

Notices

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

DEPARTMENT OF AGRICULTURE

Forest Service

Charlie Tyson Project; Idaho Panhandle National Forests, St. Maries Ranger District, Benewah County, Idaho

AGENCY: Forest Service, USDA.

ACTION: Correction of the May 10, 1995—Notice of Intent, 60 FR 24829.

A Notice of Intent to prepare an Environmental Impact Statement (EIS) for the Charlie Tyson Projects was inadvertently published on May 10, 1995 (60 FR 24829). This is an error; this notice was published on March 31, 1994 (Vol. 59, No. 62, 15153) and since that time the Draft has been published and the Ranger district is now (May 15, 1995) in the process of mailing out the Final EIS and Record of Decision.

Dated: May 16, 1995.

Bradley J. Burmark,
Acting District Ranger.

[FR Doc. 95-12504 Filed 5-19-95; 8:45 am]
BILLING CODE 3410-11-M

Blue Mountains Natural Resources Institute (BMNRI), Board of Directors

AGENCY: Pacific Northwest Research Station, USDA.

ACTION: Notice of meeting.

SUMMARY: The Blue Mountains Natural Resources Institute Board of Directors will meet on June 8, 1995 at Eastern Oregon State College, Hoke Hall, Room 309, 1410 L Avenue in La Grande, Oregon. The meeting will begin at 9:00 a.m. and continue until 5:00 p.m. Agenda items to be covered include: (1) Review status as a Federal Advisory Committee; (2) presentation of Federal Advisory Committee Act guidelines and responsibilities; (3) report of research and outreach activities; (4) review mission and goals of the BMNRI and

discuss how to most effectively reach these goals; and (5) open public forum. All Blue Mountains Natural Resources Institute Board Meetings are open to the public. Interested citizens are encouraged to attend. Members of the public who wish to make a brief oral presentation at the meeting should contact John Tanaka, BMNRI, 1401 Gekeler Lane, La Grande, OR 97850, 503-963-7122, no later than 5:00 p.m. June 7, 1995 to have time reserved on the agenda.

FOR FURTHER INFORMATION CONTACT: Direct questions regarding this meeting to John Tanaka, Deputy Director, Blue Mountains Natural Resources Institute, 1401 Gekeler Lane, La Grande, Oregon 97850, 503-963-7122.

Dated: May 11, 1995.

Gary Daterman,
Program Manager.

[FR Doc. 95-12408 Filed 5-19-95; 8:45 am]
BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Export Administration

[Docket Number AB1-89]

Final Decision and Order Affirming in Part Order of the Administrative Law Judge

In the Matter of: Town & Country Plastic, Inc., Respondent.

Before me for decision is the appeal of the Office of Antiboycott Compliance (OAC) from the decision and order of the Administrative Law Judge (ALJ). The ALJ dismissed as unproven OAC's charge that Town & Country Plastics, Inc. (T&C), violated § 769.2(d)(1)(iv) of the Export Administration Regulations (15 CFR 769.2(d)(1)(iv)) (the "Regulations").

I. Jurisdictional Issues

T&C questions my jurisdiction to entertain the appeal, alleging that the appeal was not timely filed and properly served. After having reviewed the administrative record, I have concluded that I have jurisdiction to entertain the appeal and that the decision of the ALJ should be affirmed in part, as set forth below.

a. Timeliness

The threshold question is whether OAC's appeal was timely filed and

properly served. Section 788.22(b) of the Regulations (15 CFR 788.22(b)) requires the filing of appeals within 30 days of the date on which the order appealed from was served. Applying this rule literally in this case, the appeal should have been filed on or before October 21, 1990, which happened to be a Sunday. T&C correctly points out that there is nothing in the rules explicitly extending the time for filing documents when the last day falls on a Sunday. On the other hand, OAC refers to the Federal Rules of Civil Procedure where Rule 6 provides that, when the last day allowed for filing a document falls on a Sunday, the document may be filed up until the close of business on the next business day. OAC did file its appeal on Monday, October 22, 1990.

I have concluded that the procedural rules relating to antiboycott appeals should be construed in conjunction with the Federal Rules of Civil Procedure. Accordingly, I find that the appeal was timely filed.

b. Service

T&C also argues that OAC failed to serve the appeal in accordance with the rules. In support of its argument, T&C points out that Section 788.6(a) of the Regulations (15 CFR 788.6(a)) requires that all papers served in the administrative proceedings shall be simultaneously served on other parties. While OAC appended a certificate of service to its appeal stating that it had caused a copy of the appeal to be mailed to T&C on October 22, 1990, the envelope in which the appeal was received by T&C was postmarked October 23, 1990, one day later than the last day the appeal could be filed. OAC responds that on October 22, 1990, it did cause the appeal to be mailed in accordance with customary departmental mailing procedures in which all mailings first go to the Department's centralized mailing room, and it cannot control when a mailing will be actually postmarked by the Post Office.

I have concluded that OAC did serve the appeal in a timely fashion. In my opinion, it is sufficient that the appeal was mailed in accordance with standard departmental mailing procedures on the day when the service was required to be accomplished.