

# 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

### Food Safety and Inspection Service

[Docket No. 95-042N]

#### National Advisory Committee on Microbiological Criteria for Foods; Subcommittee Meeting

The National Advisory Committee on Microbiological Criteria for Foods (NACMCF), Subcommittee on the Hazard Analysis and Critical Control Points System (HACCP), will hold a meeting on October 10 and 11, 1995, at the National Center for Food Safety and Technology, Room 304, 6502 South Archer Road, Summit-Argo, Illinois 60501, (708) 563-1576. The Subcommittee will meet on Tuesday, October 10, from 12 p.m. to 5 p.m. and on Wednesday, October 11, from 8:30 a.m. to 3 p.m.

The Subcommittee's work is under the auspices of the NACMCF which provides advice and recommendations to the Secretaries of Agriculture, and Health and Human Services concerning the development of microbiological criteria by which the safety and wholesomeness of food can be assessed. This includes criteria pertaining to microorganisms that indicate whether food has been processed using good manufacturing practices. The Food Safety and Inspection Service has asked the NACMCF to review and consider modifications to the NACMCF document on HACCP which was adopted in 1992. The Subcommittee has been charged with conducting the review of the document.

The Subcommittee meeting is open to the public on a space available basis. Interested persons may file comments prior to and following the meeting. Comments should be addressed to: Mr. Craig Fedchok, Advisory Committee Specialist, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 311, 1255 22nd Street NW., West End Court Building,

Washington, DC 20250-3700.

Comments may also be sent to Mr. Fedchok on FAX No. (202) 254-2530. Background materials are available for inspection by contacting Mr. Fedchok on (202) 254-2517.

Done at Washington, DC, on: September 27, 1995.

Michael R. Taylor,

*Administrator.*

[FR Doc. 95-24621 Filed 9-28-95; 4:02 pm]

BILLING CODE 3410-DM-P

### Forest Service

**Appalachian Power Company Transmission Line Construction-Cloverdale, VA, to Oceana, WV; George Washington and Jefferson National Forests, Appalachian National Scenic Trail, the New River, and R.D. Bailey Lake Flowage Easement Land; Virginia Counties of Botetourt, Roanoke, Craig, Montgomery, Pulaski, Bland, and Giles and the West Virginia Counties of Monroe, Summers, Mercer, and Wyoming**

AGENCY: Forest Service, USDA.

**ACTION:** Revised notice—revises the publication date for the draft and final environmental impact statements; changes the name of the responsible official for the National Park Service and provides updated information on the federal agencies' analysis.

**SUMMARY:** The Forest Service will prepare a draft and final environmental impact statement on a proposed action to authorize the Appalachian Power Company to construct a 765,000-volt transmission line across approximately twelve miles of the George Washington and Jefferson National Forests, as well as portions of the Appalachian National Scenic Trail, the New River (at Bluestone Lake) and R.D. Bailey Lake Flowage Easement Land (at Guyandotte River).

The federal agencies identified a study area in which alternatives to the proposed action were developed. The study area includes land located in the Virginia counties of Botetourt, Roanoke, Craig, Montgomery, Pulaski, Bland and Giles and the West Virginia counties of Monroe, Summers, Mercer and Wyoming.

The Appalachian Power Company proposal involves federal land under the administrative jurisdiction of the USDA

Forest Service (George Washington and Jefferson National Forests), the USDI National Park Service (Appalachian National Scenic Trail) and the US Army Corps of Engineers (New River and R.D. Bailey Lake Flowage Easement Land).

The Forest Service is the lead agency and is responsible for the preparation of the environmental impact statement. The National Park Service and the US Army Corps of Engineers are cooperating agencies in accordance with 40 CFR 1501.6.

In initiating and conducting the analysis the federal agencies are responding to the requirements of their respective permitting processes and the need for the Appalachian Power Company to cross federal lands with the proposed transmission line.

The Forest Service additionally will assess how the proposed transmission line conforms to the direction contained in the Jefferson National Forest's Land and Resource Management Plan (LRMP). Changes in the LRMP could be required if the transmission line is authorized across the George Washington and Jefferson National Forests.

The total length of the electric transmission line proposed by the Appalachian Power Company is approximately 115 miles.

The Notice of Intent for the proposed action was published in the Federal Register on November 21, 1991 (56 FR 58677-58679). The Notice was revised on March 13, 1992 (57 FR 8859), April 24, 1992 (57 FR 15049), June 16, 1993 (58 FR 33248-33250) June 21, 1994 (59 FR 31975-31978) and June 9, 1995 (60 FR 30511-30514).

#### FOR FURTHER INFORMATION CONTACT:

Frank Bergmann, Forest Service Project Coordinator, George Washington and Jefferson National Forests, 5162 Valleypointe Parkway, Roanoke, Virginia, 24019/(540) 265-6005.

#### TO PROVIDE COMMENTS TO THE FEDERAL AGENCIES:

Write to the George Washington and Jefferson National Forests, Attn: Transmission Line Analysis, 5162 Valleypointe Parkway, Roanoke, Virginia, 24019.

**SUPPLEMENTARY INFORMATION:** The Appalachian Power Company submitted

an application to the Jefferson National Forests (the name changed in 1995) for authorization to construct a 765,000-volt electric transmission line across approximately twelve miles of the National Forest. Portions of the Appalachian National Scenic Trail, the New River (at Bluestone Lake), and R.D. Bailey Lake Flowage Easement Land (at Guyandotte River) would also be crossed by the proposed transmission line.

Studies conducted by the Appalachian Power Company and submitted to the Virginia State Corporation Commission, as part of its application and approval process, indicate a need to reinforce its extra high voltage transmission system by the mid-to-late 1990s in order to maintain a reliable power supply for projected demands within its service territory in central and western Virginia and southern West Virginia.

A study to evaluate potential route locations for the proposed transmission line was prepared for the Appalachian Power Company through a contract with Virginia Polytechnic Institute and State University (VPI) and West Virginia University (WVU). The information gathered by VPI and WVU, along with other information collected during the analysis process, will be utilized in the preparation of the environmental impact statement. Information about the transmission line approval is available from the George Washington and Jefferson National Forests.

The decisions to be made following the environmental analysis are whether the Forest Service, the National Park Service, and the US Army Corps of Engineers will authorize Appalachian Power Company to cross the George Washington and Jefferson National Forests, the Appalachian National Scenic Trail, and the New River and R.D. Bailey Lake Flowage Easement Land, respectively, with the proposed 765,000-volt transmission line and, if so, under what conditions a crossing would be authorized.

In preparing the environmental impact statement a range of routing alternatives will be considered to meet the purpose and need for the proposed action. A no action alternative will also be analyzed. Under the no action alternative APCO would not be authorized to cross the George Washington and Jefferson National Forests, the Appalachian National Scenic Trail, the New River or R.D. Bailey Lake Flowage Easement Land. The alternatives developed by VPI and WVU also be considered.

In July of 1994, the federal agencies identified a number of alternatives to

the proposed action in the Virginia countries of Botetourt, Roanoke, Graig, Montgomery, Pulaski, Bland, and Giles and the West Virginia countries of Monroe, Summers and Mercer. These alternative corridors were modified by the federal agencies in May of 1995. A public comment period was afforded by the federal agencies on these alternative corridor modifications between May 25 and June 30, 1995.

The federal analysis will include an analysis of the effects of the proposed transmission line along the entire proposed route as well as all alternative routes which are considered in detail.

The significant issues identified for the federal analysis are listed below:

- The construction and maintenance of the 765kV transmission line and the associated access roads and right-of-way may (1) affect soil productivity by increasing soil compaction and erosion; (2) affect geologic resources (karst areas, Peters, Lewis, Potts Mountains, Arnolds Knob) and unique geologic features like caves through blasting, earthmoving or construction machinery operations; and (3) result in unstable structural conditions due to the placement of the towers.
- The construction and maintenance of the 765kV transmission line and the associated access roads and right-of-way may (1) degrade surface and ground water quality due to the application of herbicides; (2) degrade surface and ground water quality because of sedimentation resulting from soil disturbance and vegetation removal; (3) reduce the quantity of ground and spring water due to the disturbance of aquifers resulting from blasting, earthmoving or construction machinery operation; and (4) adversely affect the commercial use of ground and surface waters due to herbicide contamination and sedimentation.
- The construction and maintenance of the 765kV transmission line and the associated access roads and right-of-way may affect existing cultural resources, and historic structures and districts through the direct effects of the construction and maintenance activities and by changing the existing resource setting.
- The operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may adversely affect human health through (1) direct and indirect exposure to herbicides and (2) exposure to electromagnetic fields and induced voltage.
- The construction of the 765kV transmission line may adversely affect the safety of those operating aircraft at low altitudes or from airports located near the transmission line.
- The operation of the 765kV transmission line may (1) adversely affect communications by introducing a source of interference; (2) increase noise levels for those in close proximity to the line.
- The construction, operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may (1) adversely affect trails (including the Appalachian Trail) and trail facilities by facilitating vehicle access through new road construction and the upgrading of existing roads; and (2) reduce hiker safety by facilitating vehicle access to remote trail locations.
- The construction, operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may affect hunting, fishing, hiking, camping, boating and birding opportunities and experiences because (1) the setting in which these pursuits take place may be altered; and (2) the noise associated with the operation of the line may detract from the backcountry or recreation experience.
- The construction and operation of the 765kV transmission line and the associated access roads and right-of-way may affect local communities by (1) reducing the value of private lands adjacent to the line; (2) decreasing tax revenues due to the reduction in land value; and (3) influencing economic growth, industry siting, and employment.
- The construction, operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may (1) conflict with management direction contained in resource management plans and designations; (2) affect the uses that presently occur on and adjacent to the proposed right-of-way; (3) affect the wild, scenic and/or recreational qualities of the New River; (4) affect sensitive land uses like schools, churches, and community facilities; (5) affect the cultural attachment residents feel toward Peters Mountain; and (6) affect the scenic and/or recreational qualities of the Appalachian National Scenic Trail (Appalachian Trail).
- The construction, operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may adversely affect the visual attributes of the area because the line, the

associated right-of-way, and access roads may (1) alter the existing landscape; and (2) conflict with the standards established for scenic designations.

- The construction, operation and maintenance of the 765kV transmission line and the associated access roads and right-of-way may affect wildlife, plant and aquatic populations, habitat and livestock because (1) habitats are created, changed or eliminated; (2) herbicides are used and herbicides may be toxic; (3) the transmission line presents a flight hazard to birds; (4) electromagnetic fields and induced voltage may be injurious.
- The construction of the 765kV transmission line and the associated access roads and right-of-way may have a disproportionately high and adverse human health or environmental effects on minority and low income populations as indicated in Executive Order 12898.
- The construction and operation of the 765kV transmission line may adversely affect astronomical observation activities at the Martin Observatory (VPI) due to the introduction of obstructions to the sky (lines and towers), the introduction of light from coronal discharge, and the disruption of sensitive electronic equipment by electromagnetic fields.
- The construction and operation of the 765kV transmission line may adversely affect seismological observation activities at the VPI seismic stations located near Forest Hill and Potts Mountain.
- The construction and maintenance of the 765kV transmission line and the associated access roads and right-of-way may affect the cultural attachment that residents have for the valley between Blacksburg and Catawba, Craig County, Mercer County and portions of Montgomery County. This issue was expanded to include Giles County.

The following permits and/or licenses would be required to implement the proposed action:

- Certificate of Public Convenience and Necessity (Virginia State Corporation Commission)
- Certificate of Public Convenience and Necessity (West Virginia Public Service Commission)
- Special Use Authorization (Forest Service)
- Right-of-Way Authorization (National Park Service)
- Section 10 Permit (US Army Corps of Engineers)
- Right-of-Way Easement (US Army Corps of Engineers)

—Consent to Easement (US Army Corps of Engineers)

Other authorizations may be required from a variety of Federal and State agencies.

Public participation will occur at several points during the federal analysis process. The first point in the analysis was the scoping process (40 CFR 1501.7). The Forest Service obtained information, comments, and assistance from Federal, State and local agencies, the proponent of the action, and other individuals or organizations who are interested in or affected by the electric transmission line proposal. This input will be utilized in the preparation of the draft environmental impact statement. The scoping process included, (1) identifying potential issues, (2) identifying issues to be analyzed in depth, (3) eliminating insignificant issues or those which have been covered by a relevant previous environmental analysis.

Public participation was solicited through contracts with known interested and/or affected groups, and individuals; news releases; direct mailings; and/or newspaper advertisements. Public meetings were also held to hear comments concerning the Appalachian Power Company proposal and to develop the significant issues to be considered in the analysis.

A similar process of public involvement was implemented by the federal agencies for the Preliminary Alternative Corridors announced in July of 1995.

Other public participation opportunities will be provided throughout the federal analysis process.

The Forest Service routinely publishes newsletters describing various aspects of the federal agencies analysis of the transmission line proposal. The next newsletter is scheduled for publication in October of 1995 and will include a revision to alternative corridors currently being considered by the federal agencies.

The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and available for public review by April 12, 1996. This revises the October 20, 1995 date previously announced. At that time, EPA will publish a notice of availability of the draft environmental impact statement in the Federal Register. The comment period on the draft environmental impact statement will be 90 days from the date the EPA publishes the notice of availability in the Federal Register.

Reviewers needed to be aware of several court rulings related to public

participation in the environmental impact statement review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentious. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 90-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.)

After the comment period ends on the draft environmental impact statement, the comments will be analyzed, considered, and responded to by the three federal agencies in preparing the final environmental impact statement. The federal agencies have decided to await the decisions of the Virginia State Corporation Commission and the West Virginia Public Service Commission on the Appalachian Power Company proposal before publishing the final environmental impact statement. It is not known when the two Commission's will issue their decisions. When these decisions are made the federal agencies will announce the publication date of the final environmental impact statement.

The responsible officials will consider the comments, responses, environmental consequences discussed

in the final environmental impact statement, and applicable laws, regulations, and policies in making a decision regarding the proposal to cross federal lands with a 765,000-volt transmission line. The responsible officials will document their decisions and reasons for their decisions in a Record of Decision.

The responsible official for the Forest Service is William E. Damon, Dr., Forest Supervisor, George Washington and Jefferson National Forests, 5162 Valleypointe Parkway, Roanoke, Virginia, 24019. The responsible official for the National Park Service is changed from Don King to Pamela Underhill, Acting Project Manager, Appalachian National Scenic Trail, National Park Service, Harpers Ferry Center, Harpers Ferry, West Virginia 25425. The responsible official for the US Army Corps of Engineers in West Virginia is Colonel Richard Jemiola, US Army Corps of Engineers, Huntington District, 508 8th Street, Huntington, West Virginia 25701-2070. The responsible official for the US Army Corps of Engineers in Virginia is Colonel Andrew M. Perkins, Jr., US Army Corps of Engineers, Norfolk District, 803 Front Street, Norfolk, Virginia 23510.

Dated September 25, 1995.  
William E. Damon, Jr.,  
*Forest Supervisor, George Washington and Jefferson National Forests.*  
[FR Doc. 95-24476 Filed 10-2-95; 8:45 am]  
BILLING CODE 3410-11-M

#### **Klamath Provincial Advisory Committee (PAC)**

**AGENCY:** Forest Service, USDA.  
**ACTION:** Notice of meeting.

**SUMMARY:** The Klamath Provincial Advisory Committee will meet on October 23 and October 24, 1995 at the Weaverville Victorian Inn Conference Room, 1709 Main Street, Weaverville, California. The meeting will begin at 10 a.m. on October 23 and adjourn at 5 p.m. The meeting will reconvene at 8 a.m. on October 24 and continue until 4 p.m. Agenda items to be covered include: (1) Research and monitoring activities in the Province; (2) salvage activities discussion; (4) watershed selection criteria for setting priorities and status of completed and planned analyses; and (5) a public comment period. All PAC meetings are open to the public. Interested citizens are encouraged to attend.

**FOR FURTHER INFORMATION CONTACT:** Jim Anderson, USDA, Klamath National Forest, at 1312 Fairlane Road, Yreka,

California 96097; telephone 916-842-6131, (FTS) 700-467-1300.

Dated: September 27, 1995.  
Robert J. Anderson,  
*Land Management Planning Staff Officer.*  
[FR Doc. 95-24517 Filed 10-2-95; 8:45 am]  
BILLING CODE 3410-11-M

#### **Southwest Oregon Provincial Interagency Executive Committee (PIEC), Advisory Committee**

**AGENCY:** Forest Service, USDA.  
**ACTION:** Notice of meeting.

**SUMMARY:** The Southwest Oregon PIEC Advisory Committee will meet on October 19, 1995 at J. Herbert Stone Nursery in Central Point, Oregon. The meeting will begin at 8 a.m. and continue until 4 p.m. Agenda items to be covered include: (1) Recommendations for revising the standards and guides for large woody material; (2) Local area issues presentation; (3) Public forum. All Province Advisory committee meetings are open to the public, interested citizens are encouraged to attend; (4) Province ecosystem overview; (5) Rogue River National Forest ecosystem monitoring framework presentation and Northwest Forest Plan proposed effectiveness monitoring strategy.

**FOR FURTHER INFORMATION CONTACT:** Direct questions regarding this meeting to Chuck Anderson, Province Advisory Committee staff, USDA, Rogue River National Forest, P.O. Box 520, Medford, Oregon 97501, 503-858-2322.

Dated: September 26, 1995.  
James T. Gladen,  
*Forest Supervisor.*  
[FR Doc. 95-24547 Filed 10-2-95; 8:45 am]  
BILLING CODE 3410-11-M

#### **ASSASSINATION RECORDS REVIEW BOARD**

##### **Freedom of Information Act Statement of Organizations, Functions, and Authority Delegations**

**AGENCY:** Assassination Records Review Board.  
**ACTION:** Notice.

**SUMMARY:** The Assassination Records Review Board (Review Board) is issuing the following notice in accordance with the affirmative disclosure provisions of the Freedom of Information Act (FOIA). The FOIA requires each Federal agency to publish in the Federal Register a statement of its organizations and functions.

This notice provides a brief history of the Review Board, describes the organization of the Review Board, and identifies the primary responsibilities of the Review Board.

**FOR FURTHER INFORMATION CONTACT:** T. Jeremy Gunn, Acting General Counsel, Assassination Records Review Board, 600 E Street, NW., 2nd Floor, Washington, DC. 20530.

**SUPPLEMENTARY INFORMATION:** Congress conceived of the Assassination Records Review Board (Review Board) as an independent Federal agency to oversee the identification and release of records related to the assassination of President John F. Kennedy. President Bush signed into law The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. 2107 (1992) (JFK Act) in October, 1992, and President Clinton appointed the five members of the Review Board. The Review Board members were sworn in on April 11, 1994, after confirmation by the Senate.

The JFK Act gives the Review Board the authority to identify, secure, and make available all records related to the assassination of President Kennedy. The Act provides that "[a]ll Government records concerning the assassination of President John F. Kennedy should carry a presumption of immediate disclosure." The Act mandates that all assassination records be housed in a single collection at the National Archives and Records Administration (NARA).

The Review Board oversees a larger process of agency record review and release established by the JFK Act. The Act requires all Federal agencies to identify records in their possession that may relate to the assassination and to determine whether such records may be disclosed immediately or whether the agency will ask the Review Board to postpone release of the information. The Review Board then evaluates all agency decisions to postpone the release of records. The Act allows the Review Board to sustain Federal agencies' requests for postponements only if the information at issue falls into defined categories, such as national security, intelligence gathering, and privacy, provided the agency provides the Review Board "clear and convincing evidence" of some harm that outweighs the public interest in disclosure. Once the Review Board completes its review of agency recommendations for postponement, all records, including those that have postponed release dates, will be transferred to the National Archives for inclusion in the John F. Kennedy Assassination Record Collection. The JFK Act requires that all