

of those patents for which extension is sought.

(c) If an application for extension is filed which seeks the extension of the term of a patent based upon the same regulatory review period as that relied upon in one or more applications for extension pursuant to the requirements of this subpart, the certificate of extension of patent term will be issued on the application only if the patent owner or its agent is the holder of the regulatory approval granted with respect to the regulatory review period.

(d) An application for extension shall be considered complete and formal regardless of whether it contains the identification of the holder of the regulatory approval granted with respect to the regulatory review period. When an application contains such information, or is amended to contain such information, it will be considered in determining whether an application is eligible for an extension under this section. A request may be made of any applicant to supply such information within a non-extendable period of not less than one (1) month whenever multiple applications for extension of more than one patent are received and rely upon the same regulatory review period. Failure to provide such information within the period for response set shall be regarded as conclusively establishing that the applicant is not the holder of the regulatory approval.

(e) Determinations made under this section shall be included in the notice of final determination of eligibility for extension of the patent term pursuant to § 1.750 and shall be regarded as part of that determination.

8. Section 1.790 is added to read as follows:

§ 1.790 Interim extension of patent term under 35 U.S.C. 156(d)(5).

(a) An owner of record of a patent or its agent who reasonably expects that the applicable regulatory review period described in paragraph (1)(B)(ii), (2)(B)(ii), (3)(B)(ii), (4)(B)(ii), or (5)(B)(ii) of subsection (g) that began for a product that is the subject of such patent may extend beyond the expiration of the patent term in effect may submit one or more applications for interim extensions for periods of up to one year each. The initial application for interim extension must be filed during the period beginning 6 months and ending 15 days before the patent term is due to expire. Each subsequent

application for interim extension must be filed during the period beginning 60 days before and ending 30 days before the expiration of the preceding interim extension. In no event will the interim extensions granted under this section be longer than the maximum period of extension to which the applicant would be entitled under 35 U.S.C. 156(c).

(b) A complete application for interim extension under this section shall include all of the information required for a formal application under § 1.740 and a complete application under § 1.741. Sections (a)(1), (a)(2), (a)(4), and (a)(6)–(a)(17) of § 1.740 and § 1.741 shall be read in the context of a product currently undergoing regulatory review. Sections (a)(3) and (a)(5) of § 1.740 are not applicable to an application for interim extension under this section.

(c) The content of each subsequent interim extension application may be limited to a request for a subsequent interim extension along with a statement that the regulatory review period has not been completed along with any materials or information required under § 1.740 and § 1.741 that are not present in the preceding interim extension application.

9. Section 1.791 is added to read as follows:

§ 1.791 Termination of interim extension granted prior to regulatory approval of a product for commercial marketing or use.

Any interim extension granted under 35 U.S.C. 156(d)(5) terminates at the end of the 60-day period beginning on the date on which the product involved receives permission for commercial marketing or use. If within that 60-day period the patent owner or its agent files an application for extension under § 1.740 and § 1.741 including any additional information required under 35 U.S.C. 156(d)(1) not contained in the application for interim extension, the patent shall be further extended in accordance with the provisions of 35 U.S.C. 156.

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Dated: May 8, 1995.

Bruce A. Lehman,

*Assistant Secretary of Commerce and
Commissioner of Patents and Trademarks.*

[FR Doc. 95–11787 Filed 5–11–95; 8:45 am]

BILLING CODE 3510–16–M

**ENVIRONMENTAL PROTECTION
AGENCY**

40 CFR Parts 261 and 302

[SWH–FRL–5206–4]

RIN 2050–AD59

**Hazardous Waste Management
System; Carbamate Production
Identification and Listing of Hazardous
Waste; and CERCLA Hazardous
Substance Designation and Reportable
Quantities; Correction**

AGENCY: Environmental Protection Agency.

ACTION: Final rule; correction.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is correcting minor errors in the amendments to the regulations which appeared in the **Federal Register** on April 17, 1995 (60 FR 19165).

EFFECTIVE DATE: August 9, 1995.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice, please contact John Austin, Office of Solid Waste (5304), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 260–4789.

SUPPLEMENTARY INFORMATION: In the February 9, 1995 final rule (60 FR 7824), EPA designated a number of discarded commercial chemical products, off-specification species, container residues, and spill residues as hazardous wastes. EPA subsequently corrected typographical and omission errors in the listing of these chemicals in the notice of April 17, 1995 (60 FR 19165). Today EPA is correcting a typo and an omission to the April document.

The correction notice incorrectly states the Chemical Abstract Number (CAS) for the substance Mexacarbate. The correct CAS number is 315–18–4. The correction notice also fails to include the addition of the substance sodium diethyldithiocarbamate to the Appendix A list of the additions to CERCLA Section 302.4 in numerical sequence of their CAS Registry numbers. The Agency is amending Appendix A to § 302.4 to reflect the additions to § 304.4 that were finalized by the February 9, 1995 document.

Dated: May 8, 1995.

Elliott P. Laws,

Assistant Administrator, Office of Solid Waste and Emergency Response.

Accordingly, the publication on April 17, 1995 of corrections to the final regulations, which were the subject of FR Doc. 95–2983, is corrected as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE [CORRECTED]

1. On page 19165, the CAS number for Mexacarbamate is revised to read 315-18-4.

PART 302—DESIGNATION, REPORTABLE QUANTITIES, AND NOTIFICATION [CORRECTED]

§ 302.4 [Amended]
 2. Section 302.4 is amended by adding the following entry in numerical

order of the CAS Registry number to Appendix A to § 302.4 to read as follows.

APPENDIX A TO § 302.4.—SEQUENTIAL CAS REGISTRY NUMBER LIST OF CERCLA HAZARDOUS SUBSTANCES

| CASRN | Hazardous substance |
|--------|--|
| 148185 | Carbamodithioic acid, diethyl-, sodium salt (Sodium diethyldithiocarbamate). |

[FR Doc. 95-11793 Filed 5-11-95; 8:45 am]
 BILLING CODE 6560-50-P

NATIONAL TRANSPORTATION SAFETY BOARD

49 CFR Part 821

Aviation Rules of Practice; General Revisions

AGENCY: National Transportation Safety Board.

ACTION: Final rule.

SUMMARY: This revision corrects an inadvertent change. By **Federal Register** notice published November 15, 1994 (59 FR 59042), the Safety Board revised a number of its rules of practice, including 49 CFR 821.48(e). The Board inadvertently failed to retain a part of that rule. This notice reinstates the sentence that was dropped.

DATES: The new rule is effective on May 12, 1995.

FOR FURTHER INFORMATION CONTACT: Jane F. Mackall, (202) 382-6540.

SUPPLEMENTARY INFORMATION: Effective January 17, 1995, the Safety Board implemented numerous revisions to its rules of practice. The rule at 49 CFR 821.48(e) was revised to permit the filing, subsequent to briefs, of citations to supplemental authorities. Unintentionally, the paragraph did not retain then-current language prohibiting other briefs, unless authorized on a showing of good cause. To avoid any future misinterpretation, by this notice, that sentence is reinstated.

List of Subjects in 49 CFR Part 821

Administrative practice and procedure, Airmen, Aviation safety.

Accordingly, 49 CFR Part 821 is amended as set forth below.

PART 821—RULES OF PRACTICE IN AIR SAFETY PROCEEDINGS

1. The authority citation for Part 821 continues to read as follows:

Authority: Title VI, Federal Aviation Act of 1958, as amended (49 U.S.C. 40101 *et seq.*); Independent Safety Board Act of 1974, Pub.L. 93-633, 88 Stat. 2166 (49 U.S.C. 1101 *et seq.*), and FAA Civil Penalty Administrative Assessment Act of 1992, Pub.L. 102-345 (49 U.S.C. 46301), unless otherwise noted.

2. Section 821.48 is amended by revising paragraph (e) to read as follows:

§ 821.48 Briefs and oral argument.

* * * * *

(e) *Other briefs.* Subsequent to brief filing, parties may file citations to supplemental authorities. This procedure may be used only for identifying new, relevant decisions, not to correct omissions in briefing or to respond to a reply. No argument may be included in such filings. Parties shall submit, with any decision, a reference to the page of the brief to which the decision pertains. Any response shall be filed within 10 days and shall be similarly limited. With this exception, no further briefs may be filed, except with specific permission of the Board and on a showing of good cause.

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Issued in Washington, D.C. on this 2nd day of May, 1995.

Daniel D. Campbell,

General Counsel.

[FR Doc. 95-11252 Filed 5-11-95; 8:45 am]

BILLING CODE 7533-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 217, 222, and 227

[Docket No. 950427117-5117-01; I.D. 040395A]

RIN 0648-AH97

Sea Turtle Conservation; Restrictions Applicable to Shrimp Trawl Activities; Leatherback Conservation Zone

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Interim rule.

SUMMARY: NMFS issues this interim rule to establish all inshore and offshore waters from Cape Canaveral, FL (28°24.6' N. lat.) to the North Carolina-Virginia border (36°30.5' N. lat.) as the leatherback conservation zone and to provide for short-term closures of areas in that zone when high abundance levels of leatherback turtles are documented. Upon such documentation, NMFS will prohibit, in the closed areas, fishing by any shrimp trawler required to have a turtle excluder device (TED) installed in each net that is rigged for fishing, unless the TED installed is specified in the regulations as having an escape opening large enough to exclude leatherback turtles. This interim rule is necessary to reduce mortality of endangered leatherback sea turtles incidentally captured in shrimp trawls. In addition, NMFS is publishing a proposed rule elsewhere in this **Federal Register** to establish on a permanent basis the leatherback conservation zone and procedure for imposing short-term