

confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed terms and conditions, or with respect to other materials submitted by the NYMEX, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 21st Street, NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on May 17, 1996.

Blake Imel,

*Acting Director.*

[FR Doc. 96-12996 Filed 5-22-96; 8:45 am]

BILLING CODE 6351-01-P

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## CONSUMER PRODUCT SAFETY COMMISSION

### Commission Agenda and Priorities; Public Hearing

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of public hearing.

**SUMMARY:** The Commission will conduct a public hearing to receive views from all interested parties about its agenda and priorities for Commission attention during fiscal year 1998, which begins October 1, 1997. Participation by members of the public is invited. Written comments and oral presentations concerning the Commission's agenda and priorities for fiscal year 1998 will become part of the public record.

**DATES:** The hearing will begin at 10 a.m. on June 25, 1996. Written comments and requests from members of the public desiring to make oral presentations must be received by the Office of the Secretary not later than June 18, 1996. Persons desiring to make oral presentations at this hearing must submit a written text of their presentations not later than June 18, 1996.

**ADDRESSES:** The hearing will be in room 420 of the East-West Towers Building, 4330 East-West Highway, Bethesda, Maryland. Written comments, requests to make oral presentations, and texts of oral presentations should be captioned "Agenda and Priorities" and mailed to the Office of the Secretary, Consumer Product Safety Commission,

Washington, D.C. 20207, or delivered to that office, room 502, 4330 East-West Highway, Bethesda, Maryland.

**FOR FURTHER INFORMATION CONTACT:** For information about the hearing or to request an opportunity to make an oral presentation, call or write Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0800; telefax (301) 504-0127.

**SUPPLEMENTARY INFORMATION:** Section 4(j) of the Consumer Product Safety Act (CPSA) (15 U.S.C. 2053(j)) requires the Commission to establish an agenda for action under the laws it administers, and, to the extent feasible, to select priorities for action at least 30 days before the beginning of each fiscal year. Section 4(j) of the CPSA provides further that before establishing its agenda and priorities, the Commission shall conduct a public hearing and provide an opportunity for the submission of comments.

The Office of Management and Budget requires all Federal agencies to submit their budget requests 13 months before the beginning of each fiscal year. The Commission is formulating its budget request for fiscal year 1998, which begins on October 1, 1997.

Accordingly, the Commission will conduct a public hearing on June 25, 1996, to receive comments from the public concerning its agenda and priorities for fiscal year 1998. The Commissioners desire to obtain the views of a wide range of interested persons including consumers; manufacturers, importers, distributors, and retailers of consumer products; members of the academic community; consumer advocates; and health and safety officers of state and local governments.

The Commission is charged by Congress with protecting the public from unreasonable risks of injury associated with consumer products. The Commission enforces and administers the Consumer Product Safety Act (15 U.S.C. 2051 *et seq.*); the Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq.*); the Flammable Fabrics Act (15 U.S.C. 1191 *et seq.*); the Poison Prevention Packaging Act (15 U.S.C. 1471 *et seq.*); and the Refrigerator Safety Act (15 U.S.C. 1211 *et seq.*). Standards and regulations issued under provisions of those statutes are codified in the Code of Federal Regulations, title 16, chapter II.

While the Commission has broad jurisdiction over products used by consumers in or around their homes, in schools, in recreation, and other settings, its staff and budget are limited.

Section 4(j) of the CPSA expresses Congressional direction to the Commission to establish an agenda for action each fiscal year and, if feasible, to select from that agenda some of those projects for priority attention.

When the Commission selects priorities, it does so in accordance with its policy statement governing establishment of priorities codified at 16 CFR 1009.8. That policy statement includes the following factors to be considered by the Commission when selecting its priorities:

- Frequency and severity of injuries.
- Causality of injuries.
- Chronic illness and future injuries.
- Costs and benefits of Commission action.
- Unforeseen nature of a risk of injury.
- Vulnerability of the population at risk.
- Probability of exposure to hazard.

The order of listing of these criteria does not indicate their relative importance.

Persons who desire to make oral presentations at the hearing on June 25, 1996, should call or write Rockelle Hammond, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 504-0800, telefax (301) 504-0127, not later than June 18, 1996.

Presentations should be limited to approximately ten minutes. Persons desiring to make presentations must submit the written text of their presentations to the Office of the Secretary not later than June 18, 1996. The Commission reserves the right to impose further time limitations on all presentations and further restrictions to avoid duplication of presentations. The hearing will begin at 10 a.m. on June 25, 1996, and will conclude the same day.

Written comments on the Commission's agenda and priorities for fiscal year 1998, should be received in the Office of the Secretary not later than June 18, 1996.

Dated: May 17, 1996.

Sadye E. Dunn,

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 96-12881 Filed 5-22-96; 8:45 am]

BILLING CODE 6355-01-P

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[CPSC Docket No. 96-C0005]

### In the Matter of Shrdlu, d/b/a The Sandy Starkman Co., a Corporation; Provisional Acceptance of a Settlement Agreement and Order

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Provisional acceptance of a settlement agreement under the Consumer Product Safety Act.

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the Federal Register in accordance with the terms of 16 CFR section 1605.13. Published below is a provisionally-accepted Settlement Agreement with Shrdlu Corporation, d/b/a/ The Starkman Co., a corporation.

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by June 7, 1996.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 96-C0005, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

**FOR FURTHER INFORMATION CONTACT:** Melvin I. Kramer, Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0626.

**SUPPLEMENTARY INFORMATION:** The text of the Agreement and Order appears below.

Dated: May 17, 1996.

Sadye E. Dunn,  
Secretary.

#### Consent Order Agreement

Shrdlu Corp., d/b/a The Sandy Starkman Co. (hereinafter "Respondent" or "Starkman"), a corporation, enters into this Consent Order Agreement (hereinafter, "Agreement") with the staff of the Consumer Product Safety Commission ("the staff") pursuant to the procedures set forth in section 1605.13 of the Commission's Procedures for Investigations, Inspections, and Inquiries under the Flammable Fabrics Act (FFA), 16 CFR 1605.

This Agreement and Order are for the purpose of settling allegations of the staff that Respondent imported and sold 100% rayon, double layer skirts, style #73451, in commerce, which skirts failed to comply with the Standard for the Flammability of Clothing Textiles, 16 CFR 1610 (the "standard").

#### Respondent and the Staff Agree

1. The Consumer Product Safety Commission ("Commission") is an independent regulatory agency of the United States Government. The Commission has jurisdiction over this matter under the Consumer Product Safety Act, 15 U.S.C. §§ 2051 *et seq.* (CPSA), the Flammable Fabrics Act, 15 U.S.C. §§ 1191 *et seq.* (FFA) and the Federal Trade Commission Act (15 U.S.C. §§ 41 *et seq.* (FTCA).

2. Respondent is a corporation organized and existing under the laws of the State of New York with principal corporate offices at 10 Grand Blvd., Deer Park, New York 11729.

3. Respondent is now, and has been engaged in one or more of the following activities: the manufacture for sale, the sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of women's wearing apparel subject to the standard.

4. This Agreement is for the purpose of settling the allegations in the accompanying Complaint. This Agreement does not constitute an admission by Respondent that it knowingly violated the law. The Agreement becomes effective only upon its final acceptance by the Commission and service of the incorporated Order upon Respondent.

5. The parties agree that this Consent Order Agreement resolves the allegations of the Complaint and the Commission shall not initiate any other criminal, civil or administrative action against the firm for those alleged violations based on the information currently known to the staff.

6. Respondent waives any rights to a formal hearing, and any findings of fact and conclusions of law regarding the allegations set forth in the Complaint. Respondent waives any right to seek judicial review or otherwise challenge or contest the validity of the Commission's Order.

7. The Commission may disclose the terms of this Consent Order Agreement to the public consistent with section 6(b) of the CPSA.

8. This Agreement, and the Complaint accompanying the Agreement, may be used in interpreting the Order. Agreements, understandings, representations or interpretations made outside of this Consent Order Agreement may not be used to vary or contradict its terms.

Upon acceptance of this Agreement, the Commission shall issue the following order:

Peter Goodman,  
*Shrdlu Corporation d/b/a The Sandy Starkman Co.*

Melvin I. Kramer,  
*Trial Attorney, Division of Administrative Litigation Office of Compliance.*

Eric L. Stone,  
*Acting Director, Division of Administrative Litigation, Office of Compliance.*

David Schmeltzer,  
*Assistant Executive Director, Office of Compliance, U.S. Consumer Product Safety Commission.*

#### Complaint

The staff of the Consumer Product Safety Commission ("staff") contends that Shrdlu Corporation, d/b/a/ The Sandy Starkman Co., a corporation ("Respondent"), is subject to the Consumer Product Safety Act, 15 U.S.C. 2051, *et seq.* (CPSA); the Flammable Fabrics Act, 15 U.S.C. 1191 *et seq.* (FTCA); and, the Standard for the Flammability of clothing textiles, 16 C.F.R. § 1610, ("the standard").

Based upon the information provided to the Commission by the staff, the Commission

determined that it is in the public interest to issue this Complaint. Therefore, by virtue of the authority vested in the Commission by section 30(b) of the CPSA, 15 U.S.C. 2079(b); sections 3 and 5 of the FFA, 15 U.S.C. 1192 and 1194; and section 5 of the FTCA, 15 U.S.C. 45; and in accordance with the Commission's Rules of Practice of Adjudicative Proceedings, 16 CFR Part 1025, the Commission hereby issues this Complaint and states the staff's charges as follows:

1. Respondent is a corporation organized and existing under the laws of the State of New York with principal corporate offices at 1410 Broadway, Suite 801, New York, New York 10018.

2. Respondent is and has been engaged in one or more of the following activities: the manufacture for sale, the sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of women's wearing apparel subject to the standard.

3. Between October 26, 1993 and the end of January 1994, Respondent imported and/or sold in commerce items of women's wearing apparel, namely 900 100% rayon, double layers skirts, style #73451. It was subsequently discovered, through testing by the purchaser, that the skirts failed to comply with the flammability requirements of the standard.

4. As a result of this failure to comply with the standard, Respondent manufactured for sale, sold, or offered for sale, in commerce, or imported, delivered for introduction, transported in commerce, or sold or delivered after sale or shipment in commerce, a significant number of garments that failed to comply with the FFA.

#### Relief Sought

Wherefore, the staff requests the Commission to issue an Order requiring Respondent to cease and desist from the manufacture for sale, the sale, or the offering for sale, in commerce, or the importation, delivery for introduction, transportation in commerce, or the sale or delivery after sale or shipment in commerce, of any item of wearing apparel subject to the standard that fails to comply with the standard.

Wherefore, the premises considered, the Commission hereby issues this Complaint on the \_\_\_\_ day of \_\_\_\_\_ 199 .

By Direction of the Commission:

David Schmeltzer,  
*Assistant Executive Director, Office of Compliance and Enforcement.*

#### Order

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*It is hereby ordered that Respondent, its successors and assigns agents, representatives and employees, directly or through any corporation, subsidiary, division, or other business entity, or through any agency, device or instrumentality, do forthwith cease and desist from selling or offering for sale, in commerce, or manufacturing for sale, in commerce, or importing into the United States or introducing, delivering*

for introduction, transporting or causing to be transported, in commerce, any item of wearing apparel that fails to comply with the flammability requirements of the Standard for Flammability of clothing textiles, 16 C.F.R. part 1610.

## II

*It is further ordered that* Respondent pay to the United States Treasury a civil penalty of \$5,000.00 no later than March 20, 1996 or within 20 days after service upon the Respondent of the Final Order, whichever comes later.

## III

*It is further ordered that* for a period of three years following the service upon Respondent of the Final Order in this matter, Respondent notify the Commission within 30 days following the consummation of the sale of a majority of its stock or following a change in any of its corporate officers responsible for compliance with the terms of this Consent Agreement and Order.

By direction of the Commission, this Consent Order Agreement is provisionally accepted pursuant to 16 CFR Section 1605.13, and shall be placed on the public record, and the Secretary is directed to publish the provisional acceptance of the Consent Order Agreement in the Commission's Public Calendar and in the Federal Register.

So ordered by the Commission, this 17th day of May 1996.

Sadye E. Dunn,

*Secretary, U.S. Consumer Product Safety Commission.*

By direction of the Commission, this Consent Order Agreement is hereby finally accepted and issued as an Order of the Consumer Product Safety Commission.

[FR Doc. 96-12880 Filed 5-22-96; 8:45 am]

BILLING CODE 6355-01-M

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## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### **Record of Decision (ROD) for the Disposal and Reuse of George Air Force Base (AFB), CA**

On April 10, 1996, the Air Force signed the Supplemental Record of Decision (ROD) for the Disposal and Reuse of George AFB, CA. The decisions included in this Supplemental ROD have been made in consideration of, but not limited to, the information contained in the Final Environmental

Impact Statement (FEIS) for the Disposal and Reuse of George AFB, filed with the Environmental Protection Agency in March 1992.

George AFB closed on December 15, 1992, pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (BCRA) (Public Law 100-526), and the recommendations of the Defense Secretary's Commission for Base Realignment and Closure. This Supplemental ROD modifies certain previous decisions made in the initial ROD executed on January 14, 1993, and first supplemented September 21, 1993. This Supplemental ROD documents the decisions made by the Air Force on the division of parcels, the method by which parcels are to be conveyed or transferred, and the mitigation measures to be adopted.

The previous decisions making Parcels B, D, H, J, Primary Roads, Railroad right-of-way, Gas, and Telephone utility systems, available for disposal by negotiated or public sale is modified to provide for the disposal of such property by Economic Development Conveyance (EDC) under the provisions of Public Law No. 103-160, the Pryor Amendments. Previous decisions making Parcels F and G available for disposal by negotiated or public sale is modified to provide for the disposal of such property under the EDC, consistent with the provisions of Pub. L. No. 103-421, the Base Closure Community Redevelopment and Homeless Assistance Act. Parcel D is modified by the withdrawal of approximately 1.5 acres of fee land improved with the electrical substation. The withdrawn acreage is designated as Parcel SS. Consistent with the Air Force's previous decision, the electrical substation and distribution system will be disposed of by negotiated sale to the authorized franchise holder. In all other respects, previous decisions regarding such parcels are unchanged. The decisions in this document, coupled with those in the previous ROD, complete the disposal decisions for George AFB.

The implementation of the closure and reuse action and associated mitigation measures will proceed with minimal adverse impact to the environment. This action conforms with applicable Federal, State and local statutes and regulations, and all reasonable and practical efforts have been incorporated to minimize harm to the local public and the environment.

Any questions regarding this matter should be directed to Mr. John E. B. Smith or Ms. De Carlo Ciccel at (703) 696-5540. Correspondence should be

sent to: AFBCA/DE, 1700 North Moore Street, Suite 2300, Arlington, VA 22209-2802.

Patsy J. Conner,

*Air Force Federal Register Liaison Officer.*

[FR Doc. 96-12963 Filed 5-22-96; 8:45 am]

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## DEPARTMENT OF THE DEFENSE

### Department of the Army

#### **Record of Decision on the Final Environmental Impact Statement on the Disposal and Reuse of the Tooele Army Depot Base Realignment and Closure (BRAC) Parcel**

**AGENCY:** Department of the Army, DOD.

**ACTION:** Notice of Availability.

**SUMMARY:** The Department of the Army announced its Record of Decision (ROD) on the Final Environmental Impact Statement (FEIS) for the disposal and reuse of the 1,700-acre BRAC parcel at Tooele Army Depot, Tooele, Utah. In accordance with the Defense Base Closure and Realignment Act of 1990, Pub. L. 101-510, as amended.

Under the Act, the Secretary of the Army has been delegated the authority to dispose of excess real property and facilities located at a military installation being closed or realigned. The Army is required to comply with the National Environmental Policy Act during the process of property disposal and must prepare appropriate analyses of the impacts of disposal and, indirectly, of the reuse of the property on the environment. The ROD and the FEIS satisfy requirements of the law to examine the environmental impacts of disposal and reuse of the Tooele BRAC parcel.

Encumbered disposal involves the transfer of property to others with use restrictions imposed by the Army. The ROD concludes that surplus property will be conveyed, subject to restrictions identified in the FEIS, that relate to the following: measures to protect ground water quality, utilities interdependencies, and remedial activities. The Army will impose reservations or deed restrictions, as necessary and appropriate, to protect human health, the environment, and public safety.

The Army has taken all practicable measures to avoid or minimize environmental harm associated with its preferred alternative of encumbered property disposal. The Army will continue to work with individual future owners to avoid, reduce, or compensate for adverse impacts that might occur as