany the other Party on such visits.

## V. Agency Responsibilities

### A. NRC Responsibilities

1. NRC will ensure that the owners/operators of the HMC uranium mill implement an approved reclamation plan that meets all relevant NRC requirements, including 10 CFR part 40, Appendix A, as amended. The reclamation plan will require HMC to assure long-term stability of the tailings, reduce gamma radiation to background

levels, and diminish radon exhalation to appropriate regulatory standards. If any part of such plan is not complied with by HMC, NRC will take whatever actions it deems appropriate to ensure compliance.

2. NRC will ensure that the owners/operators of the HMC uranium mill implement a compliance monitoring program for hazardous constituents that meets all relevant NRC requirements, including 10 CFR part 40, Appendix A, for the establishment of ground water protection standards and points of compliance. NRC will verify implementation by HMC of any required compliance monitoring and/or ground water corrective action at the HMC uranium mill site resulting from the establishment of ground water protection standards as soon as such is reviewed and accepted by NRC. If any ground water requirements are not complied with by HMC, NRC will take appropriate action to ensure compliance.

3. NRC will direct HMC to provide both Parties with copies of major work product submittals as they become available. Such work products will include a reclamation plan and any other plans and specifications for assessment, remediation, and monitoring, including all analytical data.

4. NRC agrees to provide EPA with progress reports on HMC's remediation, semiannually.

5. NRC will assist in the development of information to support EPA's deletion of the site from the NPL upon completion of the remedial action, if appropriate.

### B. EPA Responsibilities

1. EPA will provide formalized review, consultation, and comment throughout the entire project.

2. EPA will review and provide comments on the various components of the reclamation plan, groundwater monitoring, and corrective action submittals, and other related documentation, within timeframes as agreed to between NRC and EPA. In the event that EPA determines that the implementation of the site reclamation plan, closure activities, and/or groundwater corrective action has not resulted in, or may not result in, cleanup conditions that meet applicable or relevant and appropriate requirements under CERCLA, then EPA may take whatever action it deems appropriate.

## VI. Dispute Resolution

In the event of a dispute between EPA and NRC concerning site activities, the

persons designated by each Agency as facility coordinators, or in their absence, alternate contact points will attempt to promptly resolve such disputes. If disputes cannot be resolved at this level, the problem will be referred to the supervisors of these persons for further consultation. The supervisory referral and resolution process will continue, if necessary to resolve the dispute, to the level of the Regional Administrators of NRC and EPA. Both Parties shall continue to maintain their respective rights or responsibilities under this MOU during the dispute resolution process.

## VII. Execution and Termination

This agreement shall take effect upon execution by EPA and the NRC. It shall remain in effect for the duration of the program addressed herein unless terminated by mutual agreement by the two Agencies; or this MOU may be terminated unilaterally if any of the conditions set forth below are present:

1. The planning or conduct of reclamation plan, closure activities, and/or groundwater cleanup actions fail to meet standards set forth in the Basis for Agreement (Section II) of this MOU.

2. The site is deleted from the NPL.

3. The site is turned over to the Department of Energy or other responsible State or Federal authority for long-term care.

4. Regulatory, statutory, or other events occur which make this MOU unnecessary, illegal, or otherwise inappropriate.

## VIII. Modification

The Parties may modify this MOU from time to time in order to simplify and/or define the procedures contained herein. Each Party shall keep the other informed of any relevant proposed modifications to its basic statutory or regulatory authority, forms, procedures, or priorities. This MOU shall be revised, as necessary, by the adoption of such modifications. The MOU should be reviewed on an annual basis by both the Director, Uranium Recovery Field Office, Region IV, NRC, and the Director, Hazardous Waste Management Division, Region 6, EPA, or their designated representatives.

## IX. Reservation of Rights

The Parties reserve any and all rights or authority that they may have, including but not limited to legal, equitable, or administrative rights. This specifically includes EPA's and NRC's authority to conduct, direct, oversee, and/or require environmental response in connection with the site, as well as the authority to enter the site and

require the production of information, within each of their own areas of responsibility.

#### X. Severability

The nullification of any one or more sections or provisions of a section of this MOU, either by Agreement of the Parties or by Administrative or Judicial Action, shall not affect the other sections/provisions of this MOU.

Executed and agreed to:

Dated: December 14, 1993.

**James L. Milhoan,**

*Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, Arlington, Texas.*

Dated: December 14, 1993.

**Joe D. Winkle,**

*Regional Administrator, U.S. Environmental Protection Agency, Region 6, Dallas, Texas.*

[FR Doc. 94-1605 Filed 1-25-94; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-413]

#### **Duke Power Co.; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-35 issued to Duke Power Company (the licensee) for operation of the Catawba Nuclear Station, Unit 1, located in York County, South Carolina.

The proposed amendment would revise Technical Specification (TS) 3/4.2.5.3 which currently requires the determination of the reactor coolant system (RCS) flow rate by precision heat balance measurement at least once per 18 months. The precision heat balance measurement is used to calculate RCS flow based on gross steam generator thermal output and measurements of RCS hot and cold leg temperatures. Once the RCS flow is determined by this method, the cold leg elbow tap flow coefficients are adjusted to reproduce the RCS flow indication determined by the calorimetrics. Recently, the precision heat balance has been adversely affected by the hot leg temperature streaming effect and has been the cause of unsubstantiated RCS flow measurement decreases. Changes in the calorimetrics result from changes in core exit temperature and/or flow distributions that can significantly affect the average T-hot as measured by the hot leg RTDs. Elbow tap delta-Ps and analytical prediction of flow do not

confirm the RCS flow rates determined by the periodic calorimetrics. It is proposed that the current requirements of TS 4.2.5.3 be changed to require that the RCS flow rate be determined by measurements at least once per 18 months. By replacing the phrase "precision heat balance measurement" with "measurement," this will allow RCS flow determination by elbow tap delta-P measurement. The licensee states that the elbow tap delta-P method of flow determination was initially used at McGuire Nuclear Station and was dropped in favor of a precision-calorimetric each cycle. At the time, November 1982, McGuire was having difficulty meeting the TS flow limit and the precision calorimetric was considered more accurate and allowed substantial margin gain. With the advent of more severe temperature and flow gradients in the hot legs, the precision calorimetrics were affected and resulted in nonphysical indicated flow decreases in the RCS. The elbow tap delta-P indications will provide an indication of flow which is not dependent on future changes in hot leg temperature measurement and, therefore, will provide an improvement in flow surveillance accuracy.

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 licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

(1) This amendment will not significantly increase the probability or consequence of any accident previously evaluated.

No component modification, system realignment, or change in operating procedure will occur which could affect the probability of any accident or transient. The change in method of flow measurement will not change the probability of actuation of any Engineered Safeguard Feature or other device. The actual flow rate will not change. The consequences of previously-analyzed

accidents will not change as a result of the new method of flow measurement.

(2) This amendment will not create the possibility of any new or different accidents not previously evaluated.

No component modification or system realignment will occur which could create the possibility of a new event not previously considered. The elbow taps are already in place, and are used to monitor flow for the Reactor Protection System. They will not initiate any new events.

(3) This amendment will not involve a significant reduction in a margin of safety.

As described in [the licensee's application], the change in method of RCS flow measurement will provide a more accurate indication of the flow. The actual flow rate will not be affected. The revised setpoints for low reactor coolant flow are driven by changes to statistical allowances and do not represent substantive, or less conservative, changes. There is no significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are 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 30 days after the date of publication of this notice will be considered in making any final determination.

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 and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives 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 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By February 25, 1994, 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 document room located at York County Library, 138 East Black Street, Rock Hill, South Carolina 29730. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been

admitted as a party may amend the petition without requesting leave of the Board up to 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 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 the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Loren R. Plisco: 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 Mr. Albert Carr, Duke Power Company, 422 South Church Street, Charlotte, North Carolina 28242, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of 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 amendments dated January 10, 1994, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the York County Library, 138 East Black Street, Rock Hill, South Carolina 29730.

Dated at Rockville, Maryland, this 19th day of January 1994.

For the Nuclear Regulatory Commission,  
**Victor Nerses,**

*Acting Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 94-1606 Filed 1-25-94; 8:45 am]

BILLING CODE 7590-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-33483; File No. SR-Amex-93-46]

### Self-Regulatory Organizations; Filing of Proposed Rule Change and Amendment No. 1 to the Proposed Rule Change by the American Stock Exchange, Inc. Relating to Equity Linked Term Notes Linked to American Depositary Receipts

January 14, 1994.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 29, 1993, the American Stock Exchange, Inc., ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Amex. On January 13, 1994, the Amex filed Amendment No. 1 to the proposed rule change.<sup>1</sup> The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Section 107B ("Equity Linked Term Notes") of the Amex Company Guide ("Guide") to provide for the listing and trading of hybrid debt securities whose value is linked to the performance of an ADR which is listed on a national securities exchange or traded through the facilities of a national securities system and subject to last sale reporting. The text of the proposed rule change is available at the Office of the Secretary, the Amex, and at the Commission.

<sup>1</sup> Amendment No. 1 to the proposed rule change (1) discusses the basis and necessity of listing and trading equity linked notes ("ELNs") linked to American Depositary Receipts ("ADRs"), and (2) defines the U.S. ADR market. Additionally, Amendment No. 1 clarifies the procedures by which the Exchange will determine whether an ELN may be listed on a particular ADR. Specifically, the Exchange proposes to adopt the procedures proposed by the Exchange in connection with the listing of options on ADRs (see Securities Exchange Act Release No. 33130 (October 25, 1993), 58 FR 58357 (November 1, 1993)). See Letter from Claire McGrath, Managing Director and Special Counsel, Derivative Securities, Amex, to Richard Zack, Branch Chief, Office of Derivatives Regulation, Division of Market Regulation, Commission, dated January 12, 1994 ("Amendment No. 1").

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Amex has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

##### (A) Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis, for, the Proposed Rule Change

On May 20, 1993, the Commission approved the Exchange's proposed amendments to Section 107 of the Guide to provide for the listing and trading of ELNs.<sup>2</sup> Subsequently, on December 13, 1993, the Commission approved a proposed rule change to provide alternative capitalization and trading volume standards applicable to the securities underlying ELNs.<sup>3</sup>

ELNs are intermediate term (two to seven years), non-convertible, hybrid debt securities, the value of which is linked to the performance of a highly capitalized, actively traded U.S. common stock. ELNs may provide for periodic interest payments to holders based on fixed or floating rates, or they may be structured as "zero coupon" instruments with no payments to holders prior to maturity.<sup>4</sup> ELNs may be subject to a "cap" on the maximum principal amount to be repaid to holders upon maturity, and they may feature a "floor" on the minimum principal amount paid to holders upon maturity. A specific issue of ELNs, for example, may provide holders with a fixed semi-annual interest payment, a cap of 135% of the issuance price on the maximum amount to be paid upon maturity, and no minimum floor on the principal to be repaid at maturity. Another issue of ELNs might offer lower annual payments based upon a floating rate and a minimum floor principal repayment of 75% of the issuance price. As may be seen, the flexibility available to an issuer of ELNs permits the creation of

securities which offers investors the opportunity to more precisely focus on a specific investment strategy. Since July 1993, the Exchange has listed and currently trades seven ELNs issues.

ELNs conform to the general listing criteria under Section 107A of the Guide, which provide that issues have: (1) A minimum public distribution of one million trading units and a minimum of 400 holders; (2) an aggregate market value of at least \$20 million; (3) cash settlement in U.S. dollars and a redemption price of at least three dollars where the instrument contains such provisions; and (4) assets of at least \$100 million, stockholders' equity of at least \$10 million, and pre-tax income of at least \$750,000 in the last fiscal year or in two of the three prior fiscal years.<sup>5</sup> ELNs also conform to the special listing criteria of Section 107B of the Guide which provide that: (1) Each issuer have a tangible net worth of at least \$150 million; (2) the total original issue price of the particular issue of ELNs combined with all of the issuer's other ELNs listed on a national securities exchange or traded through the National Association of Securities Dealers, Inc. Automated Quotation system not be greater than 25% of the issuer's tangible net worth at the time of issuance; (3) each underlying linked stock must have a market capitalization of at least \$3 billion, and a trading volume in the 12-month period preceding listing (in all markets in which the underlying security is traded) of at least 2.5 million shares; (4) the issuer of the underlying linked stock must be a U.S. reporting company under the Act; and (5) the issuance of ELNs relating to an underlying linked stock may not exceed 5% of the total outstanding shares of such stock.

The Exchange now proposes to amend Section 107B of the Guide to permit the listing and trading of ELNs linked to actively traded ADRs, provided that (1) the Exchange has in place an effective surveillance sharing agreement with the primary Exchange in the home country where the security underlying the ADR trades, or (2) the combined trading volume of the ADR and other related ADRs (as defined below) occurring in the U.S. ADR market represents (on a share equivalent basis) at least 50% of the combined worldwide trading volume in the ADR, the security underlying the ADR, other classes of common stock related to the underlying security, and ADRs overlying such other

<sup>2</sup> See Securities Exchange Act Release No. 32343 (May 20, 1993), 58 FR 30833 (May 27, 1993).

<sup>3</sup> See Securities Exchange Act Release No. 33328 (December 13, 1993), 58 FR 66041 (December 17, 1993).

<sup>4</sup> The Exchange has agreed to notify the Commission if an issuer of ELNs provides for periodic interest payments to holders based on a floating rate. *Id.*

<sup>5</sup> Issuers not meeting these financial criteria must have assets in excess of \$200 million and stockholders' equity of in excess of \$10 million, or, alternatively, assets in excess of \$100 million and stockholders' equity of at least \$20 million.

stock ("other related ADRs") over the three month period preceding the date of listing.<sup>6</sup> The Exchange will use its best efforts to discover all markets (foreign and U.S.) on which the security underlying the ADR, and all related securities, trades.<sup>7</sup> These proposed changes are in addition to the criteria which are currently in place for the listing of ELNs.

Amendment No. 1 to the proposed rule change also defines the U.S. ADR market as the U.S. self-regulatory organizations ("SROs") that are members of the Intermarket Surveillance Group ("ISG")<sup>8</sup> and whose markets are linked together by the Intermarket Trading System ("ITS").<sup>9</sup> Accordingly, the U.S. ADR market is currently comprised of those SROs that are members of ISG.<sup>10</sup>

The Exchange believes that the proposed amendment will benefit investors by expanding the number of securities that may be linked to ELNs, thereby providing investors with enhanced investment flexibility. The Exchange believes that it is appropriate to now include ADRs within the existing regulatory framework for ELNs because of the significant level of U.S. investor interest in both U.S. and non-U.S. highly capitalized and actively traded reporting companies. Since both

the ELNs and the ADRs will be subject to the criteria outlined in sections 107A and 107B of the Guide, and the Exchange will either have in place an effective surveillance sharing agreement with the primary exchange in the home country where the security underlying the ADR trades or the ADR will meet the trading volume criteria set forth in section 107B, the Exchange believes that it will have the ability to inquire into potential trading problems or irregularities with respect to the ELNs and the ADRs to which they are linked.

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act, in general, and furthers the objectives of section 6(b)(5) in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to an perfect the mechanism of a free and open market and a national market system.

*(B) Self-Regulatory Organization's Statement on Burden on Competition*

The Amex does not believe that the proposed rule change will impose any inappropriate burden on competition.

*(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

No written comments were solicited or received with respect to the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 35 days of the date of publication of this notice in the *Federal Register* or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW.,

Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR-Amex-93-46 and should be submitted by February 16, 1994.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

Margaret H. McFarland,  
Deputy Secretary.

[FR Doc. 94-1582 Filed 1-25-94; 8:45 am]

BILLING CODE 8010-01-M

**DEPARTMENT OF STATE**

**Office of Defense Trade Controls**

[Public Notice 1934]

**Rescission of Suspended Exports Regarding Armour of America, Inc. and Arthur G. Schreiber**

AGENCY: Department of State.  
ACTION: Notice.

**SUMMARY:** Notice is hereby given that Public Notice 1753, effective December 31, 1992, suspending all existing licenses and other approvals, granted by the Department of State pursuant to Section 38 of the Arms Export Control Act (AECA), that authorized the export or transfer of defense articles or defense services by, for or to, Armour of America, Inc. or Arthur G. Schreiber and its subsidiaries or associated companies is rescinded.

**EFFECTIVE DATE:** December 29, 1993.

**FOR FURTHER INFORMATION CONTACT:** Clyde G. Bryant, Jr., Chief, Compliance Analysis Division, Office of Defense Trade Controls, Center for Defense Trade, Bureau of Political-Military Affairs, Department of State (703-875-6650).

**SUPPLEMENTARY INFORMATION:** On December 31, 1992, the Office of Defense Trade Controls, Department of State, suspended all existing licenses

<sup>6</sup> The Exchange notes that under this calculation, the trading volume for any U.S. ADRs trading on or through a U.S. securities market that is not part of the U.S. ADR market will be included in the determination of world-wide trading volume, but not in the determination of the U.S. ADR market trading volume. See Amendment No. 1, *supra* note 1.

<sup>7</sup> *Id.*

<sup>8</sup> ISG was formed on July 14, 1983 to, among other things, coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. See Intermarket Surveillance Group Agreement, July 14, 1983. The members of the ISG are: the Amex; the Boston Stock Exchange, Inc.; the Chicago Board Options Exchange, Inc.; the Chicago Stock Exchange, Inc.; the Cincinnati Stock Exchange, Inc.; the National Association of Securities Dealers, Inc.; the New York Stock Exchange, Inc.; the Pacific Stock Exchange, Inc.; and the Philadelphia Stock Exchange, Inc.

<sup>9</sup> ITS is a communications system designed to facilitate trading among competing markets by providing each market with order routing capabilities based on current quotation information. The system links the participant markets and provides facilities and procedures for: (1) the display of composite quotation information at each participant market, so that brokers are able to determine readily the best bid and offer available from any participant for multiply traded securities; (2) efficient routing of orders and sending administrative messages (on the functioning of the system) to all participating markets; (3) participation, under certain conditions, by members of all participating markets in opening transactions in those markets; and (4) routing orders from a participating market to a participating market with a better price.

<sup>10</sup> See Amendment No. 1, *supra* note 1.

<sup>11</sup> 17 CFR 200.30-3(a)(12) (1993).

and other approvals, granted pursuant to Section 38 of the AECA, that authorized the export or transfer by, for or to, Armour of America, Inc. or Arthur G. Schreiber and any of its subsidiaries or associated companies, of defense articles or defense services. That suspension action was taken pursuant to sections 38 and 42 of the AECA (22 U.S.C. 2778 & 2791) and §§ 126.7(a)(2) of the ITAR (22 CFR 126.7(a)(2)).

Pursuant to a Deferred Prosecution Agreement, between Armour of America, Inc., U.S. Department of Justice and U.S. Department of State, and an Order signed by the Assistant Secretary of State for Political-Military Affairs, the Department of State's suspension, effective December 31, 1992, (noticed in the January 14, 1993 *Federal Register*), relating to Armour of America, Inc. and Arthur G. Schreiber

and any of its subsidiaries or associated companies, of defense articles or defense services, is rescinded, effective December 29, 1993.

Dated: January 7, 1994.

**William B. Robinson,**  
*Director, Office of Defense Trade Controls,  
Department of State.*

[FR Doc. 94-1570 Filed 1-25-94; 8:45 am]

BILLING CODE 4710-25-M

# Sunshine Act Meetings

Federal Register

Vol. 59, No. 17

Wednesday 26, 1994

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).

## U.S. CONSUMER PRODUCT SAFETY COMMISSION

**TIME AND DATE:** 10:00 a.m., Thursday, January 27, 1994.

**LOCATION:** Room 420, East West Towers, 4330 East West Highway, Bethesda, Maryland.

**STATUS:** Closed to the Public.

**MATTERS TO BE CONSIDERED:** Compliance Status Report.

The staff will brief the Commission on the status of various compliance matters.

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, 4330 East West Highway, Bethesda, MD 20207 (301) 504-0800.

Dated: January 21, 1994.

**Sheldon D. Butts,**

*Deputy Secretary.*

[FR Doc. 94-1781 Filed 1-24-94; 2:34 pm]

BILLING CODE 6355-01-M

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:51 a.m. on Monday, January 24, 1994, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider matters relating to the Corporation's corporate and supervisory activities and a request by a financial institution with respect to the cross-guaranty provisions of the Federal Deposit Insurance Act.

In calling the meeting, the Board determined, on motion of Director Eugene A. Ludwig (Comptroller of the Currency), seconded by Director

Jonathan L. Fiechter (Acting Director, Office of Thrift Supervision), concurred in by Acting Chairman Andrew C. Hove, Jr., that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street, NW., Washington, DC.

Dated: January 24, 1994.

Federal Deposit Insurance Corporation.

**Patti C. Fox,**

*Acting Deputy Executive Secretary.*

[FR Doc. 94-1795 Filed 1-24-94; 3:46 pm]

BILLING CODE 6714-01-M

# Corrections

Federal Register

Vol. 59, No. 17

Wednesday, January 26, 1994

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.

fourth line, "(b)(2)(Xiii)(B)" should read "(b)(2)(xiii)(B)".

BILLING CODE 1505-01-D

"after 'NE¼' insert a comma" should read "after 'NE¼' remove the comma".

BILLING CODE 1505-01-D

## DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 641

[Docket No. 930946-3338; ID 090993A]  
RIN 0648-AE58

Reef Fish Fishery of the Gulf of Mexico

### Correction

In rule document 94-118 beginning on page 966 in the issue of Friday, January 7, 1994, make the following corrections:

1. On page 966, in the third column, in the third full paragraph, in the fifth line, "47235" should read "47325".
2. On page 969, in the 1st column, in the 1st full paragraph, in the 11th line, "regulation" should read "regulatory".
3. On the same page, in the same column and paragraph, in the 13th line, after "additional", insert "release".
4. On the same page, in the same column and paragraph, in the 14th line, "status quo." should read "status quo alternative."

§ 641.4 [Corrected]

5. On page 971, in the first column, in amendatory instruction 4., in the

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ID-943-04-4210-04; IDI-28747]

Notice of Issuance of Land Exchange Conveyance Document; Idaho

### Correction

In notice document 93-25858 beginning on page 54370 in the issue of Thursday, October 21, 1993 make the following correction:

On page 54371, in the first column, in the land description, in the sixth line, after "E½NE¼," insert "and SW¼NE¼."

BILLING CODE 1505-01-D

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-060-04-4760-01-(604); NM-89726]

Realty Action; Direct Sale of Public Lands in Lea County, NM

### Correction

In the correction of notice document 93-30076 appearing on page 2454 in the issue of Friday, January 14, 1994, make the following correction:

On page 2454, in the third column, in reference to T. 14 S., R. 38 E., Sec. 5, beginning in the third line, the phrase

## DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 155

[CGD-90-068]

RIN 2115-AD66

Discharge Removal Equipment for Vessels Carrying Oil

### Correction

In rule document 93-30701 beginning on page 67988 in the issue of Wednesday, December 22, 1993, make the following corrections;

1. On page 67988, in the second column, under SUPPLEMENTARY INFORMATION, in the first full paragraph, in the eighth line from the bottom, insert "not" after "should".
2. On the same page, in the same column, in the second full paragraph, in the fourth line from the bottom, "waiting" should read "wanting".
3. On page 67994, in the second column, in the last paragraph, in the first line, "Pre-unit" should read "Per-unit".

4. On page 67996, in the first column, in amendatory instruction 3., in the first line, insert "155.210," after "155.205,".

BILLING CODE 1505-01-D

Faint, illegible text, possibly bleed-through from the reverse side of the page. The text is mirrored and difficult to decipher.

# **Federal Register**

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**Wednesday  
January 26, 1994**

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**Part II**

**Department of  
Health and Human  
Services**

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**Centers for Disease Control and  
Prevention**

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**Proposed New Vaccine Information  
Materials; Notice**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Proposed New Vaccine Information Materials

**AGENCY:** Centers for Disease Control and Prevention (CDC), Public Health Service, HHS.

**ACTION:** Notice with comment period.

**SUMMARY:** As required by Public Law 99-660, CDC developed extensive vaccine information materials for distribution by health care providers to parents prior to administration of particular vaccines to children. In response to concerns expressed regarding the length and readability of the materials and the process for development of the materials, the law was revised by Public Law 103-183 to provide for simplification of the vaccine information materials. CDC is publishing for public comment proposed new vaccine information materials which comply with the revised law.

**DATES:** Written comments are invited and must be received on or before March 28, 1994.

**ADDRESSES:** Written comments should be addressed to Walter A. Orenstein, M.D., Director, National Immunization Program, Centers for Disease Control and Prevention, Mailstop E-05, 1600 Clifton Road, NE., Atlanta, Georgia 30333.

**FOR FURTHER INFORMATION CONTACT:** Walter A. Orenstein, M.D., Director, National Immunization Program, Centers for Disease Control and Prevention, Mailstop E-05, 1600 Clifton Road, NE., Atlanta, Georgia 30333, (404) 639-8200.

**SUPPLEMENTARY INFORMATION:** Title III of Public Law 99-660 (the National Childhood Vaccine Injury Act of 1986) added a new Title XXI to the Public Health Service Act. Section 2126 of the Public Health Service Act (42 U.S.C. 300aa-26) required the Secretary of Health and Human Services to develop by rule extensive vaccine information materials for distribution by health care providers to the legal representatives of any child receiving particular vaccines (i.e., diphtheria, tetanus, pertussis, measles, mumps, rubella, and poliomyelitis vaccines). These vaccine information materials were developed as required by section 2126 of the Public Health Service Act and were issued as a final rule on October 15, 1991 (56 FR 51798; codified at 42 CFR part 110).

Since April 15, 1992, any health care provider who intends to administer one of the covered vaccines is required to provide copies of vaccine information materials that comply with the requirements of section 2126 prior to administration of these vaccines.

Based on concerns expressed by providers and others concerning the length and readability of the vaccine information materials (each of the three existing vaccine information pamphlets is 10 pages long) and the lengthy development and revision process required by the rulemaking process (development of the materials took approximately three years), the Department proposed legislation to amend section 2126 to provide for simplification of the vaccine information materials. Congress in section 708 of Public Law 103-183, which was enacted on December 14, 1993, revised section 2126 to: (1) Delete the requirement for development and revision of the vaccine information materials by rulemaking; (2) simplify the information to be included in the materials; and (3) clarify that the materials must not only be provided to the parent or legal representative of a child receiving a covered vaccine, but also must be provided to any adult who receives a covered vaccine.

Section 2126, as amended by Public Law 103-183, requires that information contained in the materials be based on available data and information, be presented in understandable terms, and include:

- (1) A concise description of the benefits of the vaccine,
- (2) A concise description of the risks associated with the vaccine,
- (3) A statement of the availability of the National Vaccine Injury Compensation Program, and
- (4) Such other relevant information as may be determined by the Secretary.

New vaccine information materials which comply with the provisions of the revised section 2126 have been drafted and are contained in this Notice. We invite comment on these draft information materials. During the 60-day comment period, CDC also intends to consult with the Advisory Commission on Childhood Vaccines, health care provider and parent organizations, and the Food and Drug Administration, as mandated under section 2126.

CDC intends to repeal the vaccine information materials currently contained in Appendix A of 42 CFR part 110 when the new vaccine information materials developed under the revised

section 2126 of the PHS Act, as revised by Public Law 103-183, are finalized.

CDC invites written comment on the following proposed vaccine information materials, entitled "Diphtheria, Tetanus, and Pertussis Vaccine (DTP): What You Need to Know Before Your Child Gets the Vaccine," "Measles, Mumps, and Rubella Vaccine (MMR): What You Need to Know Before Your Child Gets the Vaccine," "Polio Vaccine: What You Need to Know Before Your Child Gets the Vaccine," and "Tetanus and Diphtheria Vaccine (Td): What You Need to Know Before You Get the Vaccine."

#### Diphtheria, Tetanus, and Pertussis Vaccine (DTP): What You Need to Know Before Your Child Gets the Vaccine

##### *What Are Diphtheria, Tetanus, and Pertussis?*

DTP vaccine (DTP) is named for 3 diseases: Diphtheria, Tetanus, and Pertussis. Each of these diseases can lead to serious problems, even death. Your child can be protected from diphtheria, tetanus, and pertussis by the vaccine. These diseases—especially pertussis—are still found in our country, mostly because some people do not get enough doses of the vaccines.

Diphtheria is spread from person to person. It can cause a membrane to form in the nose, throat, or airway. Diphtheria can cause breathing problems, heart failure, or paralysis.

Tetanus, also called lockjaw, is caused by a germ that enters the body through a cut or wound. Tetanus causes serious, painful spasms of all muscles, "locking" of the jaw so the sick person cannot open his mouth or swallow, and death.

Pertussis, also called whooping cough, is caused by a germ that easily passes from person to person. It can cause serious spells of coughing and choking for several weeks. For infants, having pertussis makes it hard to eat, drink, or breathe. It can lead to pneumonia, seizures, and sometimes even to lasting brain damage.

##### *Should Everyone Get the DTP Vaccine?*

Experts believe that almost all young children should get DTP or DTaP (a new form of the vaccine). To help your doctor/nurse know what is best for your child, please answer these questions.

Has the child getting the vaccine had DTP or DTaP in the past?

\_\_\_\_\_ Yes (please answer all the questions)

\_\_\_\_\_ No (you can skip these 6 questions)

	Yes	No
1. Did the child have an allergic problem that required a medical visit right after DTP or DTaP in the past? .....	<input type="checkbox"/>	<input type="checkbox"/>
2. Did the child have an illness of the brain that led to a hospital stay within 7 days of DTP or DTaP? .....	<input type="checkbox"/>	<input type="checkbox"/>
3. Did the child cry non-stop for more than 3 hours right after a DTP or DTaP? That is, did the crying go on even when the baby was cared for? .....	<input type="checkbox"/>	<input type="checkbox"/>
4. Did the child faint or collapse within 2 days (48 hours) of DTP or DTaP? .....	<input type="checkbox"/>	<input type="checkbox"/>
5. Did the child have a very high fever within 2 days (48 hours) of DTP or DTaP? .....	<input type="checkbox"/>	<input type="checkbox"/>
6. Did the child have a seizure within 3 days (72-hours) of DTP or DTaP? .....	<input type="checkbox"/>	<input type="checkbox"/>

Please tell your doctor/nurse if the child getting the vaccine:

- Has signs of illness today.
- Has ever had a seizure.
- Has a parent, brother, or sister who has had seizures.

If the answer is "yes" to any of these questions, your doctor/nurse might suggest getting DTP or DTaP, coming back for it later, not getting it at all, keeping the fever down after getting the shot, or using DT (a vaccine that protects from diphtheria and tetanus, but not from pertussis).

*When Should Your Child Get the DTP Vaccine?*

To be protected against diphtheria, tetanus, and pertussis, most children need a total of 5 doses of vaccine. Children should get vaccine at:

- 2 months of age
- 4 months of age
- 6 months of age
- 15 to 18 months of age
- 4 to 6 years of age

A vaccine called DTaP vaccine is now available. DTaP or DTP may be used for the 4th and 5th shots.

These vaccines may be given at the same time as other childhood vaccines.

Every 10 years all through life, everyone needs a booster with tetanus and diphtheria vaccine (Td).

*Are There Risks With DTP?*

The DTP vaccine is the best way to protect your child against these 3 serious diseases. But there are risks with any medicine, including vaccines. There is a very small chance that serious problems, even death, could occur after getting vaccines. The risk from the vaccine is much smaller than the risk from the diseases.

About half the children who get DTP will not have any problems at all. Some will have minor problems like: soreness, redness, or swelling where the shot is given; fever; fussiness; drowsiness; less

appetite. Rarely, after DTP such problems have been noted as: crying non-stop for 3 hours or more; fever of 105°F or higher; seizures (usually caused by fever); collapse or fainting. None of these problems is known to cause any lasting harm, but they are scary. Very rarely, DTP causes long seizures, decreased consciousness, or coma that does not last. Also very rarely, DT, Td, and the diphtheria-tetanus part of DTP and DTaP cause severe allergic problems or Guillain-Barré Syndrome (sudden weakness and numbness that may go on to paralysis). Lasting brain damage after DTP has not been proven. If DTP ever causes lasting brain damage, it is very rare.

DTaP causes fewer of the minor problems than DTP does. Experts do not know if the rare serious problems reported after DTP happen less often after DTaP.

If a serious or unusual problem occurs after getting any vaccine, call a doctor or get the person to a doctor right away.

*What is the Injury Compensation Program?*

The National Vaccine Injury Compensation Program is a U.S. government program that gives compensation (payment) for some persons thought to be injured by vaccines. For facts about this program, call this toll-free number: 1-800-338-2382.

If you believe that the person getting the vaccine had a serious problem because of the vaccine, tell the doctor/nurse or health department. Ask him or her to report the problem on a Vaccine Adverse Event Report form. If you want to report it yourself, you can get the form by calling this toll-free number: 1-800-822-7967.

U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention  
DTP 00/00/94 (Proposed)

42 U.S.C. 300aa-26

**Measles, Mumps, and Rubella Vaccine (MMR) What You Need to Know Before Your Child Gets the Vaccine**

*What are Measles, Mumps, and Rubella?*

MMR vaccine is named for 3 diseases: Measles, Mumps, and Rubella. Each of these diseases can lead to serious problems, even death. Your child can be protected from measles, mumps, and rubella by the vaccine. These diseases are still found in our country, mostly because some people do not get the vaccines.

Measles is spread easily from person to person, causing a rash, cough, and high fever. When children catch measles, some of them also get ear infections, pneumonia, diarrhea, seizures, hearing loss, or brain damage.

Mumps also is easily passed from person to person. It usually causes fever, headache, and swollen glands under the jaw. It can also cause meningitis (an inflammation of the brain and spinal cord coverings), inflammation of the brain, or hearing loss. Men can get painful, swollen testicles from mumps.

Rubella is also called German measles. It also passes from person to person. It causes a mild fever, swollen glands, and a rash. Sometimes it also causes arthritis (inflamed joints), especially in women. If a pregnant woman catches rubella, it is very dangerous for her unborn baby. Many women who have rubella when they are pregnant will lose their babies or have babies born with deafness, blindness, heart disease, brain damage, or other serious problems.

*Should Everyone Get the MMR Vaccine?*

Experts believe that almost all young children should get MMR. To help your doctor/nurse know what is best for your child, please answer the following questions.

	Yes	No
Is the person getting the vaccine:		
1. Someone who had an allergic problem that required a medical visit right after MMR in the past? .....	<input type="checkbox"/>	<input type="checkbox"/>
2. Less able than others to fight infection because of:		
A disease such as cancer or leukemia? .....	<input type="checkbox"/>	<input type="checkbox"/>
Special cancer treatments such as x-rays or drugs? .....	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Drugs such as prednisone or other steroids? .....	<input type="checkbox"/>	<input type="checkbox"/>
An inborn or inherited disease? .....	<input type="checkbox"/>	<input type="checkbox"/>
(Children with HIV infection or AIDS <i>should get MMR</i> )		
3. Pregnant? Does she think she is pregnant or might get pregnant in the next 3 months? .....	<input type="checkbox"/>	<input type="checkbox"/>
4. Allergic to eggs or neomycin (an antibiotic)? .....	<input type="checkbox"/>	<input type="checkbox"/>

Please tell your doctor/nurse if the person getting the vaccine:

- Has signs of illness today.
- Has a parent, brother, or sister who has had seizures.
- Has ever had a seizure.
- Has gotten immune globulin or other blood products (such as a transfusion) during the past several months?

If the answer is "yes" to any of these questions, your doctor/nurse might suggest getting the shot, coming back for it later, or not getting it at all.

**When Should Your Child Get the MMR Vaccine?**

Most children should have a total of 2 MMR vaccines. They should get vaccine at:

12 to 15 months of age AND when starting school OR when starting middle school or junior high school

These vaccines may be given at the same time as other childhood vaccines.

People who do not know if they are protected against measles, mumps, and rubella should ask their doctor/nurse about getting MMR.

**Are There Risks With MMR?**

The MMR vaccine is the best way to protect your child against these 3 serious diseases. But there are risks with any medicine, including vaccines. There is a very small chance that serious problems, even death, could occur after getting vaccines. The risk from the vaccine is much smaller than the risk from the diseases.

Most people who get MMR will not have any problems at all. Some will

have minor problems like: soreness, redness, or swelling where the shot is given; mild fever; rash; a little swelling of the glands in the cheeks, neck, or under the jaw. Occasionally, pain, stiffness, or swelling in the joints (arthritis) may occur, usually 1-3 weeks after getting the vaccine. The arthritis usually does not last long. Occasionally, it lasts or comes and goes for months or longer. Young women are more likely than children to have joint problems.

Rarely, more serious problems may come within 3 weeks of getting MMR. Usually they do not cause lasting harm. These rare problems include: Severe allergic problems; seizures (usually caused by fever); and low number of platelets (a type of blood cells). Other rare serious problems have been seen after MMR was given, but it is not known if the vaccine caused the problems. These problems are even more rare than the ones above and include hearing loss and inflammation of the brain that could lead to lasting damage.

If a serious or unusual problem occurs after getting any vaccine, call a doctor or get the person to a doctor right away.

**What Is the Injury Compensation Program?**

The National Vaccine Injury Compensation Program is a U.S. government program that gives compensation (payment) for some persons thought to be injured by vaccines. For facts about this program, call this toll-free number: 1-800-338-2382.

If you believe that the person getting the vaccine had a serious problem because of the vaccine, tell the doctor/nurse or health department. Ask him or her to report the problem on a Vaccine Adverse Event Report form. If you want to report it yourself, you can get the form by calling this toll-free number: 1-800-822-7967.

U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention

MMR 00/00/94 (Proposed)  
42 U.S.C. 300aa-26

**Polio Vaccine What you Need To Know Before Your Child Gets the Vaccine**

**What Is Polio?**

Polio is a serious disease that can cause life-long paralysis (that is, victims cannot move parts of their bodies). Some polio victims cannot breathe without the help of a machine. They may even die. Your child can be protected from polio by the vaccine. Polio is very rare in our country, mostly because people are protected by polio vaccine.

There are 2 kinds of polio vaccine: OPV or Oral Polio Vaccine. OPV is given by mouth as drops. Most experts recommend OPV for healthy children.

IPV or Inactivated Polio Vaccine. IPV is a shot.

**Should Everyone Get the Polio Vaccine?**

Experts believe that almost all young children should get polio vaccine. To help your doctor/nurse know what is best for your child, please answer the following questions.

	Yes	No
1. Is the person getting the vaccine or anyone else in the home less able to fight infections because of:		
A disease such as cancer or leukemia? .....	<input type="checkbox"/>	<input type="checkbox"/>
Special cancer treatments such as x-rays or drugs? .....	<input type="checkbox"/>	<input type="checkbox"/>
Drugs such as prednisone or other steroids? .....	<input type="checkbox"/>	<input type="checkbox"/>
An inborn or inherited disease? .....	<input type="checkbox"/>	<input type="checkbox"/>
AIDS or HIV infection? .....	<input type="checkbox"/>	<input type="checkbox"/>
If the answer to any of these questions is "yes," your doctor/nurse will probably give IPV instead of OPV		
2. Is the person getting the vaccine pregnant or think she is? .....	<input type="checkbox"/>	<input type="checkbox"/>
If so, she can come back for the vaccine when she is not pregnant. If she needs to be protected against polio right away, she may get OPV or IPV		
3. Does the person getting the vaccine have a serious allergy to neomycin, streptomycin, or polymyxin B (antibiotics)? ..	<input type="checkbox"/>	<input type="checkbox"/>
If so, he or she can get OPV, but not IPV		
4. Does the person getting the vaccine have frequent close contact with anyone who never got the polio vaccine? .....	<input type="checkbox"/>	<input type="checkbox"/>

If so, the person who never got the polio vaccine should talk to her/his doctor/nurse about getting IPV.

#### *When Should Your Child Get the Polio Vaccine?*

Most children should have a total of 4 polio vaccines. They should get vaccine at:

- 2 months of age
- 4 months of age
- 6 to 18 months of age
- 4 to 6 years of age

These vaccines may be given at the same time as other childhood vaccines.

Before travel to countries where polio still occurs, adults and children should get at least 1 more dose of either OPV (if they had OPV before) or IPV. Your doctor/nurse can tell you how many doses are needed.

#### *Are There Risks With Polio Vaccine?*

The polio vaccine is the best way to protect your child against this serious disease. But there are risks with any medicine, including vaccines. There is a very small chance that serious problems, even death, could occur after getting vaccines. The risk from the vaccine is much smaller than the risk from the disease.

**OPV.** Almost all people who get OPV will not have any problems at all. Extremely rarely, a person will get polio from the first dose of vaccine and, even more rarely, from a later dose.

Children who recently got OPV have the vaccine virus in their throats for a week and in their stool for a month or sometimes longer. People who have close contact (for example, kissing or changing diapers) with someone who got OPV can get infected by the virus. Extremely rarely, if they have not already gotten the vaccine against polio, they can get polio disease. If you have a child getting OPV and you never got the polio vaccine, ask your doctor/nurse about getting IPV for yourself.

**IPV.** Inactivated polio vaccine is not known to cause any problems other than a little soreness or redness where the shot is given.

If a serious or unusual problem occurs after getting any vaccine, call a doctor or get the person to a doctor right away.

#### *What is the Injury Compensation Program?*

The National Vaccine Injury Compensation Program is a U.S. government program that gives

compensation (payment) for some persons thought to be injured by vaccines. For facts about this program, call this toll-free number: 1-800-338-2382.

If you believe that the person getting the vaccine had a serious problem because of the vaccine, tell the doctor/nurse or health department. Ask him or her to report the problem on a Vaccine Adverse Event Report form. If you want to report it yourself, you can get the form by calling this toll-free number: 1-800-822-7967.

U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention

Polio 00/00/94 (Proposed)  
42 U.S.C. 300aa-26

#### **Tetanus and Diphtheria Vaccine (Td) What You Need To Know Before You Get the Vaccine**

##### *What Are Tetanus and Diphtheria?*

Td vaccine is named for 2 diseases: Tetanus and diphtheria. These diseases can lead to serious problems, even death. You can be protected from tetanus and diphtheria by the vaccine. These diseases are still found in our country, mostly because some people do not get enough doses of the vaccines.

Tetanus, also called lockjaw, is caused by a germ that enters the body through a cut or wound. Tetanus causes serious, painful spasms of all muscles, "locking" of the jaw so the sick person cannot open his mouth or swallow, and death.

Diphtheria is spread from person to person. It can cause a membrane to form in the nose, throat, or airway. Diphtheria can cause breathing problems, heart failure, or paralysis.

##### *Should Everyone Get the Td Vaccine?*

Td is made for people 7 years of age and older.

If you had an allergic problem that required a medical visit right after any vaccine for tetanus or diphtheria (for example, DT, DTP, DTaP), talk to your doctor/nurse about the problem before getting Td.

Tell your doctor/nurse if you:

- Have signs of illness today.
- Are pregnant or think you may be pregnant.

##### *When Should You Get the Td Vaccine?*

To be protected against tetanus and diphtheria, a Td dose is needed every 10 years all through life.

#### *Are There Risks With Td?*

The Td vaccine is the best way to protect yourself against these serious diseases. But there are risks with any medicine, including vaccines. There is a very small chance that serious problems, even death, could occur after getting vaccines. The risk from the vaccine is much smaller than the risk from the diseases.

Most people who get Td will not have any problems at all. Some will have minor problems like soreness, redness, or swelling where the shot was given. Most persons 7 years of age and older have had doses of DTP, DTaP, and/or DT, and should be given Td only once every 10 years. If adults get this vaccine very often, they can have a lot of soreness and swelling where the shot was given. Very rarely, Td causes severe allergic problems or Guillain-Barré Syndrome (sudden weakness and numbness that may go on to paralysis).

If a serious or unusual problem occurs after getting any vaccine, call a doctor or get the person to a doctor right away.

#### *What Is the Injury Compensation Program?*

The National Vaccine Injury Compensation Program is a U.S. government program that gives compensation (payment) for some persons thought to be injured by vaccines. For facts about this program, call this toll-free number: 1-800-338-2382.

If you believe that the person getting the vaccine had a serious problem because of the vaccine, tell the doctor/nurse or health department. Ask him or her to report the problem on a Vaccine Adverse Event Report form. If you want to report it yourself, you can get the form by calling this toll-free number: 1-800-822-7967.

U.S. Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention

Td 00/00/94 (Proposed)  
42 U.S.C. 300aa-26

Dated: January 18, 1994.

**Walter R. Dowdle,**

*Deputy Director, Centers for Disease Control and Prevention (CDC).*

[FR Doc. 94-1587 Filed 1-25-94; 8:45 am]

BILLING CODE 4160-18-P



# **Federal Register**

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**Wednesday  
January 26, 1994**

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**Part III**

## **Department of Commerce**

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**National Telecommunications and  
Information Administration**

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**Advisory Council on National Information  
Infrastructure; Meeting; Notice**

**DEPARTMENT OF COMMERCE****National Telecommunications and Information Administration****Advisory Council on the National Information Infrastructure; Meeting**

**AGENCY:** National Telecommunications and Information Administration (NTIA), Commerce.

**ACTION:** Notice is hereby given of the first meeting of the Advisory Council on the National Information Infrastructure, created pursuant to Executive Order 12864, as amended.

**SUMMARY:** The President established the Advisory Council on the National Information Infrastructure (NII) to advise the Secretary of Commerce on matters related to the development of the NII. In addition, the Council shall advise the Secretary on a national strategy for promoting the development of a NII. The NII will result from the integration of hardware, software, and skills that will make it easy and affordable to connect people, through the use of communication and information technology, with each other and with a vast array of services and information resources. Within the Department of Commerce, the National Telecommunications and Information Administration has been designated to provide secretariat services for the Council.

**AUTHORITY:** Executive Order 12864, signed by President Clinton on September 15, 1993, and amended on December 30, 1993.

**DATES:** The meeting will be held on Thursday, February 10, 1994, from 1 p.m. until 4 p.m.

**ADDRESSES:** The meeting will take place in the Indian Treaty Room at the Old Executive Office Building (OEOB), room 474; 17th St. and Pennsylvania Avenue, NW.; Washington, DC 20500. The Pennsylvania Avenue entrance to the OEOB should be used.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sarah Maloney, Designated Federal Official for the National Information Infrastructure Advisory Council and Chief, Policy Coordination Division at the National Telecommunications and Information Administration (NTIA); U.S. Department of Commerce, room 4625; 14th Street and Constitution Avenue, NW.; Washington, DC 20230. Telephone: 202-482-1835; Fax: 202-482-0979; E-mail: nii@ntia.doc.gov.

**SUPPLEMENTARY INFORMATION:** The Advisory Council was chartered on January 5, 1994, pursuant to Executive Order 12864, as amended, to advise the Secretary of Commerce on matters related to the development of the National Information Infrastructure (NII). In addition, the Council shall advise the Secretary on a national strategy for promoting the development of a NII.

**Agenda**

1. Welcoming Remarks by the Vice President and the Secretary of Commerce
2. Opening Introductions and Remarks by the National Information Infrastructure Advisory Council Co-Chairs
3. Briefing by the Information Infrastructure Task Force Committee Chairpersons
4. Open Discussion
5. Administrative Issues

6. Next Meeting Date and Agenda Items
7. Closing Remarks

**Public Participation**

The meeting will be open to the public, with limited seating available on a first-come, first-served basis. Interested members of the public who wish to attend the meeting should provide their full name, date of birth, and social security number to the National Telecommunications and Information Administration (NTIA) by fax at 202-482-0979 or through electronic mail at nii@ntia.doc.gov. This information is required to satisfy the security regulations for the Old Executive Office Building and must be provided to NTIA by 5 p.m. on Tuesday, February 8, 1994, to allow expeditious entry into the meeting. Any member of the public may submit written comments concerning the Council's affairs at any time before or after the meeting. Comments should be submitted to the Designated Federal Official at the address listed above. Copies of the minutes of the Council meetings may be obtained from the U.S. Department of Commerce Public Reading Room, room 6204, 14th Street and Constitution Avenue, NW.; Washington, DC 20230; Telephone 202-482-4115; within 30 days following the meeting.

**Larry Irving,**

*Assistant Secretary for Communications and Information.*

[FR Doc. 94-1652 Filed 1-25-94; 8:45 am]

**BILLING CODE 3510-60-M**

# Federal Register

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Wednesday  
January 26, 1994

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Part IV

## Department of the Interior

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Bureau of Indian Affairs

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Information Collection Submitted to the  
Office of Management and Budget for  
Review Under the Paperwork Reduction  
Act; Notice

**DEPARTMENT OF THE INTERIOR****Bureau of Indian Affairs****Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act**

The proposal for the collection of information reproduced below has been submitted to the Office of Management and Budget for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35). An expedited review has been requested in accordance with the Act, since allowing for the normal review period would adversely affect the public interest for

the reasons given below. Approval has been requested by January 31, 1994. Comments and suggestions on the proposal should be made directly to the bureau clearance officer listed below and to the Office of Management and Budget, Paperwork Reduction Projects (1076-0084), Washington, DC 20503; telephone (202) 395-7340.

*Title:* Housing Assistance Application.  
*OMB approval number:* 1076-0084.

*Abstract:* Information is collected to select eligible Indian families for individuals to participate in the Housing Improvement Program. This information will be used to determine the eligibility and the ranking of the applicant.

*Reason for expedited review:* Current OMB approval expired on October 31, 1993, and housing assistance program accepts applications on a year round basis.

*Frequency:* Occasionally.

*Description of respondents:* Indian individuals requesting housing assistance.

*Estimated completion time:* 30 minutes

*Annual Responses:* 3,500.

*Annual burden hours:* 1,750.

*Bureau clearance officer:* Gail Sheridan  
(202) 208-2685.

**Kay Keely,**

*Chief, Division of Housing Assistance.*

[FR Doc. 94-1598 Filed 1-25-94; 8:45 am]

BILLING CODE 4310-02-P

**Federal Register**

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Wednesday  
January 26, 1994

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Part V

**Environmental  
Protection Agency**

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Ambient Water Quality Criteria; Aniline  
and 2,4-Dimethylphenol; Notice

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-4828-9]

**Ambient Water Quality Criteria; Aniline and 2,4-Dimethylphenol**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Availability and Request for Comments on Proposed Ambient Water Quality Criteria Documents for the Protection of Aquatic Life; Extension of Comment Period and Correction to Table.

**SUMMARY:** The purpose of this notice is to extend the comment period for and make corrections to the table in 58 FR 61910 entitled "Ambient Water Quality Criteria Aniline and 2,4-Dimethylphenol."

**DATES:** Written comments should be submitted on or before March 28, 1994 and should be addressed as indicated below.

**ADDRESSES:** Requests for documents should be sent to: Aniline and 2,4-Dimethylphenol Proposal Water Resource Center, (RC-4100) U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Send written comments on the draft documents to: Aniline and 2,4-

Dimethylphenol Proposal, Comment Clerk; Water Docket (MC-4101), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Commenters are requested to submit any references cited in their comments. Commenters are also requested to submit an original and 3 copies of their written comments and enclosures. Commenters who want receipt of their comments acknowledged should include a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted.

**FOR FURTHER INFORMATION CONTACT:** Call Ecological Risk Assessment Branch at (202)260-0658.

**SUPPLEMENTARY INFORMATION:**

**Background Information**

Section 304(a)(1) of the Clean Water Act (33 U.S.C. 1314(a)(1)), directs EPA to develop and publish criteria reflecting the latest scientific knowledge on the identifiable effects of pollutants on public health and welfare, aquatic life and recreation.

The draft criteria announced in 58 FR 61910 are intended to protect aquatic life and were derived using the 1985 "Guidelines for Deriving Numerical National Water Quality Criteria for the Protection of Aquatic Organisms and Their Uses" (50 FR 30784). All of the

criteria developed by EPA using this methodology are summarized in Quality Criteria for Water 1986 (1986 "Gold Book") (which is updated periodically.)

EPA's criteria documents provide a comprehensive aquatic toxicological evaluation of each chemical. For toxic pollutants, the documents tabulate the relevant acute and chronic toxicity information for aquatic life and derive the criteria maximum concentrations (acute criteria) and criteria continuous concentrations (chronic criteria) which the Agency recommends to protect aquatic life resources. The proposed criteria announced today are not intended to protect human health and do not address human health concerns.

**Correction of Table**

This notice corrects a table in the Federal Register notice on the availability of draft documents proposing Ambient Water Quality Criteria for the protection of aquatic life for two chemicals which appeared at 58 FR 61910. In the table on page 61911, the column headed Proposed FW acute criterion for the entry Aniline is corrected to read 28 µg/L and the column headed Proposed FW chronic criterion for the entry Aniline is corrected to read 14 µg/L. The table as corrected is shown below:

Pollutant	CWA 307(a) priority pollutant	Proposed FW acute criterion	Proposed SW acute criterion	Proposed FW chronic criterion	Proposed SW chronic criterion
Aniline .....	No	28 µg/L	77 µg/L	14 µg/L	37 µg/L
2,4-Dimethylphenol .....	Yes	1,300 µg/L	270 µg/L	530 µg/L	110 µg/L

**Request for Comments**

EPA is soliciting comments on the proposed criteria documents and extending the comment period for an additional 60 days to March 25, 1994. If issued in final form, the proposed documents would supersede material specific to the aquatic life toxicity of these chemicals as published in any previous ambient water quality criteria documents. Specifically, Acute and Chronic Criteria for the protection of aquatic life within proposed "Ambient Aquatic Life Water Quality Criteria for 2,4-DIMETHYLPHENOL" would, upon

finalization, supersede guidance given in the previous Ambient Water Quality Criteria for 2,4-dimethylphenol (USEPA, 1980). The proposed criteria were derived using improved procedures and additional information.

The Agency is soliciting additional toxicological data on the pollutants covered by today's notice. Data suitable (as specified in the Agency's guidelines for developing aquatic life criteria) for determining the bioconcentration of Aniline in freshwater (FW) or saltwater (SW) organisms is of particular interest. The Agency is also soliciting comments

on the scientific basis for the criteria values, the appropriate analytical techniques for measuring attainment of criteria, and the allowable duration and frequency for exceeding the criteria. The proposed criteria announced today, if published in final form, would serve as guidance to the States in developing water quality standards pursuant to 40 CFR part 131.

Dated: January 18, 1994.

**Martha G. Prothro,**  
Deputy Assistant Administrator for Water.  
[FR Doc. 94-1623 Filed 1-25-94; 8:45 am]

BILLING CODE 6580-50-P

# federal register

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Wednesday  
January 26, 1994

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Part VI

## Environmental Protection Agency

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Thirty-Third Report of the TSCA  
Interagency Testing Committee to the  
Administrator; Receipt of Report and  
Request for Comments; Notice

## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-41040; FRL-4750-9]

### Thirty-Third Report of the TSCA Interagency Testing Committee to the Administrator; Receipt of Report and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

**SUMMARY:** The TSCA Interagency Testing Committee (ITC), established under section 4(e) of the Toxic Substances Control Act (TSCA), transmitted its Thirty-Third Report to the Administrator of EPA on November 29, 1993. As noted in this Report, which is included with this notice, the ITC revised the *Priority Testing List* by removing 2 chemicals and 4 chemical groups from the *List* for priority consideration by the EPA Administrator for promulgation of test rules under section 4(a) of the Act. The chemicals being removed are 2,4-dinitrophenol and 3,4-dimethylphenol. The groups being removed are imidazolium and ethoxylated quaternary ammonium compounds (8 chemicals), brominated flame retardants (23 chemicals), and alkyl phosphates (20 chemicals). The Report indicates that removal of these chemicals and chemical groups from the *List* should be interpreted only as a reordering of priorities and not a statement that the testing recommended earlier has been completed or is not needed. Prior to removing chemicals from the *List*, the ITC reviewed about 80 TSCA section 8(a) reports and 850 TSCA section 8(d) studies. The ITC is sharing summaries of these reviews with appropriate EPA programs offices and other concerned Federal agencies to assist them in risk assessment and management activities.

There are no additions to the *Priority Testing List*.

EPA invites interested persons to submit written comments on the Report. **DATES:** Written comments on the Thirty-third ITC Report should be submitted by February 25, 1994.

**ADDRESSES:** Send six copies of written submissions to: TSCA Docket Receipts (7407), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. ET G-99, 401 M St., SW., Washington, DC 20460. Submissions should bear the document control number (OPPTS-41040; FRL-4750-9). The public record supporting this action, including comments, is available for public inspection in Rm. ET G-102 at the address noted above from 12:00

noon to 4 p.m., Monday through Friday, except legal holidays.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M Street, SW., Rm. E-543B, Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551.

**SUPPLEMENTARY INFORMATION:** EPA has received the TSCA Interagency Testing Committee's Thirty-Third Report to the Administrator.

#### I. Background

TSCA (Pub. L. 94-469, 90 Stat. 2003 et seq; 15 U.S.C. 2601 et seq.) authorizes the Administrator of EPA to promulgate regulations under section 4(a) requiring testing of chemicals and chemical groups in order to develop data relevant to determining the risks that such chemicals and chemical groups may present to health or the environment. Section 4(e) of TSCA established the Interagency Testing Committee to recommend chemicals and chemical groups to the Administrator of EPA for priority testing consideration. Section 4(e) directs the ITC to revise the TSCA section 4(e) *Priority Testing List* at least every 6 months. The most recent revisions to this *List* are included in the ITC's Thirty-Third Report. The Report was received by the Administrator on November 29, 1993, and is included in this Notice. The Report removes two chemicals and four chemical groups from the TSCA section 4(e) *Priority Testing List*.

These chemical substances and chemical groups were previously added to the TSCA section 8(d) Health and Safety Data Reporting Rule (40 CFR part 716) in response to the ITC testing recommendations. These substances will be considered for removal from the 8(d) rule during the next 8(d) rule "biennial review," scheduled to occur during 1995. See 40 CFR 716.65(b).

#### II. Written and Oral Comments

EPA invites interested persons to submit detailed comments on the ITC's Report. All submissions should bear the identifying docket number (OPPT-41040).

#### III. Status of List

The ITC's Thirty-Third Report notes the removal of 2 chemicals and 4 chemical groups from the *Priority Testing List*. The current TSCA section 4(e) *Priority Testing List* contains 16 chemicals and 12 chemical groups, with two chemical groups and 7 chemicals designated for testing.

Authority: 15 U.S.C. 2603.

Dated: January 11, 1994.

Charles M. Auer,  
Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

### Thirty-Third Report Of The TSCA Interagency Testing Committee To The Administrator, U.S. Environmental Protection Agency

**Summary:** This is the 33rd Report of the TSCA Interagency Testing Committee (ITC) to the Administrator of the U.S. Environmental Protection Agency (EPA). The ITC is revising its *Priority Testing List* by removing two chemicals and four chemical groups. The chemicals being removed are 2,4-dinitrophenol and 3,4-dimethylphenol. The groups being removed are imidazolium and ethoxylated quaternary ammonium compounds, brominated flame retardants, and alkyl phosphates. These revisions are based on current priorities of ITC Member agencies and a review of production and exposure reports and health and safety studies submitted by manufacturers, processors, and distributors for these chemicals and chemical groups.

#### I. Background

The TSCA Interagency Testing Committee (ITC) was established by subsection 4(e) of the Toxic Substances Control Act (TSCA) "to make recommendations to the Administrator respecting the chemical substances and mixtures to which the Administrator should give priority consideration for the promulgation of a rule for testing under subsection 4(a)... At least every 6 months..., the Committee shall make such revisions in the *List* as it determines to be necessary and to transmit them to the Administrator together with the Committee's reasons for the revisions" (Public Law 94-469, 90 Stat. 2003 et seq., 15 U.S.C. 2601 et seq.). Since its creation in 1976, the ITC has submitted 32 semi-annual Reports to the EPA Administrator transmitting the *Priority Testing List* and its revisions. These Reports have been published in the **Federal Register** and are available from the ITC. The ITC meets monthly and produces its revisions with the help of staff and technical contract support provided by EPA. ITC membership and support personnel are listed at the end of this Report.

Following receipt of the ITC's Report, the EPA's Office of Pollution Prevention and Toxics may promulgate TSCA subsection 8(a) and 8(d) rules that require manufacturers, processors, and/or distributors of chemicals on the

**Priority Testing List** to submit production and exposure data (8a), and health and safety studies (8d), within 2 months of the rules' effective dates. The submissions are indexed and maintained by EPA. The ITC reviews the 8(a) and 8(d) information and other available data on chemicals and chemical groups to determine if revisions to the *Priority Testing List* are necessary. Revisions include changing a

recommendation to a designation for action by the Administrator within 12 months, modifying the recommended testing, or removing the chemical or group from the *List*.

The substituted phenols were recommended for testing in 1990 and the chemical groups were added to the *Priority Testing List* following the Committee's 1986 sixth scoring exercise (Ref. 1). The sixth scoring exercise was

a systematic, computerized chemical selection procedure for identifying chemicals of concern, further defined by chemical substructural features (Ref. 5).

#### II. Revisions to the TSCA Section 4(e) Priority Testing List

The ITC removes the following chemicals and chemical groups from the TSCA Section 4(e) *Priority Testing List* (Table 1).

TABLE 1.—CHEMICALS AND CHEMICAL GROUPS REMOVED FROM THE TSCA SECTION 4(e) PRIORITY TESTING LIST IN ITC'S 33RD REPORT

CAS No.	Chemical/Group	Action	Date
51-28-5 .....	2,4-Dinitrophenol .....	Remove Previously Rec- ommended Chemical.	11/93
95-65-8 .....	3,4-Dimethylphenol .....	Remove Previously Rec- ommended Chemical.	11/93
	<b>Imidazolium and ethoxylated quaternary ammonium compounds</b>	Remove Previously Rec- ommended Chemical Group.	11/93
68122-86-1 ...	Imidazolium compounds, 4,5-dihydro-1-methyl-.		
68153-35-5 ...	Ethanaminium, 2-amino-N-(2-aminoethyl).		
68389-88-8 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[2-[bis(2-aminoethyl)- methylammonio]-ethyl]- $\omega$ -hydroxy-, N,N'-dicoco acyl) derivs., methyl sulfates (salts).		
68389-89-9 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[2-[bis(2-aminoethyl)- methylammonio]-ethyl]- $\omega$ -hydroxy-, N,N'-bis(hydrogenated tallow acyl) derivs., methyl sulfates (salts).		
68410-69-5 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[2-[bis(2-aminoethyl)- methylammonio]-ethyl]- $\omega$ -hydroxy-, N,N'-ditallow acyl derivs., methyl sulfates (salts).		
68413-04-7 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[2-[bis(2-aminoethyl)- methylammonio]-methylethyl]- $\omega$ -hydroxy-, N,N'-di tallow acyl derivs., methyl sulfates (salts).		
68554-06-3 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[3-[bis(2-aminoethyl)- methylammonio]-2-hydroxypropyl]- $\omega$ -hydroxy-, N-coco acyl derivs., methyl sulfates (salts).		
70914-09-9 ...	Poly(oxy-1,2-ethanediyl), $\alpha$ -[2-[bis(2-aminoethyl)- methylammonio]-ethyl]- $\omega$ -hydroxy-, N,N'-di-C <sub>14-16</sub> acyl derivs., methyl sulfates (salts).		
	<b>Brominated flame retardants *</b>	Remove Previously Rec- ommended Chemical Group.	11/93
118-79-6 .....	2,4,6-Tribromophenol.		
632-79-1 .....	Tetrabromophthalic anhydride.		
3296-90-0 ....	Dibromoneopentyl glycol.		
32588-76-4 ...	Ethylene bis(tetrabromophthalimide).		
41291-34-3 ...	Ethylene bis(5,6-dibromonorbornane-2,3- dicarboximide).		
57137-10-7 ...	Tribrominated polystyrene.		
61262-53-1 ...	Ethylene bis(pentabromophenoxide).		
	<b>Brominated flame retardants *</b>	Remove Previously Rec- ommended Chemical Group.	11/93
74-97-5 .....	Bromochloromethane.		
87-10-5 .....	3,4',5-Tribromosalicylanilide.		
87-83-2 .....	2,3,4,5,6-Pentabromotoluene.		
87-84-3 .....	1,2,3,4,5-Pentabromo-6-chlorocyclohexane.		
96-13-9 .....	2,3-Dibromopropanol.		
593-60-2 .....	Vinyl bromide.		
615-58-7 .....	2,4-Dibromophenol.		
4162-45-2 ....	Ethoxylated tetrabromobisphenol A.		
25327-89-3 ...	Tetrabromobisphenol A, bis(allyl ether).		
30554-72-4 .	Tetrabromodichlorocyclohexane.		
30554-73-5 .	Tribromotrchlorocyclohexane.		

TABLE 1.—CHEMICALS AND CHEMICAL GROUPS REMOVED FROM THE TSCA SECTION 4(e) PRIORITY TESTING LIST IN ITC'S 33RD REPORT—Continued

CAS No.	Chemical/Group	Action	Date
36483-57-5 ...	Tribromoneopentyl alcohol.		
55205-38-4 ...	Tetrabromobisphenol A diacrylate.		
68955-41-9 ...	Alkanes, C <sub>10</sub> -C <sub>16</sub> , bromochloro.		
69882-11-7 ...	2,4-(or 2,6)-Dibromophenol, homopolymer.		
88497-56-7 ...	Benzene, ethenyl-, homopolymer, brominated.		
	<b>Alkyl phosphates</b>	Remove Previously Rec- ommended Chemical Group.	11/93
78-40-0 .....	Triethyl phosphate.		
78-42-2 .....	Tris(2-ethylhexyl) phosphate.		
78-51-3 .....	Tris(2-butoxyethyl) phosphate.		
107-66-4 .....	Di- <i>n</i> -butyl phosphate.		
126-71-6 .....	Triisobutyl phosphate.		
126-73-8 .....	Tri- <i>n</i> -butyl phosphate.		
298-07-7 .....	Di(2-ethylhexyl) phosphate.		
812-00-0 .....	Monomethyl phosphate.		
1070-03-7 .....	Mono(2-ethylhexyl) phosphate.		
1498-51-7 .....	Ethyl dichlorophosphate.		
1623-15-0 .....	<i>n</i> -Butyl phosphate.		
1623-24-1 .....	Monoisopropyl phosphate.		
2958-09-0 .....	Monooctadecyl phosphate.		
3900-04-7 .....	Monoethyl phosphate.		
3991-73-9 .....	Monooctyl phosphate.		
7057-92-3 .....	Di- <i>n</i> -dodecyl phosphate.		
7332-46-9 .....	2-(2-Butoxyethoxy)ethanol phosphate (3:1).		
12645-31-7 ...	2-Ethylhexyl phosphate.		
12751-23-4 ...	Dodecyl phosphate.		
27215-10-7 ...	Diisooctyl phosphate.		

\* Brominated flame retardants were recommended as 2 groups in the 25th Report (7 chemicals) and 26th Report (16 chemicals).

### III. Rationale for the revisions

#### A. ITC's Activities During this Reporting Period

During the 6 months covered by this Report, May through October 1993, the ITC reviewed the 8(a) and 8(d) submissions and other available data for chemicals and chemical groups recommended in its 22nd, 23rd, 25th, 26th, and 27th Reports. The **Federal Register** citations for the 8(a) and 8(d) rules and the number of 8(d) studies reviewed by the ITC for each chemical or chemical group are summarized in the following Table 2. Approximately 80 TSCA 8(a) reports were reviewed by the ITC; but the exact number is not reported for each chemical or group to protect TSCA Confidential Business Information.

TABLE 2.— NUMBER OF TSCA SECTION 8(D) STUDIES REVIEWED BY THE ITC FOR CHEMICALS AND CHEMICAL GROUPS DISCUSSED IN THIS 33RD REPORT

Chemical/Group	TSCA Section 8(a) and 8(d) Rules FR Citations	8(d) Studies
2,4-Dinitrophenol .....	56 FR 42688, August 29, 1991.	13
3,4-Dimethylphenol ..	56 FR 42688, August 29, 1991.	13
Imidazolium and ethoxylated quaternary ammonium compounds.	53 FR 18211, May 20, 1988.	90
Brominated flame retardants <sup>a</sup> .	54 FR 51131, December 12, 1989.	192
Brominated flame retardants <sup>a</sup> .	55 FR 39780, September 28, 1990.	268

TABLE 2.— NUMBER OF TSCA SECTION 8(D) STUDIES REVIEWED BY THE ITC FOR CHEMICALS AND CHEMICAL GROUPS DISCUSSED IN THIS 33RD REPORT—Continued

Chemical/Group	TSCA Section 8(a) and 8(d) Rules FR Citations	8(d) Studies
Alkyl phosphates .....	55 FR 39780, September 28, 1990.	313

<sup>a</sup> Brominated flame retardants were recommended as two groups in the 25th and 26th Reports.

Also during this reporting period, the ITC reevaluated the priority for testing these chemicals and chemical groups at the urging of EPA in view of current EPA and Member agency priorities. The ITC has determined that the chemicals and groups listed in its recent Reports are of higher priority than some of the

chemicals recommended in earlier Reports and is reordering priorities to reflect this determination. For the chemicals removed from the *List*, the ITC will forward to the appropriate EPA program office(s), or other Federal Government organizations, its review of 8(d) studies and other relevant information to assist them in risk assessment and management activities, regulatory actions, or for renomination to the TSCA section 4(e) *Priority Testing List*. The ITC will also include these TSCA 8(d) summary reports in the public docket supporting this ITC Report. In those cases in which the testing recommendations originally made by the ITC have not been met, the ITC encourages manufacturers, processors, and distributors of the removed chemicals to conduct voluntary testing programs to provide the recommended test data.

### B. Specific Rationales

1. *2,4-Dinitrophenol and 3,4-Dimethylphenol*. These substituted phenols were nominated to the ITC by EPA in June 1990 and added to the *Priority Testing List* in November 1990. Chemical fate, health effects and ecological effects testing were recommended as described in the ITC's 27th Report to the EPA Administrator (56 FR 9534, March 6, 1991). The rationale for recommending health effects testing of these chemicals was to provide needed test data to increase the confidence for EPA's Reference Concentrations (RfC) and Reference Doses (RD). The rationale for recommending chemical fate and ecological effects testing was to provide data that could be used by EPA to assess ecological risk.

Based on a review of 8(d) studies for these chemicals, the recommended testing has not been conducted. However, the ITC decided that these testing recommendations are currently of relatively lower priority than others and removes these chemicals from the *Priority Testing List*.

2. *Imidazolium and ethoxylated quaternary ammonium compounds*. Imidazolium and ethoxylated quaternary ammonium compounds were recommended for health effects, chemical fate and ecological effects testing in the ITC's 22nd Report (53 FR 18196, May 20, 1988). The major concerns were for long-term dermal consumer exposure, toxicity to aquatic organisms and persistence in aquatic environments. For this 33rd Report, the ITC reviewed toxicity and exposure data summarized in the 22nd Report, data submitted to EPA under TSCA sections 8(a) and 8(d) and reports from the

Chemical Specialties Manufacturing Association (CSMA) describing structures, testing and uses of imidazolium and ethoxylated quaternary ammonium compounds in fabric softeners, and studies on health effects, chemical fate and ecological effects (Ref. 2, 3, and 4). After reviewing all these studies, the ITC concludes that there is no additional suspicion of health hazard or human exposure for these quaternary ammonium compounds and that potential effects to aquatic organisms are likely to be mitigated by the binding of these quaternary ammonium compounds to particulate organic carbon. For these reasons, the ITC believes that the previously recommended testing is not of sufficiently high priority at this time. The imidazolium and ethoxylated quaternary ammonium compounds are, therefore, being removed from the *Priority Testing List*. If, in the future, sufficient concerns arise regarding the health or ecological effects of these compounds, individual members of this group may be designated for testing.

3. *Brominated Flame Retardants*. Two groups of brominated flame retardants were added to the *Priority Testing List* in November 1989 and May 1990. Chronic health and ecological effects and physical/chemical properties and persistence testing were recommended for a group of seven brominated flame retardants in the ITC's 25th Report (54 FR 51114, December 12, 1989). Physical/chemical properties and persistence testing were recommended for a group of 16 brominated flame retardants in the ITC's 26th Report (55 FR 23050, June 5, 1990). Based on review of TSCA section 8(a) and 8(d) submissions, available production data and EPA's testing priorities, the ITC removes the brominated flame retardants from the *Priority Testing List*. The most recent, available production data reviewed by the ITC were submitted to EPA in response to the 1990 TSCA Inventory Update Rule (55 FR 39586, September 27, 1990) and the 8(a) rules.

Fifteen of the brominated flame retardants are being removed from the *List* because they are not known to be domestically produced or imported in substantial quantities. These include 3 from the 25th Report: ethylene bis(tetrabromophthalimide) (32588-76-4); ethylene bis(5,6-dibromonorborene-2,3-dicarboximide) (41291-34-3) and ethylene bis(pentabromophenoxide) (61262-53-1) and 12 from the 26th Report: 3,4',5-tribromo-salicylanilide (87-10-5); 2,3,4,5,6-pentabromotoluene (87-83-2); 1,2,3,4,5-pentabromo-6-chlorocyclohexane (87-84-3); 2,3-

dibromopropanol (96-13-9); 2,4-dibromophenol (615-58-7); ethoxylated tetrabromobisphenol A (4162-45-2); tetrabromobisphenol A bis(allyl ether) (25327-89-3); tetrabromodichlorocyclohexane (30554-72-4); tribromotrichlorocyclohexane (30554-73-5); tribromoneopentyl alcohol (36483-57-5); tetrabromobisphenol A diacrylate (55205-38-4) and C<sub>10-18</sub> bromochloroalkanes (68955-41-9).

Tribrominated polystyrene (57137-10-7) from the 25th Report; 2,4-(or 2,6)-dibromophenol homopolymer (69882-11-7); and brominated polystyrene (88497-56-7) from the 26th Report are being removed from the *List* because they are polymers with a lower probability of absorption into biological tissues than nonpolymeric organic chemicals.

Dibromoneopentyl glycol (3296-90-0) from the 25th Report as well as bromochloromethane (74-97-5) and vinyl bromide (593-60-2) from the 26th Report are being removed from the *List* because their health effects are reasonably well characterized and their occupational and environmental exposures can be estimated.

2,4,6-Tribromophenol (118-79-6) and tetrabromophthalic anhydride (632-79-1) from the 25th Report are being removed from the *List* at this time to give adequate priority to recently identified testing needs for other chemicals.

The ITC has prepared a report summarizing its review of the TSCA 8(d) studies for transmittal to the EPA's Existing Chemical Program and other appropriate Federal Government organizations for possible risk assessment and management activities, regulatory actions, or for renomination to the TSCA section 4(e) *Priority Testing List*. This TSCA 8(d) summary report is included in the public docket supporting this ITC Report.

4. *Alkyl phosphates*. Twenty alkyl phosphates were added to the *Priority Testing List* in May 1990. Physical/chemical properties and persistence testing were recommended in the ITC's 26th Report to the Administrator (55 FR 23050, June 5, 1990).

The following 13 alkyl phosphates are being removed from the *Priority Testing List* because they are not known to be domestically produced or imported in substantial quantities: dibutyl phosphate (107-66-4), triisobutyl phosphate (126-71-6), monomethyl phosphate (812-00-0), mono(2-ethylhexyl) phosphate (1070-03-7), monobutyl phosphate (1623-15-0), mono(isopropyl) phosphate (1623-24-1), monoctadecyl phosphate (2958-09-

0), monoethyl phosphate (3900-04-7), monoethyl phosphate (3991-73-9), di-*n*-dodecyl phosphate (7057-92-3), 2-(2-butoxy)ethanol phosphate (7332-46-9), dodecyl phosphate (12751-23-4) and diisooctyl phosphate (27215-10-7).

Testing to provide physical/chemical properties and persistence data for tributyl phosphate (126-73-8) is being conducted under TSCA section 4 (54 FR, 33400, August 14, 1989). The remaining 6 alkyl phosphates have substantial production volumes: triethyl phosphate (78-40-0), tris(2-ethylhexyl) phosphate (78-42-2), tris(2-butoxyethyl) phosphate (78-51-3), di(2-ethylhexyl) phosphate (298-07-7), ethyl dichlorophosphate (1498-51-7) and 2-ethylhexyl phosphate (12645-31-7). The ITC is removing them from the *Priority Testing List* because they are not of sufficiently high priority at this time.

Dibutyl phosphate, which the ITC is removing from the *Priority Testing List* because it is not substantially produced in the U.S., is currently being tested as part of the Organisation for Economic Cooperation and Development (OECD) Screening Information Data Set (SIDS) program. The six "substantially-

produced" alkyl phosphates being removed from the *List* at this time are on OECD's High Production Volume list of chemicals and may be subject to SIDS testing in the future. Therefore, the ITC has forwarded a report summarizing its information on the alkyl phosphates to the U.S. representative to the OECD SIDS program. The ITC has prepared a report summarizing its review of the TSCA 8(d) studies to send to the EPA's Existing Chemical Program and other appropriate Federal Government organizations for possible risk assessment and risk management activities, regulatory actions, or for renomination to the TSCA section 4(e) *Priority Testing List*. This TSCA 8(d) summary report is included in the public docket supporting this ITC Report.

#### C. References

- (1) Brink, R.H. and Walker, J.D. TSCA Interagency Testing Committee sixth scoring exercise. U.S.EPA-68-02-4251. Office of Pollution Prevention and Toxics. Washington, DC (1987).
- (2) Chemical Specialties Manufacturing Association. "Response to EPA's information

needs on imidazolium quaternary ammonium compounds and ethoxylated quaternary ammonium compounds." OPTS Docket #41029, Washington, DC: OPPT, USEPA (1988).

(3) Chemical Specialties Manufacturing Association. Additional information on imidazolium quaternary ammonium compounds and ethoxylated quaternary ammonium compounds." OPTS Docket #41029, Washington, DC: OPPT, USEPA (1993).

(4) TSCA Interagency Testing Committee. Summary tables of TSCA section 8(d) studies for imidazolium and ethoxylated quaternary ammonium compounds. OPTS Docket #41029, Washington, DC: OPPT, USEPA (1993).

(5) Walker, J.D. Chemical selection by the TSCA Interagency Testing Committee: Use of computerized substructure searching to identify chemical groups for health effects, chemical fate and ecological effects testing. *Science of the Total Environment*. 109/110:691-700 (1991).

#### IV. The TSCA Section 4(e) Priority Testing List, as Revised November 1993

The following chemicals and chemical groups remain on the *Priority Testing List* as revised by the ITC in November 1993.

#### THE TSCA SECTION 4(e) PRIORITY TESTING LIST (NOVEMBER 1993)

Report	Date	Chemical/Group	Action
23	November 1988	Butyraldehyde	Recommended.
23	November 1988	Tetrakis(2-chloroethyl)ethylene diphosphate	Recommended with intent-to-designate.
	November 1988	Tris(1,3-dichloro-2-propyl) phosphate	Recommended with intent-to-designate.
	November 1988	Tris(1-chloro-2-propyl) phosphate	Recommended with intent-to-designate.
	November 1988	Tris(2-chloro-1-propyl) phosphate	Recommended with intent-to-designate.
	November 1988	Tris(2-chloroethyl)-phosphate	Recommended with intent-to-designate.
26	May 1990	Isocyanates	Recommended with intent-to-designate.
27	November 1990	Acetophenone	Designated.
27	November 1990	Phenol	Designated.
27	November 1990	<i>N,N</i> -Dimethylaniline	Designated.
27	November 1990	Ethylacetate	Designated.
27	November 1990	2,6-Dimethylphenol	Designated.
27	November 1990	Aldehydes	Recommended with intent-to-designate.
27	November 1990	<i>N</i> -phenyl-1-naphthylamine	Recommended.
27	November 1990	Sulfones	Recommended.
27	November 1990	Substantially produced chemicals in need of subchronic toxicity testing	Recommended.
28	May 1991	Acetone	Designated.
28	May 1991	Thiophenol	Designated.
28	May 1991	<i>m</i> -Dinitrobenzene	Recommended.
28	May 1991	Cyanoacrylates	Recommended.
29	November 1991	White phosphorus	Recommended.
29	November 1991	Alkyl-, bromo-, chloro-, hydroxymethyl diaryl ethers	Recommended.
30	May 1992	Siloxanes	Recommended.
30	May 1992	Chloroalkyl phosphates	Recommended.
31	January 1993	OSHA chemicals with no dermal toxicity data	Designated.
31	January 1993	Propylene glycol ethers and esters (revised)	Recommended.

THE TSCA SECTION 4(e) PRIORITY TESTING LIST (NOVEMBER 1993)—Continued

Report	Date	Chemical/Group	Action
31	January 1993 .....	Methyl ethylene glycol ethers and esters (revised) .....	Recommended.
32	May 1993 .....	OSHA chemicals with insufficient dermal absorption data .....	Designated.

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Technical Support Contractor.	Syracuse Research Corporation
ITC Staff .....	John D. Walker, Executive Director Norma S.L. Williams, Executive Assistant, TSCA Interagency Testing Committee, U.S. EPA/OPPT (7401) 401 M St., SW., Washington, D.C. 20460, (202) 260-1825.

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