

# 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.

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### President's Export Council Subcommittee on Export Administration; Notice of Partially Closed Meeting

A partially closed meeting of the President's Export Council Subcommittee on Export Administration (PECSEA) will be held December 7, 1995, 2:00 p.m., at the U.S. Department of Commerce, Herbert C. Hoover Building, Room 6800, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC. The Subcommittee provides advice on matters pertinent to those portions of the Export Administration Act, as amended, that deal with United States policies of encouraging trade with all countries with which the United States has diplomatic or trading relations and of controlling trade for national security and foreign policy reasons.

#### Public Session

1. Opening remarks by the Chairman.
2. Presentation of papers or comments by the public.
3. Update on Administration export control initiatives.
4. Task Force reports.

#### Closed Session

5. Discussion of matters properly classified under Executive Order 12958, dealing with the U.S. export control program and strategic criteria related thereto.

A Notice of Determination to close meetings, or portions of meetings, of the Subcommittee to the public on the basis of 5 U.S.C. 522(c)(1) was approved October 27, 1995, in accordance with the Federal Advisory Committee Act. A copy of the Notice of Determination is available for public inspection and copying in the Central Reference and

Records Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, DC. For further information, contact Ms. Lee Ann Carpenter on (202) 482-2583.

Dated: November 6, 1995.

Iain S. Baird,  
*Deputy Assistant Secretary for Export  
Administration.*

[FR Doc. 95-27937 Filed 11-9-95; 8:45 am]

BILLING CODE 3510-DT-M

### International Trade Administration

#### North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews; Request for Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of First Request for Panel Review.

**SUMMARY:** On October 26, 1995, Rancho El Aguaje, Rancho El Toro and Rancho Guacatay filed a First Request for Panel Review with the U.S. Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the Final Results of Antidumping Duty Administrative Review made by the International Trade Administration respecting Fresh Cut Flowers from Mexico. This determination was published in the Federal Register on September 26, 1995 (60 FR 49569). The NAFTA Secretariat has assigned Case Number USA-95-1904-05 to this request.

**FOR FURTHER INFORMATION CONTACT:** James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or

countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established Rules of Procedures for Article 1904 Binational Panel Reviews ("Rules"). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The panel review in this matter will be conducted in accordance with these Rules.

A first Request for Panel Review was filed with the U.S. Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on October 26, 1995, requesting panel review of the final antidumping duty administrative review described above.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is November 27, 1995);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is December 11, 1995); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: November 6, 1995.

James R. Holbein,

*U.S. Secretary, NAFTA Secretariat.*

[FR Doc. 95-27965 Filed 11-9-95; 8:45 am]

BILLING CODE 3510-GT-M

## National Oceanic and Atmospheric Administration

### Final Certification for the Consolidation of Galveston Weather Service Office and Los Angeles Residual Weather Service Office

**ACTION:** Notice.

**SUMMARY:** On June 26, 1995 (60 FR 32943), the National Weather Service (NWS) published proposed consolidation certifications for the consolidations of:

(1) The Galveston Weather Service Office (WSO) into the future Houston/Galveston Weather Forecast Office (WFO); and

(2) The residual Los Angeles WSO into the future Los Angeles WFO in accordance with Pub. Law 102-567. The public had 60-days in which to comment on these proposed certifications. After considering comments received and consulting with the Modernization Transition Committee (MTC), the NWS has determined that these actions will not result in any degradation of service to the affected areas and has so certified. In accordance with Pub. Law 102-567, the Secretary of Commerce transmitted these certifications to the Congress, and the NWS is now publishing the final certifications together with a summary of the supporting documentation.

**EFFECTIVE DATE:** November 13, 1995.

**ADDRESSES:** Requests for copies of the final consolidation certification package(s) should be sent to Janet Gilmer, Room 12316, 1325 East-West Highway, Silver Spring, ME 20910.

**FOR FURTHER INFORMATION CONTACT:** Julie Scanlon at 301-713-1413.

**SUPPLEMENTARY INFORMATION:** The National Weather Service is consolidating its Galveston WSO with the future Houston/Galveston WFO and its Residual Los Angeles WSO with the future Los Angeles WFO. Based on the recommendations of the respective Meteorologist-in-Charge (MIC), on September 26, 1995, the Assistant Administrator of the NWS certified that these consolidations will not result in any degradation of service to the affected service areas as required by section 706 of the Pub. Law 102-567. On October 23, 1995 the Secretary of Commerce transmitted these certifications to Congress. The NWS is now completing the certification requirements by publishing the final consolidation Certifications in the Federal Register.

Published with this notice are (1) the Certifications by the Assistant Administrator of the NWS; (2)

memorandum from Bill Read, MIC of future WFO Houston/Galveston, endorsed by Harry S. Hassel, Director, Southern Region; and (3) memorandum from Todd Morris, MIC of future WFO Los Angeles, endorsed by Dr. Thomas D. Potter, Director, Western Region. These memoranda recommend certification, summarize the basis for the recommendation, and set forth the supporting documentation required by the Pub. Law 102-567. However, this supporting documentation is too voluminous to publish with this notice and can be obtained through the contact listed in **ADDRESSES**. For each certification this material includes:

(1) A Description of local weather characteristics and weather-related concerns which affect the weather services provided within the service area;

(2) A detailed comparison of services provided within the service area and the services to be provided after such action;

(3) A description of any recent or expected modernization of NWS operations which enhance services in the service area;

(4) An identification of any area within Texas or California which would not receive coverage (at an elevation of 10,000 feet) by the next generation weather radar network;

(5) Evidence, based upon operational demonstration of modernized NWS operations, which was considered in reaching the conclusion that no degradation in service will result from such action including the WSR-88D Radar Commissioning Report, User Confirmation of Services Report, and the radar Decommissioning Readiness Report;

(6) A letter appointing the liaison officer; and

(7) The recommendations of the MTC made at its June 14, 1995 meeting and the final consultation made at the September 14, 1995 MTC meeting.

The memoranda recommending certification considered the public comment received on the proposed certification during the 60-day comment periods. One comment was received. This comment and response is set forth here for reference:

*Comment:* Mr. Peter J. Nuhn objected to the proposed consolidation certifications of the Galveston and residual Los Angeles Weather Service Offices (WSO). The comment set forth three concerns as the basis for this objection:

(1) These proposed consolidations violate the Weather Service Modernization Act, Public Law 102-567, and the *Strategic Plan for*

*Modernization and Associated Restructuring of the National Weather Service* by proceeding with these consolidation certifications before all new technologies (ASOS, NEXRAD, GOES-Next and AWIPS) have been deployed, made operational, and demonstrated to not cause a degradation of service.

(2) It is premature to recommend consolidation certifications before it can be demonstrated that the NEXRADs involved are meeting availability requirements.

(3) It is premature to recommend consolidation certifications until staff at future WFOs Houston and Los Angeles have been fully trained on new satellite products being generated by GOES-Next.

*Response:* The NWS is in compliance with the Weather Service Modernization Act. The NWS proposes these consolidation certifications in full compliance with the agency regulations implementing the Act that were published in the Federal Register on December 3, 1993, and final modernization criteria for consolidation certification that were published in the Federal Register on March 2, 1994. Specific responses to the above three concerns are:

(1) The NWS is implementing the modernization in a two stage transition as described in agency regulations and the *Strategic Plan for Modernization and Associated Restructuring of the National Weather Service*, as well as in the annual *National Implementation Plan*. In these documents the NWS describes its' intent and rationale for proceeding with automation, consolidation, and relocation certifications for WSO Galveston and residual WSO Los Angeles satisfy all of the final modernization criteria for this type of action. The NWS consulted with the National Research Council's Modernization Committee and the Modernization Transition Committee. The NWS also invited the public to submit comments during the process of establishing modernization criteria. These criteria envision that the availability of AWIPS (Mr. Nuhn's particular concern) will be a prerequisite for closure but not consolidation.

(2) The NWS has demonstrated that the NEXRADs involved are meeting availability requirements. The NWS has complied with the modernization criteria for a consolidation certification by the commissioning of the NEXRAD(s) (i.e. WSR-88D (s)) which will be providing radar coverage for the affected service area. As part of this WSR-88D commissioning process, the NWS

requires "at least 96 percent availability of the radar coded message for a period of at least 30 consecutive days prior to commissioning" to demonstrate that the WSR-88D is meeting the availability requirements. See modernization criteria I.2.d., "Satisfactory Support of Associated NWS Forecasting and Warning Services".

The NWS commissioned the WSR-88D covering the WSO Galveston affected service area on March 23, 1994. The Meteorologist-In-Charge of NWSO Houston determined that the radar did in fact meet NWS Modernization Criteria I.2.d. (item 4a on the WSR-88D Site Component Commissioning Checklist) as indicated by a check mark in the satisfactory column and his approval signature. This approval was based on radar coded message availability statistics for this WSR-88D collected between January 10, 1994 and February 23, 1994 which showed greater than 96 percent availability.

The NWS commissioned the WSR-88D covering the residual WSO Los Angeles affected service area on December 16, 1994. The Meteorologist-In-Charge of NWSFO Los Angeles determined the NWS had met Modernization criteria I.2.d. (item 4a on the WSR-88D Site Component Commissioning Checklist) as indicated by a check mark in the satisfactory column and his approval signature. The NWS based its' approval on the radar coded message availability statistics for this WSR-88D collected between February 12, 1994 and December 16, 1994, which showed greater than 96 percent availability.

(3) The NWS has taken all prerequisite steps to comply with modernization criteria for consolidation certifications including: WSR-88D commissioning, user confirmation of services, and existing radar decommissioning. These criteria do not require staff training on new satellite products being generated by GOES-Next. GOES-Next will eventually provide enhanced and new satellite products to WFOs during Stage 2 of the modernization. During Stage 1, NWSO Houston and NWSFO Los Angeles will continue to receive existing GOES satellite products on which staff at these offices have already been trained.

Dated: November 3, 1995.

Elbert W. Friday, Jr.,  
*Assistant Administrator for Weather Services.*

#### Certification

##### *Weather Service Office Consolidation*

I hereby certify that there will be no degradation in weather services to the Galveston service area as a result of the

consolidation of the Galveston Weather Service Office with the future Houston/Galveston Weather Forecast Office. I have considered the recommendation of the responsible Meteorologist in Charge, Bill Read, as endorsed by Southern Region Director Harry Hassel and have reviewed the attached documentation provided in compliance with the Weather Service Modernization Act that supports this recommendation.

Susan F. Zevin for Elbert W. Friday, Jr.,  
*Assistant Administrator for Weather Services.*

#### Attachments

September 18, 1995.

Memorandum For: Harry S. Hassel, Director,  
Southern Region

From: Bill Read, MIC, NWSO Houston/  
Galveston, TX

Subject: Recommendation for Consolidation  
Certification

After reviewing the attached documentation, I have determined, in my professional judgment, consolidation of the Galveston Weather Service Office (WSO) with the future Houston/Galveston Weather Forecast Office (WFO) will not result in any degradation in weather services to the Galveston service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending you approve this action in accordance with section 706 of Public Law 102-567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. Dr. Friday, in turn, will forward the certification to the Secretary for transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the Galveston service area is included as attachment A. As discussed below, I find that providing the services which address these characteristics and concerns from Houston/Galveston WFO will not degrade these services.

2. A detailed list of the services currently provided within the Galveston service area from the Galveston WSO location and a list of services to be provided from the Houston/Galveston WFO location after consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. Also, the enclosed map shows the WSO Galveston Area of Responsibility (i.e. "Affected Service Area") and the future WFO Houston/Galveston Area of Responsibility. As discussed below, I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the WSO Galveston service area is included as attachment C. The new technology (i.e. ASOS, WSR-88D, and

AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for Texas is included as attachment D. NWS operational radar coverage for the specific service area will be increased and no area will be missed in coverage.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service.

A. The WSR-88D Radar Commissioning Report, attachment E, validates that the WSR-88D meets technical specifications (acceptance test); is fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed but two national work-arounds remain in effect.

B. The User Confirmation of Services, attachment F, documents that only two negative comments were received. Both of the negative comments have been answered to the satisfaction of the commentors as stated in the Service Confirmation Report.

C. The Decommissioning Readiness Report, attachment G, verifies that the existing Galveston WSR-57 radar is no longer needed to support services or products for local office operations.

6. A memorandum assigning the liaison officer for the Galveston service area is included as attachment H.

I have considered recommendations of the Modernization Transition Committee (Committee) (attachment I) and the one public comment received during the comment period (attachment J). On September 14, 1995, the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

#### *Endorsement*

I, Harry S. Hassel, Director, Southern Region, endorse this consolidation certification.

Dated: September 20, 1995

Harry S. Hassel

Attachments

#### Certification

##### *Weather Service Office Consolidation*

I hereby certify that there will be no degradation in weather services to the Los Angeles service area as a result of the consolidation of the Residual Los Angeles Weather Service Office with the future Los Angeles Weather Forecast Office. I have considered the recommendation of the responsible Meteorologist in Charge, Todd Morris, as endorsed by Western Region Director Thomas D. Potter, and have reviewed the attached documentation provided in compliance with the Weather

Service Modernization Act that supports this recommendation.

Susan F. Zevin for Elbert W. Friday, Jr.,  
Assistant Administrator for Weather Services.

Attachments

September 14, 1995.

Memorandum For: Thomas D. Potter,  
Director, Western Region

From: Todd Morris, AM/MIC NWSFO Los  
Angeles

Subject: Recommendation for Consolidation  
Certification

A change of operations occurred at the Los Angeles Weather Service Forecast Office (WSFO) in October 1993 when most personnel were transferred to the facility of the future Los Angeles Weather Forecast Office (WFO) in Oxnard, California to operate the WSR-88D and assume forecast and warning responsibility for the Los Angeles service area. At the same time this office has been designated a Residual Weather Service Office (RWSO) at the original WSFO location to continue operating the existing WSR-74C radar.

After reviewing the attached documentation, I have determined, in my professional judgement, consolidation of the Los Angeles Residual Weather Service Office (RWSO) with the future Los Angeles/Oxnard Weather Forecast Office (WFO) will not result in any degradation in weather services to the Los Angeles service area. This proposed certification is in accordance with the advance notification provided in the National Implementation Plan. Accordingly, I am recommending that you approve this action in accordance with section 706 of Public Law 102-567. If you concur, please endorse this recommendation and forward this package to the Assistant Administrator for Weather Services for final certification. If Dr. Friday approves, he will forward the certification to the Secretary for approval and transmittal to Congress.

My recommendation is based on my review of the pertinent evidence and application of the modernization criteria for consolidation of a field office. In summary:

1. A description of local weather characteristics and weather-related concerns affecting the weather services provided in the pre-modernized Los Angeles service area is included as attachment A. As discussed below, I find that providing the services which address these characteristics and concerns from the Los Angeles/Oxnard WFO will not degrade these services.

2. A detailed list of the services currently provided from the Los Angeles RWSO location and comparable services to be provided from the Los Angeles/Oxnard WFO location after consolidation is included as attachment B. Comparison of these services shows that all services currently provided will continue to be provided after the proposed consolidation. I find that there will be no degradation in the quality of these services as a result of the consolidation.

3. A description of the recent or expected modernization of National Weather Service (NWS) operations which will enhance services in the pre-modernized Los Angeles service area is included as attachment C. The new technology (i.e. ASOS, WSR-88D, and

AWIPS) has or will be installed and will enhance services.

4. A map showing planned NEXRAD coverage at an elevation of 10,000 feet for California is included as attachment D. NWS operational radar coverage for the Los Angeles service area will be vastly increased and will not degrade services.

It should be noted that neither the old radar network nor the NEXRAD include coverage of a small mountainous area in the northeast corner of the service area. Therefore this does not represent a degradation of radar coverage or services.

5. The following evidence, based upon operational demonstration of modernized NWS operations, played a key role in concluding there will be no degradation of service.

A. the WSR-88D RADAR Commissioning Report, attachment E, validates that the WSR-88D meets technical specifications (acceptance test); is fully operational (satisfactory operation of system interfaces and satisfactory support of associated NWS forecasting and warning services); service backup capabilities are functioning properly; a full set of operations and maintenance documentation is available; and spare parts and test equipment and trained operations and maintenance personnel are available on site. Training was completed. There were two national work-arounds. One of these has been satisfied while the other one remains in effect.

B. The User Confirmation of Services, attachment F, documents that only two negative comments were received. Both of the negative comments have been answered to the satisfaction of the commentors as stated in the service Confirmation Report.

C. The Decommissioning Readiness Report, attachment G, verifies that the existing Los Angeles WSR-74C radar is no longer needed to support services or products for local office operations.

6. A memorandum assigning the liaison officer for the Los Angeles service area is included as attachment H.

I have considered recommendations of the Modernization Transition Committee (attachment I) and the one public comment received during the comment period (attachment J). On September 14, 1995, the Committee voted to endorse the proposed consolidation (attachment K). I believe all negative comments have been addressed to the satisfaction of our customers and I continue to recommend this certification.

#### Endorsement

I, Thomas D. Potter, Director, Western Region, endorse this consolidation certification.

Dated: September 15, 1995.

James L. Campbell for Thomas D. Potter.  
[FR Doc. 95-27745 Filed 11-9-95; 8:45 am]

BILLING CODE 3310-12-M

## National Technical Information Service

### Notice of Prospective Grant of Exclusive Patent License

This is notice in accordance with 35 U.S.C. 209(c)(1) and 37 C.F.R. 404.7(a)(1)(i) that the National Technical Information Service (NTIS), U.S. Department of Commerce, is contemplating the grant of an exclusive license in Australia to practice the invention embodied in Australian Patent No. 609689 to Shelljet Pty Ltd, Trading as Anderson Drilling, having a place of business in Orange NSW, Australia. The counterpart U.S. patent is No. 5,196,401. The patent rights in this invention have been assigned to the United States of America.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 C.F.R. 404.7. The prospective exclusive license may be granted unless, within 3 months from the date of this published notice, NTIS receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 C.F.R. 404.7.

While the primary purpose of this notice is to announce NTIS' intent to grant an exclusive license to practice the noted foreign patent, it also serves to publish said patent's availability for licensing in accordance with law.

The invention expressed in the cited patent describes a method of enhancing the fragmentation and excavation of hard, solid materials such as rock formations which comprises adding to the rock surface an aqueous solution including a high molecular weight nonionic polymer such as polyethylene oxide which is capable of hydrogen bonding with water the produce charge-neutralizing positive charge dipoles. The nonionic polymeric solution is thus capable of neutralizing the rock surface charge and obtaining a condition of zero surface charge (ZSC) so that the drilling, tunneling, cutting or other similar operation can be conducted with the substantial increases in drilling performance and penetration rate. The method is also extremely effective in extending the lives of drill bits, cutting tools, grinding media, or other polishing or drilling tools such that an enormous savings in terms of replacing equipment can be achieved. The method of the present invention is particularly advantageous in that the nonionic polymer solutions of the invention are effective over a wide range of concentrations in neutralizing the rock surface charge, which has not been the