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(g) This amendment becomes effective on June 12, 1995.

Issued in Burlington, Massachusetts, on March 31, 1995.

James C. Jones,

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 95-8712 Filed 4-11-95; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Customs Service

#### 19 CFR Part 10

[T.D. 95-30]

RIN 1515-AB69

#### Termination of the Bahamas as a Designated Beneficiary Developing Country Under the GSP

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations pertaining to the Generalized System of Preferences (GSP) direct importation requirement by adding the Bahamas to the list of countries whose membership in an association of countries for GSP purposes has been terminated by the President. This amendment is intended to clarify that goods of a current beneficiary developing country (BDC) member of the Caribbean Common Market (CARICOM) may be shipped to the United States through the Bahamas and still be considered to be imported directly, provided other applicable regulatory requirements are met. Also, the authority citation for Part 10 is revised to reference an applicable General Note provision of the North American Free Trade Agreement.

**EFFECTIVE DATE:** April 12, 1995.

**FOR FURTHER INFORMATION CONTACT:** Lisa Crosby, Office of Field Operations (202) 927-0163.

**SUPPLEMENTARY INFORMATION:** Title V of the Trade Act of 1974, as amended (19 U.S.C. 2461-2465), authorizes the President to establish a Generalized System of Preferences (GSP)—a trade preference program—to provide duty-free treatment for articles which (1) are designated by the President as eligible articles for purposes of the GSP, (2) are the growth, product, or manufacture of a country designated by the President as a beneficiary developing country (BDC) for purposes of the GSP, (3) have at least 35 percent of their appraised value attributable to the cost or value of materials produced in the BDC and/or the direct costs of processing operations performed in the BDC, and (4) are imported directly from the BDC into the Customs territory of the United States. The Customs Regulations implementing the GSP are contained in §§ 10.171-10.178 (19 CFR 10.171-10.178).

Limitations on preferential treatment under the GSP are contained in 19 U.S.C. 2464. One of the limitations provided for concerns per capita gross national product of a BDC for the determination year: If the President determines that this measure of a designated BDC exceeds the applicable limit for the determination year, then the country will no longer be treated as a BDC. 19 U.S.C. 2464(f).

On February 3, 1995, the President signed Presidential Proclamation 6767, which provided, *inter alia*, that he had determined that the per capita gross national product of the Bahamas exceeded the applicable limit provided for in the Trade Act of 1974. Accordingly, the Proclamation deleted the Bahamas from the GSP lists of independent countries and member countries of the Caribbean Common Market (CARICOM), set forth in General Note 4(a) of the Harmonized Tariff Schedule of the United States (HTSUS).

Section 10.175 of the Customs Regulations (19 CFR 10.175) concerns the GSP direct importation requirement. Paragraph (e)(1) of § 10.175 permits shipment to the United States from a BDC through the territory of a former BDC whose designation as a member of the same association for GSP purposes was terminated by the President pursuant to 19 U.S.C. 2464, provided certain requirements are met. Paragraph (e)(2) of § 10.175 lists such former BDC association members.

This document amends § 10.175(e)(2) of the Customs Regulations by adding the Bahamas to the list of countries

whose membership in an association of countries for Generalized System of Preferences (GSP) purposes has been terminated by the President. This amendment is intended to clarify that goods of a current BDC member of the CARICOM may be shipped to the United States through the Bahamas and still be considered to be imported directly, provided the requirements of § 10.175(e)(1) are satisfied.

Also, the general authority citation for Part 10 is revised to reference certain General Note provisions of the Harmonized Tariff Schedule of the United States (HTSUS): General Note 12, which deals with provisions of the North American Free Trade Agreement, General Note 17, which deals with commingled goods, and General Note 20, which authorizes the Secretary of the Treasury to issue rules and regulations governing the admission of articles under the provisions of the tariff schedule. This document adds these reference changes.

Inapplicability of Public Notice and Comment Requirements, Delayed Effective Date Requirements, the Regulatory Flexibility Act, and Executive Order 12866

Because this regulation is necessary to support the objectives of the existing GSP program and since it constitutes a conforming amendment to a benefit already granted the general public, it is determined pursuant to 5 U.S.C. 553(b)(B) that notice and public procedures are unnecessary and contrary to the public interest. Furthermore, for the above reasons, it is determined that good cause exists under the provisions of 5 U.S.C. 553(d)(3) for dispensing with a delayed effective date. Since this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This amendment does not meet the criteria for a "significant regulatory action" as specified in E.O. 12866.

#### Drafting Information

The principal author of this document was Gregory R. Vilders, Attorney, Regulations Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

#### List of Subjects in 19 CFR Part 10

Customs duties and inspection, Foreign relations, Imports, Preference programs, Reporting and recordkeeping requirements, Trade agreements (Generalized System of Preferences).

Amendments to the Regulations

For the reasons set forth above, Part 10, Customs Regulations (19 CFR part 10) is amended as set forth below:

**PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.**

1. The general authority citation for Part 10 is revised to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1321, 1481, 1484, 1498, 1508, 1623, 1624;

\* \* \* \* \*

**§ 10.175 [Amended]**

2. In § 10.175, paragraph (e)(2) is amended by adding "The Bahamas" to the list of countries in appropriate alphabetical order.

Approved: March 8, 1995.

John P. Simpson,  
Deputy Assistant Secretary of the Treasury.  
Michael H. Lane,  
Acting Commissioner of Customs.

[FR Doc. 95-8917 Filed 4-11-95; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Corps of Engineers**

**33 CFR Part 334**

**Danger Zones, Atlantic Ocean South of the Entrance to the Chesapeake Bay, Virginia Beach, Virginia**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Corps of Engineers is amending the regulations which establish a danger zone in the waters of the Atlantic Ocean south of the entrance of the Chesapeake Bay due to the relocation of the Southeast Sea lanes of the Atlantic Federal Project Channel. The relocation of the danger zone is necessary to provide an additional measure of safety for vessels operating in the area. As a result of this amendment, the danger zone will be shifted to the south. The overall size and configuration of the danger zone will remain the same.

**EFFECTIVE DATE:** May 12, 1995.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Henderson at (804) 441-7653 or Mr. Ralph Eppard at (202) 272-1783.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the

Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3), the Corps is amending the danger zone regulations in 33 CFR 334.390.

The Commanding Officer, Fleet Combat Training Center, Atlantic, U.S. Navy, has requested that the danger zone be amended to reflect changes in the routing of the Southeast Sea Lanes. There are no changes which will affect the public's use of the area. As presently configured, the danger zone is in the path of vessel entering and departing the Southeast Sea Lanes south of the entrance to the Chesapeake Bay. This amendment shifts the entire danger zone to the south. On January 20, 1995, we published these amendments in the Notice of Proposed Rules section of the Federal Register (60 FR 4134-4135) with the comment period expiring on 19 February 1995. We received on comments in response to the proposed rule and accordingly, we are publishing the final rule as proposed.

**Economic Assessment and Certification**

This rule is issued with respect to a military function of the Defense Department and the provisions of E.O. 12866 do not apply. The relocation of the danger zone will have only minimal impact on recreational, commercial or fishing vessels within the area because the vessels are not prohibited from use of the area except when firing is in progress at the range. The configuration of the danger zone is not affected by this amendment. There will be no impacts on small businesses or governments in the area. I hereby certify that this regulation will have no significant economic impact on a substantial number of small entities.

**List of Subjects in 33 CFR Part 334**

Navigation (water), transportation, restricted areas.

In consideration of the above, the Corps is amending Part 334 of Title 33 to read as follows:

**PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS**

1. The authority citation for part 334 continues to read as follows:

Authority: 40 Stat. 266; (33 U.S.C. 1) and 40 Stat. 892; (33 U.S.C. 3).

2. In § 334.390, paragraph (a) is revised to read as follows:

**§ 334.390 Atlantic Ocean south of entrance to Chesapeake Bay; firing range.**

(a) *The danger zone.* A section extending seaward for a distance of 12,000 yards between two radial lines bearing 030° True and 083° True, respectively, from a point on shore at

latitude 36°46'48"N, longitude 75°57'24"W; and an adjacent sector extending seaward for a distance of 15 nautical miles between two radial lines bearing 083° True and 150° True, respectively, from the same shore position.

\* \* \* \* \*

Dated: March 24, 1995.

Stanley G. Genega,  
Major General, U.S. Army, Director of Civil Works.

[FR Doc. 95-8958 Filed 4-11-95; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**

[PP 9F3855, 2F4121, 4F4413/R2121; FRL-4947-2]

**RIN 2070-AB78**

**Sethoxydim; Pesticide Tolerances**

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

**ACTION:** Final rule.

**SUMMARY:** This document establishes a pesticide tolerance for the combined residues of the herbicide sethoxydim (2-[1-(ethoxyimino)butyl]-5-[2-(ethylthio)propyl]-3-hydroxy-2-cyclohexen-1-one) and its metabolites containing the 2-cyclohexen-1-one moiety (calculated as the herbicide) in or on the raw agricultural commodities (RACs) clover forage at 35 parts per million (ppm), clover hay at 50 ppm, almond hulls at 2.0 ppm and the crop groupings tree nuts at 0.2 ppm and cucurbit vegetables at 4.0 ppm. The BASF Corp. requested these regulations to establish maximum permissible levels for residues of the pesticide in or on the above commodities and crop groupings.

**EFFECTIVE DATE:** April 12, 1995.

**ADDRESSES:** Written objections and hearing requests, identified by the document control number, [PP 9F3855, 2F4121, 4F4413/R2121], may be submitted to: Hearing Clerk (1900), 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