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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 929

[Docket No. FV96–929–3 IFR]

Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: This interim final rule establishes an assessment rate for the Cranberry Marketing Committee (Committee) under Marketing Order No. 929 for the 1996–97 and subsequent fiscal periods. The Committee is responsible for local administration of the marketing order which regulates the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. Authorization to assess cranberry handlers enables the Committee to incur expenses that are reasonable and necessary to administer the program.

DATES: Effective on September 1, 1996. Comments received by September 11, 1996, will be considered prior to issuance of a final rule.

ADDRESSES: Interested persons are invited to submit written comments concerning this rule. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, FAX (202) 720–5698. Comments should reference the docket number and the date and page number of this issue of the Federal Register and will be available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Kathleen M. Finn, Marketing Specialist, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone (202)720–1509, Fax# (202) 720–5698, or Tershirra Yeager, Program Assistant, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone (202) 720–5127, Fax# (202) 720–5698. Small businesses may request information on compliance with this regulation by contacting: Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2523–S, Washington, D.C. 20090–6456; telephone: (202) 720–2491, Fax# (202) 720–5698.

SUPPLEMENTARY INFORMATION: This rule is issued under Marketing Order No. 929 (7 CFR part 929), as amended, regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, hereinafter referred to as the ''order.'' The marketing order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. Under the marketing order now in effect, cranberry handlers are subject to assessments. Funds to administer the order are derived from such assessments. It is intended that the assessment rate as issued herein will be applicable to all assessable cranberries beginning September 1, 1996, and continuing until amended, suspended, or terminated. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 1,050 producers of cranberries in the production area and approximately 30 handlers subject to regulation under the marketing order. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000. The majority of cranberry producers and handlers may be classified as small entities. Interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

The cranberry marketing order provides authority for the Committee, with the approval of the Department, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members of the Committee are

producers and handlers of cranberries. They are familiar with the Committee's needs and with the costs for goods and services in their local area and are thus in a position to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

The Committee met on March 4, 1996, and recommended by a 7-to-1 vote an assessment rate of $0.04 per barrel of cranberries. A mail vote was conducted by the Committee regarding the budget, requiring responses by June 20, 1996. Seven out of eight responses were received in favor of the proposed budget. The 1996–97 recommended expenditures are $192,980. In comparison, last year's budgeted expenditures were $201,336. The assessment rate of $0.04 is $0.01 higher than last year's established rate. Major expenditures recommended by the Committee for the 1996–97 year include $63,764 for administrative expenses, and $66,732 for compensation.

The assessment rate recommended by the Committee was derived by dividing anticipated expenses by expected shipments of cranberries. Cranberry shipments for the year are estimated at 4,737,000 barrels which should provide $189,480 in assessment income. Income derived from handler assessments, along with interest income, will be adequate to cover budgeted expenses. Funds in the reserve will be kept within the maximum permitted by the order.

While this rule will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the AMS has determined that this rule will not have a significant economic impact on a substantial number of small entities.

The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by the Secretary upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate is effective for an indefinite period, the Committee will continue to meet prior to or during each fiscal period to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or the Department. Committee meetings are open to the public and interested persons may express their views at these meetings. The Department will evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking will be undertaken as necessary. The Committee's 1996–97 budget and those for subsequent fiscal periods will be reviewed and, as appropriate, approved by the Department.

After consideration of all relevant material presented, including the information and recommendation submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect, and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the Federal Register because: (1) The Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; (2) the 1996–97 fiscal period begins on September 1, 1996, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable cranberries handled during such fiscal period; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years; and (4) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this rule.

List of Subjects in 7 CFR Part 929

Cranberries, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 929 is amended as follows:

PART 929—CRANBERRY MARKETING COMMITTEE

1. The authority citation for 7 CFR part 929 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. A new subpart—Assessment Rates and a new § 929.236 are added to read as follows:

Note: This section will appear in the Code of Federal Regulations.

Subpart—Assessment Rate

§ 929.236 Assessment rate.

On and after September 1, 1996, an assessment rate of $0.04 per barrel is established for cranberries.

Dated: August 6, 1996.

Robert C. Keeney,

Director, Fruit and Vegetable Division.

[FR Doc. 96–20411 Filed 8–9–96; 8:45 am]

BILLING CODE 3410–02–P

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 96–015–2]

Brucellosis; Approved Brucella Vaccines

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule as a final rule.

SUMMARY: We are adopting as a final rule, without change, an interim rule that amended the brucellosis regulations to remove the requirement that an approved brucella vaccine be, among other things, a *Brucella abortus* Strain 19 product. The interim rule allowed for the use of vaccines that have been developed using strains of *Brucella* other than *Brucella abortus* Strain 19. Specifically, the interim rule allowed the RB51 brucella vaccine, which was licensed for use in cattle by the U.S. Department of Agriculture in February 1996, to be used in the cooperative State/Federal brucellosis eradication program.

EFFECTIVE DATE: The interim rule was effective on March 26, 1996.

FOR FURTHER INFORMATION CONTACT: Dr. M.J. Gilsdorf, National Brucellosis Epidemiologist, Cattle Diseases and Surveillance Staff, VS, APHIS, 4700 River Road Unit 36, Riverdale, MD 20737–1228, (301) 734–7708; E-mail: mgilsdorf@aphis.usda.gov.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule effective March 26, 1996, and published in the Federal Register on April 1, 1996 (61 FR 14237–14239, Docket No. 96–015–1), we amended the brucellosis regulations in 9 CFR part 78 by revising the definition of *approved brucella vaccine* and amending the definitions of *official adult vaccinate, official calfhood vaccinate,* and *official test* to provide for the use of approved brucella vaccines that have been developed using strains

of brucellosis other than *Brucella abortus* Strain 19. That action was necessary to allow the RB51 brucella vaccine, which was licensed for use in cattle by the U.S. Department of Agriculture in February 1996, to be used in the cooperative State/Federal brucellosis eradication program.

Comments on the interim rule were required to be received on or before May 31, 1996. We did not receive any comments by that date. The facts presented in the interim rule still provide a basis for the rule.

This action also affirms the information contained in the interim rule concerning Executive Orders 12372 and 12778 and the Paperwork Reduction Act.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This document makes final an interim rule effective March 26, 1996, and published in the Federal Register on April 1, 1996. In that interim rule, we stated that timely compliance with sections 603 and 604 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) was impracticable due to the need to make the rule effective in time for U.S. cattle raisers to use RB51 to vaccinate the spring crop of calves before the calves were turned out for summer pasture. We further stated, however, that the final rule would include an analysis of the economic impact of the rule on small entities and would address any comments we received on the economic impact of the rule on small entities. We did not receive any comments regarding the impact of the rule on small entities, but we have prepared an analysis of the economic impact of the rule on small entities.

Currently available *Brucella abortus* Strain 19 brucella vaccines cause vaccinated animals to produce antibodies that are indistinguishable on standard diagnostic tests from the antibodies produced by animals infected with brucellosis. Therefore, when a vaccinated animal is tested, the results of the test indicate that the animal may be a brucellosis reactor, even though the animal is not infected with the disease; this misleading result is known as a ''false positive.'' State or Federal animal health personnel must trace those animals to their herds of origin to determine whether or not the herd is actually affected with brucellosis. Because the RB51 vaccine does not cause vaccinated cattle to produce those interfering antibody titers, replacing the Strain 19 vaccines with the RB51 vaccine will almost entirely eliminate the costs associated with the retesting and traceback of false-positive reactors.

In fiscal year (FY) 1995, about 6.7 million cattle (primarily calves between 4 and 12 months of age) were vaccinated against brucellosis using Strain 19 vaccine. Although brucellosis is expected to be eradicated in domestic cattle within 3 years, it is likely that some States will continue to encourage herd owners to vaccinate higher-risk cattle herds.

In FY 1995, blood samples taken from approximately 5,900 head of cattle at market or slaughter under the Market Cattle Identification (MCI) program tested positive for the brucella bacteria, requiring retesting and traceback to the herds of origin. By far, most of the positive tests proved to be false; only about 100 cattle were found to be infected. If the RB51 vaccine had been used, about 99 percent of the false-positive tests would not have occurred, so about 5,742 unnecessary tracebacks and herd tests would have been prevented.

An additional 6,000 of the MCI-sampled cattle had titer levels less than that indicative of a positive reaction, but sufficiently high to cause suspicion of the disease. An estimated 50 percent of these cattle also were traced back to their herds of origin, and the herd owners were contacted in about one-third of the cases. Again, the use of RB51 would have prevented about 99 percent (5,940) of the suspect titers, thus precluding the need for about 2,970 tracebacks, about 1,980 herd owner contacts, and about 990 herd tests.

The brucellosis ring test (BRT) for dairy herds in FY 1995 indicated 732 suspected cases of the disease. After retesting, 235 herds were subsequently blood-tested, but only 2 herds were found to be affected. Hence, 730 of the cattle tested were false-positive. Tracing and blood testing of their herds of origin would not have been necessary if the RB51 vaccine had been used.

For all three categories—MCI reactors, MCI suspects, and BRT reactors—the use of RB51 vaccine instead of Strain 19 will eliminate nearly all false-positive reactors. The potential savings can be estimated by considering resources currently devoted to tracebacks, lab tests, and related activities.

Estimated time required by major types of field work for which there will be resource savings when RB51 replaces Strain 19 are shown in Table 1.

TABLE 1.—ESTIMATED AVERAGE APHIS/STATE FIELD HOURS SPENT ON MCI AND BRT TESTS AND TRACEBACKS

Activity	Staff hours
Epidemiology	10.15
Contacting herd owners	2.23
Contacting veterinarians	1.00
MCI herds of origin locating	5.10
MCI herds of origin testing	12.21
BRT suspicious herds blood testing	13.00

In Table 2, the time requirements are multiplied by the estimated number of Strain 19 false-positives per year, yielding a potential field staff hour savings from using RB51 totaling 255,956 hours per year. Assuming an average staff hour cost of $27.85 (salary and benefits, plus support), annual field work savings for APHIS and cooperating States from replacing Strain 19 by RB51 would be about $7,128,000 (255,956 hours × $27.85 per hour). With reduced numbers of cattle vaccinated following brucellosis eradication, the number of false-positive reactors if Strain 19 were used would also be fewer; therefore, annual potential savings in subsequent years could be estimated at about one-half of current savings, or about $3,564,000, for field work that would no longer be necessary when RB51 is used in place of Strain 19.

TABLE 2.—ESTIMATED ANNUAL FIELD STAFF HOUR SAVINGS TO APHIS AND STATES FROM USING RB51 IN PLACE OF STRAIN 19, BASED ON FY 1995 AND FY 1996 DATA

Activity	Estimated number of Strain 19 false positives	Hours per activity	Total hours
Epidemiology:			
MCI reactors	5,742	10.15	58,281

TABLE 2.—ESTIMATED ANNUAL FIELD STAFF HOUR SAVINGS TO APHIS AND STATES FROM USING RB51 IN PLACE OF STRAIN 19, BASED ON FY 1995 AND FY 1996 DATA—Continued

Activity	Estimated number of Strain 19 false positives	Hours per activity	Total hours
MCI suspects [1]	2,970	10.15	30,146
BRT reactors	730	10.15	7,410
Contacts with herd owners:			
MCI reactors	15,742	2.23	12,805
MCI suspects [2]	1,980	2.23	4,415
BRT reactors	730	2.23	1,628
Contact with veterinarians: [3]			
MCI reactors	4,307	1.00	4,307
MCI suspects	297	1.00	297
BRT reactors	548	1.00	548
Locating herds of origin:			
MCI reactors	5,742	5.10	29,284
MCI suspects [4]	2,970	5.10	15,147
Testing herds of origin:			
MCI reactors	5,742	12.21	70,110
MCI suspects [5]	990	12.21	12,088
Testing suspect herds:			
BRT reactors	730	13.00	9,490

[1] Epidemiology is conducted for an estimated 50 percent of MCI suspects.
[2] An estimated one-third of herd owners are contacted for MCI suspects.
[3] Veterinarians are contacted for an estimated 75 percent of MCI reactors, 5 percent of MCI suspects, and 75 percent of BRT reactors.
[4] Herds of origin are located for an estimated 50 percent of MCI suspects.
[5] Herds of origin for MCI suspects are tested for an estimated one-third of those located.

In addition to field staff savings, MCI laboratory costs associated with Strain 19 false-positive tests will also be eliminated by the use of RB51 vaccine. The concentration immunoassay technology (CITE') test costs $10.00, which is paid either by the State or the herd owner, depending on a particular State's regulations. The costs of other official tests—e.g., the Rivanol, particle concentration fluorescence immunoassay (PCFIA), and manual complement-fixation (CF) tests—are estimated to total about $15 to $20 per tested animal, including overhead. As shown in Table 3, a savings of more than $320,000 will result from the use of RB51, assuming an overall cost for all laboratory work of $27.50. As with the field staff savings, we can assume that laboratory savings of at least one-half this amount, or $160,000 per year, will be realized after eradication of brucellosis, given the expected reduction in the number of cattle vaccinated.

TABLE 3.—ESTIMATED SAVINGS IN LABORATORY COSTS RESULTING FROM THE USE OF RB51 VACCINES IN PLACE OF STRAIN 19 VACCINES

Category	Estimated number of Strain 19 false positives per year	Average cost per set of analyses	Total cost
MCI reactors	5,742	$27.50	$157,905
MCI suspects	5,940	27.50	163,350

Estimated combined field and laboratory gross savings from using RB51 vaccine total nearly $7.45 million per year at current levels of vaccination. After brucellosis has been eradicated, gross savings of at least $3.7 million per year can be expected. Except in those States where owners are directly charged for the CITE® test, APHIS and cooperating States bear the costs associated with tracebacks and other activities required by false-positive tests. The general public, therefore, will benefit from the expected savings in government expenditures. Affected producers, most of whom can be considered small entities (gross annual incomes of less than $500,000), will also benefit by not having to spend time and resources in gathering their herds for testing to follow up on false-positive reactors and suspects.

The RB51 vaccine costs more than the Strain 19 vaccine, $0.42 per dose compared to $0.30 per dose. Based on the number of vaccinations given in FY 1995, this cost difference amounts to $804,000 per year. Assuming an average of about 4 million vaccinations per year following brucellosis eradication, the additional cost of the RB51 vaccine will be about $480,000 after eradication. The net benefit of replacing Strain 19 by RB51 is therefore estimated at about $6.6 million per year before brucellosis eradication, and about $3.2 million per year afterwards.

Lastly, because the RB51 vaccine will not cause false-positive titers as does Strain 19, it can be used to vaccinate older animals that might not otherwise be vaccinated. Although this advantage is not quantified, it will be a definite benefit for producers and States.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

PART 78—BRUCELLOSIS

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 9 CFR part 78 and that was published at 61 FR 14237–14239 on April 1, 1996.

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

Done in Washington, DC, this 6th day of August 1996.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96–20450 Filed 8–9–96; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 96–NM–157–AD; Amendment 39–9708; AD 96–16–08]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 727–100 and –200 Series Airplanes With a Main Deck Cargo Door Installed in Accordance With Supplemental Type Certificate (STC) SA1797SO

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 727–100 and –200 series airplanes. This action requires an inspection to detect discrepancies of internal wires and electrical components of the control box of the main deck cargo door; modification of the wiring and components of the control box of the main deck cargo door; and a revision of the Airplane Flight Manual to impose an operational limitation of the motor pump power relay and pump motor. This amendment is prompted by results of an engineering review of the wiring diagram of the main deck cargo door installations, which revealed potential failures of the control box and hydraulic pump assembly installed in accordance with the STC. The actions specified in this AD are intended to prevent such failures, which could result in an inadvertent opening of the main deck cargo door during flight, with resultant major structural damage and possible reduced controllability of the airplane.

DATES: Effective August 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of August 27, 1996.

Comments for inclusion in the Rules Docket must be received on or before October 11, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–157–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The Boeing Manufacturing Drawing D65446 referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. FAA Advisory Circular (AC) 4313–1A, referenced in this AD, may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. Both of these documents may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Randy Avera, Systems Engineer, ACE–116A, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7381; fax (404) 305–7348.

SUPPLEMENTARY INFORMATION: The FAA recently conducted an engineering review of the wiring diagram of the main deck cargo door installations on Boeing Model 727–100 and –200 series airplanes that have been modified in accordance with Supplemental Type Certificate (STC) SA1797SO. The results of this review revealed the existence of two unsafe conditions related to the control box and hydraulic pump assembly installed on these airplanes:

1. Due to the close proximity to the relays, a 28-volt wire could become chafed as a result of vibration and, consequently, could short to power a single DC relay (AN 3311–2). This short to power could energize the DC relay and simultaneously apply electrical power to the hydraulic pump motor and to the control valve of the main deck cargo door.

2. Failure of an electrical relay on the 115-volt AC power circuit could cause the hydraulic pump motor to become energized and, consequently, produce full hydraulic pressure in the pump. Such available pressure could unlock the main deck cargo door.

These conditions, if not corrected, could result in an inadvertent opening of the main deck cargo door during flight, which could result in major structural damage and possible reduced controllability of the airplane.

Explanation of Relevant Service Information

The FAA has issued Advisory Circular (AC) 43.13–1A, Change 3, dated 1988, which contains the following sections of Chapter 11 (''Electrical Systems''):

1. Section 1 (''Care of Electrical Systems''),
2. Section 3 (''Electrical Wire''),
3. Section 5 (''Connectors''), and
4. Section 7 (''Routing, Tying, Lacing, and Clamping'').

The FAA also has reviewed and approved Chapter 20, ''Standard Wiring Practices'', of Boeing Wiring Diagram Manual Document D6–54446, Revision 21, dated June 1, 1994.

These documents describe procedures for verifying that the wire and wire bundles are properly installed and restrained, and for reinstalling and restraining any wire or component that has been altered.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other Boeing Model 727–100 and –200 series airplanes of the same type design, equipped with a main deck cargo door installed in accordance with STC SA1797SO, this AD is being issued to prevent an inadvertent opening of the main deck cargo door during flight, which can result in major structural damage and possible reduced controllability of the airplane. This AD requires the following actions:

1. Performing a one-time visual inspection of the internal wires and electrical components of the control box of the main deck cargo door to detect discrepancies, and repair, if necessary.

(These discrepancies include chafed, crimped, crushed, or damaged electrical wires or wire bundles inside the control box of the cargo door; loose electrical wire connections; abnormally pulled or twisted individual wires or wire bundles; any removal of insulation from the conductor in the control box; and any damaged protective grommets.)

2. Verifying that the wire and wire bundles are properly installed and restrained; and reinstalling and restraining any wire or component that has been altered.

3. Submitting a report of the inspection results (both positive and negative findings) to the FAA.

4. Revising the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to impose an operational limitation of the motor pump power relay and pump motor. This limitation requires the flight crew to verify that certain circuit breakers supplying electrical power to the hydraulic pump motor are pulled prior to taxi. It also requires that, prior to each taxi and takeoff after closing the cargo door, these circuit breakers are set to the open condition, tagged, and secured for flight.

5. Modifying the wiring and components of the control box of the main deck cargo door to preclude the identified problems. Aeronautical Engineers, Inc. (AEI), which is the holder of the subject STC, currently is developing a change to the wiring diagram that will address this.

Certain of the actions are required to be accomplished in accordance with the documents described previously. Certain other actions are required to be accomplished in accordance with a method approved by the FAA.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–157–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

96–16–08 BOEING: Amendment 39–9708. Docket 96–NM–157–AD.

Applicability: Model 727–100 and –200 series airplanes that have been modified in accordance with Supplemental Type Certificate (STC) SA1797SO, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent the inadvertent opening of the main deck cargo door during flight, which could result in major structural damage and possible reduced controllability of the airplane, accomplish the following:

(a) Accomplish the actions specified in paragraphs (a)(1), (a)(2), (a)(3), and (a)(4) of this AD at the time specified in each of those paragraphs:

(1) Within 3 days after the effective date of this AD, perform a visual inspection of internal wires and electrical components of the control box of the main deck cargo door to detect the following discrepancies:

(i) chafed, crimped, crushed, or damaged electrical wires or wire bundles inside the control box of the cargo door;

(ii) loose electrical wire connections;

(iii) abnormally pulled or twisted individual wires or wire bundles;

(iv) any removal of insulation from the conductor in the control box; or

(v) any damaged protective grommets.

(2) If any discrepancy is detected during the inspection required by paragraph (a)(1) of this AD, prior to further flight, repair it in accordance with a method approved by the Manager, FAA, Atlanta Aircraft Certification Office (ACO), Small Airplane Directorate.

(3) Following accomplishment of paragraphs (a)(1) and, if applicable, (a)(2) of this AD, verify that the wire and wire bundles are properly installed and restrained, and reinstall and restrain any wire or component that has been altered, in accordance with the document identified in either paragraph (a)(3)(i) or (a)(3)(ii) of this AD.

(i) Section 1 (''Care of Electrical System''); Section 3 (''Electric Wire''); Section 5 (''Connectors''); and Section 7 (''Routing, Tying, Lacing, and Clamping); of Chapter 11 (''Electrical Systems'') of FAA Advisory Circular AC 4313–1A, Change 3, dated 1988; or

(ii) Chapter 20 (''Standard Wiring Practices'') of Boeing Wiring Diagram Manual Document D6–54446, Revision 21, dated June 1, 1994.

(4) Within 10 days after accomplishing the inspection required by paragraph (a)(1) of this AD, submit a report of the inspection results (both positive and negative findings) to the Manager, FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; telephone (404) 305–7381; fax (404) 305–7348. Information collection requirements contained in this regulation have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2120–0056.

(b) Within 3 days after the effective date of this AD, revise the Limitations Section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

''Operational Restriction

Prior to taxi, verify that the alternating current (AC) or direct current (DC) circuit breakers that supply electrical power to the hydraulic pump motor are PULLED to interrupt power to the motor pump power relay and pump motor.

Note 1: The 28VDC circuit breaker is located in the electrical equipment compartment on the J9 battery shield panel next to the auxiliary power unit (APU) starter circuit breaker. The 115VAC circuit breakers are located on the P6 breaker panel to the right of the Flight Engineers station. These circuit breakers are identified as ''Cargo Door Hydraulic Pump''.

Prior to each taxi and take-off after closing the cargo door, set these circuit breakers to an open condition. Tag and secure the circuit breakers for flight.

After landing and taxiing to the ramp, the circuit breakers may be RESET to facilitate cargo door opening.''

(c) Within 90 days after the effective date of this AD, modify the wiring and components of the control box of the main deck cargo door, in accordance with a method approved by the Manager, FAA, Atlanta Aircraft Certification Office (ACO), Small Airplane Directorate.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, FAA, Atlanta Aircraft Certification Office (ACO), Small Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

(e) Special flight permits may be issued in accordance with 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) Certain actions shall be done either in accordance with Sections 1, 3, 5, and 7 of Chapter 11 (''Electrical Systems'') of FAA Advisory Circular (AC) 4313–1A, Change 3, dated 1988; or in accordance with Chapter 20 (''Standard Wiring Practices'') of Boeing Wiring Diagram Manual Document D6–54446, Revision 21, dated June 1, 1994. Sections 1, 3, 5, and 7 of Chapter 11 of FAA Advisory Circular AC 4313–1A contain the following list of effective pages:

Section referenced	Page number	Change level shown on page	Date shown on page
Section 1, ''Care of Electrical Systems''	173–174	Original	1972
Section 3, ''Electric ''Wire''	179, 180, 180–1,180–2, 181, 181–1, 181–2, 182, 182–1, 182–2, 183–185, 185–1, 185–2, 186, 188, 188–1, 188–2.	3	1988
	187, 189–193	Original	1972
Section 5, ''Connectors''	196,200	3	1988
	197–199	Original	1972
Section 7, ''Routing,Tying, Lacing, and Clamping''	203, 204, 206–209	Original	1972
	205, 205–1, 205–2	3	1988

Chapter 20 of Boeing Wiring Diagram Manual Document D6–54446 contains the following list of effective pages:

Page title and number	Date shown on page
Title Page	December 1, 1991.
Revision Transmittal Pages 1–6.	June 1, 1994.
Revision Record Pages 1, 2.	December 1, 1991.
Temporary Revision Record Pages 1, 2.	December 1, 1991.
List of Effective Pages 1–30.	June 1, 1994.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of Boeing Manufacturing Drawing D65446 may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies of FAA Advisory Circular (AC) 4313–1A may be obtained from Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. Copies of all of these documents may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at FAA, Atlanta Aircraft Certification Office, Small Airplane Directorate, Campus Building, 1701 Columbia Avenue, Suite 2–160, College Park, Georgia 30337–2748; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on August 27, 1996.

Issued in Renton, Washington, on August 2, 1996.

Gary L. Killion,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–20307 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 71

[Airspace Docket No. 96–AGL–4]

Establishment of Class E Airspace; Menomonie, WI; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This corrective action changes the effective date for the establishment

of the Class E airspace area at Score Field, Menomonie, WI, which was published in the Federal Register of July 10, 1996. This action also corrects an error in the geographic coordinates of the Class E airspace area under the legal description.

EFFECTIVE DATE: The effective date of the final rule published at 61 FR 36285 is changed to 0901 UTC, October 10, 1996. This correction is effective 0901 UTC, October 10, 1996.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn. Air Traffic Division. Operations Branch, AGL–530. Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7568.

SUPPLEMENTARY INFORMATION:

History

Federal Register Document 96–17592, Airspace Docket 96–AGL–4, was published July 10, 1996 (61 FR 36285) to accommodate a Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR)/DME) for runway 27 approach at Score Field, Menomonie, WI. Upon review of the final rule errors were discovered. The final rule was to be effective on August 24, 1996, and it should have been effective October 10, 1996. Additionally, there was an error in the geographical coordinates of the Class E airspace area. This action corrects these errors.

Accordingly, pursuant to the authority delegated to me, the geographic coordinates of the Class E airspace area at Score Field, Menomonie, WI, as published in the Federal Register on July 10, 1996 (61 FR 36285), Federal Register Document 96–17592, are corrected as follows:

§ 71.71 [Corrected]

1. On page 36285, in column 2, in § 71.1, under ''AGL WI E5 Menomonie, WI'', last line in the column, correct ''(lat. 44°53′29″ N, long. 91°52′00″ W)'' to read ''(lat. 44°53′43″ N., long. 91°52′12″ W.)''.

Issued in Des Plaines, Illinois on July 26, 1996.

Maureen Woods,

Manager, Air Traffic Division.

[FR Doc. 96–20389 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 93–ASW–4]

RIN 2120–AA66

Alteration of VOR Federal Airways; Texas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published in the Federal Register on July 3, 1996 (Airspace Docket No. 93–ASW–4). In that rule, the airspace designations for Federal Airways V–63 and V–94, effective October 10, 1996, were incorrectly described. This action corrects those errors.

EFFECTIVE DATES: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Bil Nelson, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–8783.

SUPPLEMENTARY INFORMATION: Federal Register Document 96–17038, Airspace Docket No. 93–ASW–4, published on July 3, 1996 (61 FR 34722), realigned twelve Federal airways supporting the Dallas/Fort Worth, TX, Metroplex Plan. However, in the rule the description for V–63 inadvertently showed that the airway traversed the Allen Military Operations Area (MOA). The airway should have been described as traversing the Howard West MOA between 5 and 46 nautical miles (NM) northeast of the Quincy Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC). This action corrects the V–63 description by adding the correct title of the MOA and the area of the MOA that the airway traverses. Additionally, the airspace designation for V–94 inadvertently stated that the airway airspace excluded Restricted Area 5103A (R–5103A), when in fact, the airway does not penetrate or encroach upon the restricted airspace area. This action corrects the description of V–94 by removing any reference to R–5103A.

Correction of Final Rule

Accordingly, pursuant to the authority delegated to me, the airspace designations for V–63 and V–94, published in the Federal Register on July 3, 1996 (61 FR 34723); Federal Register Document 96–17038, Columns 1 and 2, are corrected as follows:

* * * * *

V–63 [Corrected]

From Bonham, TX, via McAlester, OK; Razorback, AR; Springfield, MO; Hallsville, MO; Quincy, IL; Burlington, IA; Moline, IL; Davenport, IA; Rockford, IL; Janesville, WI; Badger, WI; Oshkosh, WI; Stevens Point, WI; Wausau, WI; Rhinelander, WI, to Houghton, MI. Excluding that airspace at and above 10,000 feet MSL from 5 NM north to 46 NM north of Quincy during the time that the Howard MOA is activated by NOTAM.

* * * * *

V–94 [Corrected]

From Blythe, CA, INT Blythe 094° and Gila Bend, AZ, 299° radials; Gila Bend; Stanfield, AZ; 55 miles, 74 miles, 95 MSL, San Simon, AZ; Deming, NM; Newman, TX; Salt Flat, TX; Wink, TX; Midland, TX; Tuscola, TX; Glen Rose, TX; Cedar Creek, TX: Gregg County, TX; Elm Grove, LA; Monroe, LA; Greenville, MS; Holly Springs, MS; Jacks Creek, TN; Bowling Green, KY.

* * * * *

Issued in Washington, DC, on August 5, 1996.

Jeff Griffith,

Program Director for Air Traffic Airspace Management.

[FR Doc. 96–20511 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 93–ASW–5]

RIN 2120–AA66

Alteration of VOR Federal Airways; Texas

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; correction.

SUMMARY: This action corrects a final rule published in the Federal Register on July 3, 1996 (Airspace Docket No. 93–ASW–5). In that rule, the airspace designation for Federal Airway V–477, effective October 10, 1996, erroneously omitted a section of the existing route. This action corrects that error.

EFFECTIVE DATE: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Bil Nelson, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION: Federal Register Document 96–17040, Airspace Docket No. 93–ASW–5, published on July 3, 1996 (61 FR 34723), realigned eleven Federal airways supporting the Dallas/Fort Worth, TX, Metroplex Plan. However, in the July 3 publication the description for V–477 was inadvertently not defined in its entirety. This action corrects that omission.

Correction of Final Rule

Accordingly, pursuant to the authority delegated to me, the airspace designation for V–477, published in the Federal Register on July 3, 1996 (61 FR 34724); Federal Register Document 96–17040, Column 2) is corrected as follows:

* * * * *

V–477 [Corrected]

From Humble, TX, via INT Humble 349° and Leona, TX, 139° radials; to Cedar Creek, TX.

* * * * *

Issued in Washington, DC, on August 5, 1996.

Jeff Griffith,

Program Director for Air Traffic Airspace Management.

[FR Doc. 96–20510 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 10, 12, 102 and 134

[T.D. 96–48]

RIN 1515–AB34

Rules for Determining the Country of Origin of a Good for Purposes of Annex 311 of the North American Free Trade Agreement; Corrections

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule; corrections.

SUMMARY: This document makes corrections to the document published in the Federal Register which set forth final amendments to the Customs Regulations regarding the rules for determining when the country of origin of a good is one of the parties to the North American Free Trade Agreement (NAFTA) as required by Annex 311 of the NAFTA.

EFFECTIVE DATE: These corrections are effective August 5, 1996.

FOR FURTHER INFORMATION CONTACT: Sandra L. Gethers, Office of Regulations and Rulings (202–482–6980).

SUPPLEMENTARY INFORMATION:

Background

On June 6, 1996, Customs published in the Federal Register (61 FR 28932) as T.D. 96–48 a document which adopted as a final rule, with some modifications, interim amendments to the Customs Regulations that established the rules for determining when the country of origin of a good is one of the parties to the North American Free Trade Agreement (NAFTA) as required by Annex 311 of the NAFTA. Those final NAFTA Marking Rules apply only to all goods imported from Canada or Mexico other than textile and apparel products, and do not apply to trade with other countries. The June 6, 1996, notice provided for an August 5, 1996, effective date for the final regulations. A document correcting several errors in T.D. 96–48 was published in the Federal Register on July 1, 1996 (61 FR 33845).

This document corrects two additional errors published in T.D. 96–48.

One error involved the Discussion of Comments portion of the document under **SUPPLEMENTARY INFORMATION.** Specifically, the public comment discussion regarding the § 102.20 tariff shift rule for subheadings 8482.10–8482.80 (bearings) dealt with only one comment, which was opposed to the proposed tariff shift rule. However, that comment discussion failed to reflect that another comment, which was in favor of the proposed rule, was also received by Customs. This document corrects the comment discussion to more accurately reflect the totality of public comments received on this matter.

The second error involved the table under § 102.20 of the final regulatory texts. Specifically, the entry for HTSUS 8540.71–8540.99 reflected a typographical error in that the reference ''8540.99'' should have read ''8540.89'' in the ''HTSUS'' column and in the corresponding ''Tariff shift and/or other requirements'' column. This document sets forth the HTSUS entry in its entirety to correct this typographical error.

Corrections of Publication

Accordingly, the document published in the Federal Register as T.D. 96–48 on June 6, 1996 (61 FR 28932) is corrected as set forth below.

Correction to the Discussion of Comments Section

On page 28949, in the third column, the paragraphs under the heading *Subheadings 8482.10–8482.80 (Bearings)* are corrected to read as follows:

Comments: The § 102.20 rule set forth in the May 5, 1995, notice of proposed rulemaking for subheadings 8482.10 through 8482.80 provides as follows:

A change to subheading 8482.10 through 8482.80 from any other heading; or

A change to subheading 8482.10 through 8482.80 from any other subheading, including another subheading within that group, except from inner or outer races or rings of subheading 8482.99.

Two comments were received on the proposed rule. The first commentor claimed that the processes of grinding, polishing and heat treating of rings and races should confer origin. The second commenter strongly supported the Customs proposal and provided arguments supporting its position that unfinished races or rings, which have the essential characteristics of the finished components, should determine the country of origin of the bearings, whether or not additional heat treatment or other finishing operations are performed on the races or rings.

Customs response: Customs agrees with the second commenter. It remains the position of Customs that the operations described by the first commenter are merely finishing operations which do not confer origin. None of these operations changes the essential character of the article which is processed. The name, character and use of the article remain the same after these operations are performed. See *National Hand Tool Corp.* v. *United States, supra,* wherein the court held that operations such as grinding, polishing and heat treating are merely finishing operations which do not constitute a substantial transformation. Therefore, the revision of the § 102.20 rule for these goods should be adopted as proposed.

Correction to the Final Regulations

At the bottom of page 28975, the entry for HTSUS 8540.71–8540.99 is corrected to read as follows:

8540.71–8540.89—A change to subheading 8540.71 through 8540.89 from any other subheading, including another subheading within that group.

Dated: August 6, 1996.

Stuart P. Seidel,

Assistant Commissioner, Office of Regulations and Rulings.

[FR Doc. 96–20398 Filed 8–9–96; 8:45 am]

BILLING CODE 4820–02–P

DEPARTMENT OF STATE

22 CFR Part 126

[Public Notice 2422]

Bureau of Political-Military Affairs; Amendment to the List of Proscribed Destinations

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: The Department of State is amending the International Traffic in Arms Regulations (ITAR) to reflect that it is no longer the policy of the United States to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in Ukraine. All requests for approval involving items covered by the

U.S. Munitions List will be reviewed on a case-by-case basis.

EFFECTIVE DATE: August 2, 1996.

FOR FURTHER INFORMATION CONTACT: Gordon J. Stirling, Office of Arms Transfer and Export Control Policy, Bureau of Political-Military Affairs, Department of State (202/647–0397).

SUPPLEMENTARY INFORMATION: In connection with the President's policy that U.S. laws and regulations be updated to reflect the end of the Cold War, the Department of State is amending the ITAR to reflect that it is no longer the policy of the United States, pursuant to 22 CFR § 126.1, to deny licenses, other approvals, exports and imports of defense articles and defense services, destined for or originating in Ukraine. Requests for licenses or other approvals for Ukraine involving items covered by the U.S. Munitions List (22 CFR part 121) will no longer be presumed to be disapproved.

This amendment to the ITAR involves a foreign affairs function of the United States and thus is excluded from the major rule procedures of Executive Order 12291 (46 FR 13193) and the procedures of 5 U.S.C. 553 and 554. This final rule does not contain a new or amended information requirement subject to the Paperwork Reduction Act (44 U.S.C. 3501, *et seq.*).

List of Subjects in 22 CFR Part 126

Arms and Munitions, Exports.

Accordingly, under the authority of section 38 of the Arms Export Control Act (22 U.S.C. 2778) and Executive Order 11958, as amended, 22 CFR subchapter M is amended as follows:

1. The authority citation for part 126 continues to read as follows:

Authority: Secs. 2, 38, 40, 42, and 71, Arms Export Control Act, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778, 2780, 2791, and 2797); E.O. 11958, 41 FR 4311; E.O. 11322, 32 FR 119; 22 U.S.C. 2658; 22 U.S.C. 287c; E.O. 12918, 59 FR 28206.

§ 126.1 [Amended]

2. Section 126.1 is amended by removing ''Ukraine'' from paragraph (a).

Dated: July 26, 1996.

Lynn E. Davis,

Under Secretary of State for Arms Control and International Security Affairs.

[FR Doc. 96–20498 Filed 8–9–96; 8:45 am]

BILLING CODE 4710–25–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1926

Incorporation of General Industry Health and Safety Standards Applicable to Construction Work

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Final Rule; correcting amendment.

SUMMARY: This document corrects errors in the Incorporation of General Industry Health and Safety Standards Applicable to Construction Work that was published on June 30, 1993 (58 FR 35076). OSHA is deleting the regulatory text which incorporated from §§ 1910.333 and 1910.334 (subpart S—Electrical) into paragraphs (a)(4), (f), and (g) of 1926.416 and paragraph (d) of 1926.417 (subpart K—Electrical), because the Agency clearly stated in the preamble to the final rule for Electrical Safety-Related Work Practices that the provisions in question did not apply to construction employment.

EFFECTIVE DATE: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Ms. Anne C. Cyr, Acting Director, Office of Information, Division of Consumer Affairs, Room N–3647, Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, Telephone: (202) 219–8151.

SUPPLEMENTARY INFORMATION: This document contains corrections to the Incorporation of General Industry Health and Safety Standards Applicable to Construction Work which was published on June 30, 1993 (58 FR 35076). OSHA is deleting the regulatory text incorporated from §§ 1910.333 and 1910.334 into §§ 1926.416 (paragraphs (a)(4), (f), and (g)) and 1926.417 (paragraph (d)), because the Agency clearly stated in the preamble to the final rule on Electrical Safety-Related Work Practices (55 FR 31984, August 6, 1990) that the provisions in question did not apply to construction employment. Any application of §§ 1910.333–334 to construction work would require further rulemaking.

The Background section of the General Industry final rule (55 FR at 31986) stated as follows:

The Agency is limiting this rulemaking to the prevention of accidents in general industry and maritime (which has even fewer electrical safety requirements than general industry) because to include other industrial sectors (such as construction) would seriously impede the rulemaking process. Inclusion of other industries in the scope of the standard would require the Agency to consider many diverse situations that are likely to be germane only to these industries. The construction industry, for example, is an extensive user of temporary wiring, which is frequently moved and is often used under a wide range of safety-related work practices recommended for use.

Also, the Regulatory Impact Analysis stated (55 FR at 32011) ''The standard will apply to every major standard industrial code (SIC) with the exception of Agriculture, Construction and parts of Mining, Transportation, Communication and Public Utilities.''

Exemption From Delayed Effective Date Requirement

Under 5 U.S.C. 553(d)(3), OSHA finds that there is good cause for making this document effective upon publication in the Federal Register. This notice simply deletes improperly incorporated requirements from the text of 29 CFR 1926 subpart K and, accordingly, does not increase the existing regulatory burden.

Authority: This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

List of Subjects in 29 CFR Part 1926

Construction industry, Occupational safety and health.

Signed at Washington, D.C., this 5th day of August, 1996.

Joseph A. Dear,

Assistant Secretary of Labor.

Accordingly, pursuant to sections 6 and 8 of the Occupational Safety and Health Act (29 U.S.C. 655 and 657), section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333), 5 U.S.C. 553, Secretary of Labor's Order No. 1–90 (55 FR 9033), and 29 CFR part 1911, subpart K of 29 CFR part 1926 is amended as set forth below:

PART 1926—[AMENDED]

Subpart K— Electrical

1. The authority citation for subpart K of part 1926 continues to read as follows:

Authority: Secs. 6, and 8, Occupational Safety and Health Act (29 U.S.C. 655 and 657); sec. 107, Contract Work Hours and Safety Standards Act (40 U.S.C. 333); Secretary of Labor's Order No. 9–83 (48 FR 35736) or 1–90 (55 FR 9033), as applicable; 29 CFR part 1911.

§ 1926.416 [Corrected]

2. Paragraphs (a)(4), (f) and (g) of § 1926.416 are removed.

§ 1926.417 [Corrected]

3. Paragraph (d) of § 1926.417 is removed.

[FR Doc. 96–20425 Filed 8–9–96; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 211

RIN 1510–AA55

Delivery of Checks and Warrants to Addresses Outside the United States, Its Territories and Possessions

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Final Rule.

SUMMARY: This final rule revises the regulations governing the delivery of Treasury checks outside the United States by removing the reference to Vietnam. With the resumption of diplomatic relations, there is reasonable assurance that payees residing in Vietnam will receive and be able to negotiate Treasury checks for full value. An additional revision contained in this rule updates a reference to the Department of Veterans Affairs.

EFFECTIVE DATE: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: William S. Mehr, Manager, Administrative Services Branch, Financial Management Service, Department of the Treasury, Washington, D.C. 20227, (202) 874–6932; or Paul M. Curran (Principal Attorney) (202) 874–6680.

SUPPLEMENTARY INFORMATION: In response to inquiries from payment certifying agencies regarding the possible resumption of the delivery of Treasury checks to Vietnam, the Department of the Treasury requested information from the Department of State (State) regarding banking and postal conditions in that country. State has advised that, within the past year, banking facilities in Vietnam have improved greatly and should continue to do so.

With respect to postal facilities, State has proposed a system whereby Treasury checks will be sent by diplomatic pouch to the American Embassy in Hanoi. Further delivery, by hand, to the American Consulate in Ho Chi Minh City also will be arranged by Embassy personnel. Because of the small number of payees residing in Vietnam, this arrangement is feasible for both Treasury and State. Additionally, it is acceptable to payment certifying agencies.

Accordingly, there is reasonable assurance that payees living in Vietnam will receive checks drawn against funds of the United States and will be able to negotiate the same for full value. For this reason, 31 CFR 211.1(a) is being revised to delete the reference to Vietnam.

The regulation also contains outdated references to the Veterans Administration. This amendment will correctly refer to the Department of Veterans Affairs and the Secretary of Veterans Affairs.

Rulemaking Analysis

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act do not apply.

It has been determined that, because this regulation involves a foreign affairs function of the United States, it is not subject to Executive Order 12866. Therefore, a Regulatory Assessment is not required.

Notice and Comment

Because this rule removes a restriction on the delivery of Treasury checks to a foreign country, the Department of the Treasury has determined that notice of proposed rulemaking, public procedure and a delayed effective date are not required pursuant to 5 U.S.C. 553(a)(1), 5 U.S.C. 553(b)(B) and 5 U.S.C. 553(d)(1).

List of Subjects in 31 CFR Part 211

Foreign banking, Foreign claims, Checks.

For the reasons set out in the preamble, 31 CFR Part 211 is amended as set forth below.

PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS

1. The authority citation for part 211 is revised to read as follows:

Authority: 5 U.S.C. 301; 31 U.S.C. 321 and 3329.

2. Section 211.1(a) is revised to read as follows:

§ 211.1 Withholding delivery of checks.

(a) It is hereby determined that postal, transportation or banking facilities in general or local conditions in the Republic of Cuba, Democratic Kampuchea, and the Democratic People's Republic of Korea (North Korea) are such that there is not a reasonable assurance that a payee in those areas will actually receive checks or warrants drawn against funds of the United States, or agencies or instrumentalities thereof, and be able to negotiate the same for full value.

* * * * *

3. Section 211.2 is revised to read as follows:

§ 211.2 Claims for the release of withheld checks or for the proceeds thereof.

Claims for the release of checks or warrants withheld from delivery or for the proceeds thereof, shall be filed with the administrative agency which would have originally authorized such issuance, e.g., claims arising out of checks or warrants representing payments under laws administered by the Department of Veterans Affairs shall be filed with the Secretary of Veterans Affairs, Department of Veterans Affairs, Washington, DC 20420.

Dated: July 23, 1996.

Russell D. Morris,

Commissioner.

[FR Doc. 96–20499 Filed 8–9–96; 8:45 am]

BILLING CODE 4810–35–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 95–13, Notice 02]

RIN 2127–AF28

Federal Motor Vehicle Safety Standards; Glazing Materials

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: In this final rule, NHTSA permits the installation of a new item of motor vehicle glazing, Item 4A—*Rigid Plastic for Use in Side Windows,* in motor vehicles. In issuing the final rule, the agency seeks to provide greater flexibility for manufacturers to develop and use more aerodynamic, lighter weight glazing designs, resulting in lower fuel consumption.

DATES: *Effective date:* This final rule is effective September 11, 1996.

Petitions for reconsideration: Any petitions for reconsideration of this final rule must be received by NHTSA no later than September 30, 1996.

ADDRESSES: Any petition for reconsideration of this final rule should refer to the docket and notice number set forth in the heading of this document and be submitted to:

Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC, 20590.

FOR FURTHER INFORMATION CONTACT: For technical information: Mr. John Lee, Office of Crashworthiness, NHTSA, telephone (202) 366–4924, FAX number (202) 366–4329. Mr. Lee's e-mail address is: jlee@nhtsa.dot.gov.

For legal information: Ms. Dorothy Nakama, Office of the Chief Counsel, NHTSA, telephone (202) 366–2992, FAX number (202) 366–3820.

Both may be reached at: National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Petitions should not be sent or faxed to these persons.

SUPPLEMENTARY INFORMATION:

Background

Federal Motor Vehicle Safety Standard (FMVSS) No. 205, *Glazing Materials* (49 CFR 571.205), specifies performance requirements for the types of glazing that may be installed in motor vehicles. It also specifies the vehicle locations in which the various types of glazing may be installed. The standard incorporates, by reference, American National Standards Institute (ANS) Standard Z26.1, ''Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways,'' as amended through 1980 (Z26). The requirements in ANS Z26.1 are specified in terms of performance tests that the various types or ''items'' of glazing must pass. There are 20 ''items'' of glazing (not including the item that is the subject of this final rule) for which requirements are currently specified in Standard No. 205.

To ensure the safety performance of vehicle glazing, Standard No. 205 includes a total of 31 specific tests. Each item of glazing is subjected to an appropriate selection of these tests. It is the particular combination of tests that dictates the requisite properties of a particular item of glazing, and where in a motor vehicle the glazing may be installed.

Rigid plastic materials, such as those referenced in this rulemaking, are considered to be Items 4 and 5 glazing. Prior to the issuance of this final rule, no rigid plastics were permitted to be installed in those areas requisite for driving visibility because rigid plastics are more susceptible to abrasion than glass. All windows in a passenger car are considered requisite for driving visibility.

GM Petition

By letter dated December 15, 1993, General Motors (GM) petitioned NHTSA to amend Standard No. 205 to relax the limitations on the installation of Items 4 and 5 rigid plastic glazing so that they can be installed in the side windows of station wagons and hatchbacks to the rear of all designated seating positions. GM subsequently amended its petition, limiting it to Item 4 glazing. (Item 4 glazing is required to transmit at least 70 percent of the light striking it; Item 5 glazing has no such requirement.)

In support of its petition, GM stated that the potential benefits of permitting plastic glazing in side windows would be reduced mass and greater design flexibility. GM further asserted plastics, while retaining good optical quality, can be molded into more complex shapes than glass. GM concluded that the combined effect of the more aerodynamic designs possible with plastic glazing and the reduced weight will lower a vehicle's fuel consumption.

GM acknowledged that Tests 17, Abrasion Resistance (Plastics), and 18, Abrasion Resistance (Safety Glass), of ANS Z26 indicate that plastics are not as abrasion resistant as glass. However, GM suggested that concerns about the abrasion resistance of plastic glazing may not be well founded, asserting that some evidence shows that Tests 17 and 18 ''are not necessarily predictive'' of how glazing will perform under actual use conditions. In support of its assertion, GM attached a summary of a study performed by a plastics supplier on a 1988 GM Pontiac Fiero GT sail panel. (A discussion of the sail panel study is provided at 60 FR 13688, March 14, 1995).

GM further asserted that permitting rigid plastic in side windows would not affect visibility because it believed that some side windows are not used for visibility. GM analogized station wagon and hatchback side windows rearward of the ''C'' pillar to light truck windows rearward of the ''B'' pillar and argued that station wagon and hatchback side windows rearward of the ''C'' pillar provide no more than auxiliary visibility. Thus, GM argued station wagon side windows rearward of the ''C'' pillar should no longer be considered requisite for driving visibility if the driver is provided other means, such as outside rearview mirrors, of viewing the highway to the side and rear of the vehicle.

On March 14, 1994, NHTSA granted GM's petition for rulemaking.

Notice of Proposed Rulemaking

On March 14, 1995, NHTSA published in the Federal Register (60 FR 13688) a notice of proposed rulemaking to amend Standard No. 205 by permitting a new item of glazing, Item 4A. The most salient characteristic of the glazing would be an abrasion resistant outer coating. NHTSA proposed to permit Item 4A glazing in all areas where Item 4 glazing is permitted. In addition, the agency proposed to permit item 4A glazing to be installed in the side windows, rearward of the ''C'' pillar and forward of the ''D'' pillar, of station wagons and hatchbacks, if those windows are not ''laterally adjacent to an outboard designated seating position.'' NHTSA proposed these changes to Standard No. 205 to provide greater flexibility to manufacturers in selecting and shaping glazing. Use of the new glazing would permit more aerodynamic and lighter weight designs and, in turn, would enhance fuel economy.

NHTSA proposed to make Item 4A glazing subject to all the tests applicable to Item 4 glazing: tests nos. 2 (Luminous Transmittance); 10 (Dart Test); 13 (Ball Test); 16 (Weathering); 17 Abrasion Resistance (Plastics) (as modified); 19 Chemical Resistance (Nonstressed); 20 Chemical Resistance (Stressed); 21 Dimensional Stability (Warpage); and 24 Flammability.

Since Item 4A glazing was proposed for a location requisite for driving visibility, the agency proposed to supplement Test No. 17 Abrasion Resistance (Plastics). NHTSA tentatively concluded that additional requirements regarding abrasion were necessary because the agency did not concur with GM's suggestion that the rearmost side windows in station wagons and hatchback vehicles are not requisite for driving safety. Since the agency was proposing a more stringent abrasion test, it concluded that it was not necessary to propose the adoption of GM's suggestion that use of the rigid plastic glazing be limited to vehicles that provide means (e.g., exterior passenger-side mirrors) of affording visibility of the highway to the side and rear of the vehicle.

Test 17 specifies that after measuring the initial or pre-abrasion haze of three specimens of plastic glazing, those specimens are subjected to an abrader for 100 cycles. The initial haze is subtracted from the amount of haze measured after abrasion. The incremental haze caused by the abrasion must not exceed 15 percent.

NHTSA proposed that the interior side of Item 4A glazing be subjected to Test 17, as modified in Standard No. 205 for the interior side of glass-plastic glazing. As modified for that glazing, Test 17 does not regulate incremental

haze separately. For that reason, it does not provide for measuring the initial haze and subtracting that haze from the post-abrasion haze. Instead, modified Test 17 regulates the total amount of post-abrasion haze. NHTSA proposed that total post abrasion haze must not exceed 4 percent.

As to the exterior side of Item 4A glazing, NHTSA proposed that it be subjected to Test 17, as modified for the interior side of glass-plastic glazing, except that the haze on the exterior side must not exceed 4.0 percent after 100 cycles and must not exceed 10.0 percent after 500 cycles. Specimens used for testing the exterior side of the glazing would not be used for testing the interior side.

The agency proposed to regulate total haze and not just incremental haze because of its concern that the initial haze of the plastic glazing would not be so low as it is for glass. In the case of glass-plastic glazing and the Fiero panel cited by GM as an example of viable plastic glazing, the initial haze is very low. However, other plastic glazing may have sufficiently higher levels of initial haze that the total amount of haze after abrasion would be unacceptably high for visibility purposes.

Since the 4 percent haze limitation may not ensure that Item 4A glazing has the hard, abrasion resistant coating used by GM to achieve good performance in its Fiero GT sail panel example, NHTSA believed it is also necessary to test at least the exterior side of fixed glazing for longer term resistance to abrasion. NHTSA therefore proposed to subject the exterior side of item 4A glazing test specimens to an additional 400 cycles of abrasion. Based in part on information from the American Automobile Manufacturers Association, NHTSA proposed 10 percent as the maximum permissible haze after those additional cycles. This level of performance is thought to be indicative of hard coated products. GM submitted data on the performance of the coated glazing in the Fiero, but did not premise its request regarding plastic glazing upon the use of coated plastic glazing. Instead, it simply sought permission to use uncoated Item 4 glazing. The hard coating necessitated by the additional cycles of abrasion would ensure that Item 4A glazing would have the level of abrasion resistance demonstrated by the Fiero GT sail panel. No such assurance exists for Item 4 glazing. The value of hard coatings has been demonstrated in headlamp applications where plastic lenses have been allowed to replace glass lenses. The agency stated its belief that coating technology should be equally suitable for glazing applications. NHTSA also stated its belief that since windows to the rear of the ''C'' pillar do not roll down, coating only the exterior side should be sufficient.

Since NHTSA proposed to permit a rigid plastic in a passenger car side window for the first time, the agency solicited comments on the sufficiency of the proposed provisions for supplementing Test 17. The agency also said that it would welcome any comments on the advisability of permitting rigid plastics in station wagon side windows rearward of the ''C'' pillar and forward of the ''D'' pillar.

Public Comments on the NPRM and NHTSA Response

In response to the NPRM, NHTSA received comments from the American Automobile Manufacturers Association, Bayer Corporation, Chrysler Corporation, Ford Motor Company, General Motors, Libbey-Owens-Ford, Perrone Forensic Consulting, Inc., S & S/Superior of Ohio, Inc., Safety Systems Company, and Sekurit. Each commenter either supported or did not oppose the proposed changes to Standard No. 205. The commenters raised issues that are addressed below.

Locations for Item 4A Glazing

In response to the NPRM, Ford asked that Standard No. 205 be amended to permit rigid plastics ''in the ''C'' pillar of vehicles for ornamental/decorative purposes * * * in all vehicles.'' Adoption of Ford's suggestion would permit a portion of a vehicle's ''C'' pillar sheet metal to be replaced with a decorative applique or window made from rigid plastic. Ford stated that with the small surface area of the ''C'' pillar and the rigid plastic surface affixed to the sheet metal structure, ''the resistance to fracture of a polycarbonate should not involve any unreasonable risk for safety.''

S & S/Superior of Ohio, Inc. suggested NHTSA permit Item 4A glazing in hearses (funeral coaches) between the ''B'' pillar and ''D'' pillar. S & S stated that hearses ''are manufactured with a partition at the ''B'' pillars—separating the driver's compartment from the rear compartment'' and noted there is no seating behind the ''B'' pillar.

It has always been NHTSA's intent that Item 4A glazing not be permitted in areas where it may come into contact with an occupant's head. To accomplish this goal, NHTSA proposed that Item 4A be limited to glazing areas in station wagons and hatchbacks that are behind the ''C'' pillar and behind the ''D'' pillar, if those areas are not ''laterally adjacent to an outboard designated seating position.'' NHTSA did not discuss how much overlap between a window and a seating position is necessary before they are said to be laterally adjacent.

The agency needs to provide guidance regarding the dividing line between windows that are laterally adjacent to a seat and windows that are behind a seat. The determination of lateral adjacency is particularly important to ensure proper classification of a window that is located largely, but not totally to the rear of the rearmost seat on the same side of the vehicle. An example of such a window is the window between the ''C'' and ''D'' pillars in some station wagons. The ''C'' pillar on those vehicles slants forward so that its upper end is forwardmost. The leading edge of the window is not laterally adjacent to the seat cushion of the rearmost seating position, but is laterally adjacent to the leading surface of the upper seat back of that position. Such a window is contactable by an occupant seated in that position, particularly in a crash in which the vehicle is struck in the rear at an angle.

After considering several alternatives for giving more definitive guidance on determining which windows are eligible for Item 4A installation, NHTSA has decided to adopt an approach that, unlike the proposal, does not refer to any particular vehicle type. Instead, the approach is based on the relative location of a window in any vehicle and the occupant seats in that vehicle. The approach is further based on the procedure in Federal Motor Vehicle Safety Standard No. 210, *Seat Belt Assembly Anchorages*, and in Figure 1 thereof for locating the shoulder reference point. That point is used under that Standard to locate the acceptable range for the location of the upper torso anchorage for a type 2 safety belt.

NHTSA is amending S5.1.2.11 of Standard No. 205 to permit Item 4A glazing in a motor vehicle window if the forwardmost point of the visible interior surface of the window is rearward of the vertical transverse plane that passes through the shoulder reference point (as described in Figure 1 of Standard No. 210) of the rearmost seating position in the vehicle, provided that that position is forward-facing and cannot be adjusted so that it is side or rear-facing. In this final rule, NHTSA has decided not to permit Item 4A glazing near rear-facing seats or side-facing seats in any motor vehicle because it is concerned that occupants (particularly unbelted ones) riding in those seating locations may be able to contact their heads against Item 4A glazing.

Adoption of this approach has the advantage of permitting Item 4A glazing

in vehicles other than station wagons and hatchbacks, while assuring that it is very unlikely that the rigid plastic glazing will be contacted by any occupant's head. Since the adopted criteria do not limit Item 4A installation to locations between the ''C'' and ''D'' pillars in station wagons and hatchbacks, they permit Item 4A glazing installation in any vehicle location that can meet that approach. Thus, Item 4A glazing could be installed in the ''C'' pillar of vehicles and between the ''B'' and ''D'' pillars in hearses (funeral coaches) if those locations met the criteria.

Ejection Resistance Issues and Rigid Plastic Glazing

Several commenters stated that rigid plastic windows have the potential to keep occupants in the vehicle in the event of a crash, rather than permitting their ejection through the window opening. Repeating an earlier comment, Sekurit urged NHTSA to adopt ''an overall policy and plan to address the role of glazing, including glass, glass-plastic, and plastic, in crash prevention and crash injury prevention.'' Safety Systems Company noted that if, in the future, NHTSA should specify a head impact test and an ejection resistance test in Standard No. 205, that both tests be made applicable to Item 4A glazing.

Perrone recommended that Item 4A be subject to an ejection resistance test in conjunction with the other tests (such as abrasion resistance) that would be used to define the item of glazing. This recommendation was based on Perrone's belief that plastic glazing can potentially keep ''occupants in the vehicle rather than permitting dangerous ejection.'' It cited a need to establish a test procedure to ensure ''that the end fixity of these various glazing materials is adequate around the periphery.''

NHTSA agrees that there may be benefit in further investigating the ejection mitigation potential of plastic and other types of glazing. However, NHTSA does not yet have the necessary data to propose the changes that Perrone, Safety Systems, and Sekurit recommend. NHTSA intends to continue to examine the ejection mitigation potential of various types of glazing. NHTSA will consider the commenters' recommendations in any future rulemakings on the ejection resistance issue.

Haze and Abrasion Issues

Libbey-Owens-Ford (LOF) recommended that Test No. 17, Abrasion Resistance, be modified to limit initial total haze to 1.0 percent, not just the amount of haze after completion of the abrasion test. LOF stated that initial haze should not exceed 1.0 percent to guarantee that the initial haze of the glazing is ''at an acceptable level.'' In support of the suggested 1.0 level, LOF stated that it reviewed its test records over 20 years and has not found any AS–1, AS–2, or AS–14 products with an initial haze level over 1.0 percent. It further stated that studies done in Europe ''strongly suggested that high haze levels in windshields interfere with night driving visibility,'' and that some plastic materials have relatively high initial haze levels.

NHTSA concurs with LOF's comment insofar as it applies to Item 4A glazing. Limiting the initial haze level would enhance safety by ensuring a maximum acceptable haze level that the unused rigid plastic glazing must meet. In light of the fact that the Pontiac Fiero sail panel cited in GM's test (see 60 FR 13688, March 14, 1995) had an initial haze level of 0.49 percent, and after testing (over six years, when the Fiero was driven ''over 41,000 miles''), had a 0.87 percent haze level, NHTSA believes that meeting an initial haze level limit of 1.0 percent is practicable and appropriate. In the final rule, NHTSA amends the language of S5.1.2.11(b)(1) to establish an initial maximum haze level of 1.0 percent for Item 4A glazing.

LOF also commented that since the long term durability of abrasion resistant exterior coatings, and of the adhesion between the coating and the substrate are a potential concern, a single sample of Item 4A glazing should be subjected to a weathering test and then an abrasion test. NHTSA believes it has addressed LOF's concerns in part by making Test 16 Weathering and Test 17, Abrasion Resistance applicable to Item 4A glazing. NHTSA made changes to Test 17 to ensure that Test 17 regulates total haze and to test the exterior side of plastic glazing to ensure longer term resistance to abrasion.

However, NHTSA acknowledges that in this final rule, Tests 16 and 17 would not be applied to the same sample of glazing. NHTSA does not have data to indicate that applying Tests 16 and 17 to the same piece of glazing would significantly enhance safety. However, NHTSA intends to monitor the performance of Item 4A glazing installed in motor vehicles. If NHTSA should obtain data indicating a safety value in performing Tests 16 and 17 (or other tests for weathering and abrasion resistance of plastics) on the same sample of glazing, NHTSA will consider initiating rulemaking to establish such tests.

Statistical Data on Item 4A Glazing

Safety Systems Company recommended that the proposed rule be amended to require manufacturers to provide NHTSA with the makes, models and Vehicle Identification Numbers (VINs) of vehicles using the Item 4A glazing so that statistical data on Item 4A glazing can be collected. Safety Systems further recommended that the National Accident Sampling System crash data collection procedures be amended to provide for recording this new vehicle glazing element, and detect injuries due to possible fracture patterns of the glazing or other glazing problems.

NHTSA believes there may be merit in adopting Safety System's suggestion for obtaining glazing information from vehicle manufacturers. However, adopting that suggestion would not necessitate changes in Standard No. 205, or any other NHTSA regulation. NHTSA intends to find means to collect the suggested information without imposing an undue collection of information burden on manufacturers.

Characterization of the New Item of Glazing

Bayer Corporation objected to NHTSA's calling the new item of glazing ''Rigid Plastic'', since in its opinion, it ''sends an unfortunate message based on a misinterpretation of FMVSS 205 and creates a monopoly for glass in other items.'' NHTSA does not believe that the name of the new item of glazing will have the effect anticipated by Bayer. The opportunity to use rigid plastic in other areas of a passenger car is not limited by the names of the items of glazing that may be used in those areas but by the performance tests applicable to those items. Other glazing items for use in passenger car windows are not described with the term ''glass.'' Item 1 glazing is ''Safety Material for Use Anywhere in Motor Vehicle'' and Item 2 is ''Safety Material for Use Anywhere in Motor Vehicle Except Windshields.'' Naming Item 4A glazing ''Rigid Plastic'' simply calls attention to the fact that for the first time, there is an item of glazing permitted in passenger car side windows which is defined by tests that can be met by rigid plastic. Accordingly, NHTSA is calling Item 4A ''Rigid Plastics for Use in Side Windows.''

Final Rule

With the exception that it adopts Standard No. 210's shoulder reference point as the basis for determining the windows in which Item 4A glazing may be installed, restricts placement of Item 4A glazing near rear-facing and side-

facing seats, and establishes an initial maximum haze level of 1.0 percent, NHTSA adopts its proposal without change.

Effective Date

In response to the NPRM, Chrysler suggested that the agency establish an early effective date for the new glazing requirements so that vehicle manufacturers may take immediate advantage of Item 4A glazing. NHTSA agrees it would be beneficial for industry and consumers if Item 4A glazing is permitted in the near future.

NHTSA finds that there is good cause for concluding that an effective date earlier than 180 days is in the public interest. The final rule will take effect 30 days after its publication in the Federal Register.

Rulemaking Analyses and Notices

1. Executive Order 12866 and DOT Regulatory Policies and Procedures

This final rule was not reviewed under Executive Order 12866 (Regulatory Planning and Review). NHTSA has analyzed the impact of this rulemaking action and determined that it is not ''significant'' within the meaning of the Department of Transportation's regulatory policies and procedures. Installation of the new item of glazing is not required. This final rule gives manufacturers more flexibility in the selection of motor vehicle glazing. NHTSA believes that installation of this new item of glazing makes possible reduced weight and better aerodynamic design of vehicles resulting in the use of less fuel. However, the fuel savings may be slight. For these reasons, NHTSA believes that this final rule does not impose any additional costs and does not yield any significant savings for vehicle manufacturers, glazing manufacturers, or consumers. The impacts are so minimal as not to warrant preparation of a full regulatory evaluation.

2. Regulatory Flexibility Act

In accordance with the Regulatory Flexibility Act, NHTSA has evaluated the effects of this action on small entities. Based upon this evaluation, I certify that the final rule will not have a significant economic impact on a substantial number of small entities. This final rule does not require use of any particular type of glazing, but provides manufacturers more flexibility in the choice of glazing primarily for station wagons and hatchbacks. This final rule will not affect the price of new motor vehicles. Accordingly, the agency has not prepared a regulatory flexibility analysis.

3. Executive Order 12612 (Federalism)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the final rule does not have sufficient Federalism implications to warrant preparation of a Federalism Assessment. No State laws are affected.

4. National Environmental Policy Act

The agency has considered the environmental implications of this final rule in accordance with the National Environmental Policy Act of 1969 and determines that the rule does not significantly affect the human environment.

5. Executive Order 12778 (Civil Justice Reform)

This final rule does not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the State requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

List of Subjects in 49 CFR Part 571

Motor vehicle safety, Reporting and recordkeeping requirements, Tires.

In consideration of the foregoing, the agency amends part 571 of title 49 of the Code of Federal Regulations as follows:

PART 571—[AMENDED]

1. The authority citation for part 571 continues to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, 30166; delegation of authority at 49 CFR 1.50.

2. Section 571.205, is amended by revising S5.1.2; revising the first sentence of paragraph (a) of S5.1.2.10, adding S5.1.2.11, and revising S6.1, to read as follows:

§ 571.205 Standard No. 205, Glazing materials.

* * * * *

S5.1.2 In addition to the glazing materials specified in ANS Z26, materials conforming to S5.1.2.1, S5.1.2.2, S5.1.2.3, S5.1.2.4, S5.1.2.5, S5.1.2.6, S5.1.2.7, S5.1.2.8 and S5.1.2.11 may be used in the locations of motor vehicles specified in those sections.

* * * * *

S5.1.2.10 *Cleaning instructions.* (a) Each manufacturer of glazing materials designed to meet the requirements of S5.1.2.1, S5.1.2.2, S5.1.2.3, S5.1.2.4, S5.1.2.5, S5.1.2.6, S5.1.2.7, S5.1.2.8, or S5.1.2.11 shall affix a label, removable by hand without tools, to each item of glazing materials. * * *

* * * * *

S5.1.2.11 *Test procedures for Item 4A—Rigid Plastic for Use in Side Windows Rearward of the ''C'' pillar.* (a) Glazing materials that comply with Tests Nos. 2, 10, 13, 16, 17, as that test is modified in S5.1.2.9(c) (on the interior side only), 17, as that test is modified in paragraph (b) of this section (on the exterior side only), 19, 20, 21, and 24 of ANS Z26.1, may be used in the following specific locations:

(1) All areas in which Item 4 safety glazing may be used.

(2) Any side window that meets the criteria in S5.1.2.11(a)(2)(i) and (ii):

(i) Is in a vehicle whose rearmost designated seating position is forward-facing and cannot be adjusted so that it is side or rear-facing; and

(ii) The forwardmost point on its visible interior surface is rearward of the vertical transverse plane that passes through the shoulder reference point (as described in Figure 1 of § 571.210 *Seat belt assembly anchorages*) of that rearmost seating position.

(b)(1) The initial maximum haze level shall not exceed 1.0 percent. The specimens are subjected to abrasion for 100 cycles and then carefully wiped with dry lens paper (or its equivalent). The light scattered by the abraded track is measured in accordance with Test 17. The arithmetic mean of the percentages of light scattered by the three specimens shall not exceed 4.0 percent after being subjected to abrasion for 100 cycles.

(2) The specimen is remounted on the specimen holder so that it rotates substantially in a plane and subjected to abrasion for an additional 400 cycles on the same track already abraded for 100 cycles. Specimens are carefully wiped after abrasion with dry lens paper (or its equivalent). The light scattered by the abraded track is then measured as specified in Test 17. The arithmetic mean of the percentages of light scattered by the three specimens shall not exceed 10.0 percent after being subjected to abrasion for 500 cycles.

* * * * *

S6.1 Each prime glazing material manufacturer, except as specified below, shall mark the glazing materials it manufactures in accordance with section 6 of ANS Z26. The materials specified in S5.1.2.1, S5.1.2.2, S5.1.2.3, S5.1.2.4, S5.1.2.5, S5.1.2.6, S5.1.2.7, S5.1.2.8, and S5.1.2.11 shall be identified by the marks ''AS 11C'', ''AS 12'', ''AS 13'', ''AS 14'', ''AS 15A'', ''AS 15B'', ''AS 16A'', ''AS 16B'', and ''AS 4A'', respectively. A prime glazing material manufacturer is one which fabricates, laminates, or tempers the glazing material.

* * * * *

Issued on: August 7, 1996.

Ricardo Martinez,

Administrator.

[FR Doc. 96–20517 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 960501122–6213–02; I.D. 042596A]

RIN 0648–AI46

Fisheries of the Exclusive Economic Zone Off Alaska; Addition of Akutan to List of Eligible Communities

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

ACTION: Final rule.

SUMMARY: NMFS adds the city of Akutan to the list of western Alaska communities that are eligible to participate in the Community Development Quota (CDQ) programs, removes the authority to use scales to weigh total catch in the pollock CDQ fishery, and prohibits processor vessels from filling fish holding bins above the level of the viewing port. These actions are necessary to further the objectives of the CDQ programs. These actions are intended to extend benefits of the CDQ programs to an additional community and to improve monitoring of CDQ harvests.

EFFECTIVE DATE: September 9, 1996.

ADDRESSES: Individual copies of the environmental assessment/regulatory impact review (RIR)/final regulatory flexibility analysis (FRFA) prepared for this action may be obtained from the Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

FOR FURTHER INFORMATION CONTACT: David Ham, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

The domestic groundfish fisheries in the exclusive economic zone of the Bering Sea and Aleutian Islands management area (BSAI) are managed by NMFS in accordance with the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Island Area (FMP). The FMP was prepared by the Council and approved by NMFS under the Magnuson Fishery Conservation and Management Act (Magnuson Act). The FMP is implemented by regulations that appear at 50 CFR part 679. General regulations that also govern the groundfish fisheries appear at 50 CFR part 600.

Community Development Quota programs are in effect in the BSAI for the pollock, Pacific halibut, and fixed gear sablefish fisheries. Final rules implementing these programs were published for pollock on December 12, 1995 (60 FR 63654), corrected at 61 FR 20 (January 2, 1996), and for halibut and sablefish (H/S) on November 9, 1993 (58 FR 59375).

The pollock and H/S CDQ programs apportion a designated percentage of the annual total allowable catch for pollock, Pacific halibut, and fixed gear sablefish to separate CDQ reserves that may be allocated to eligible western Alaska communities. The purpose of the CDQ programs is to provide the CDQ communities with a means for starting or supporting commercial seafood activities that will result in ongoing, regionally based, commercial seafood or related businesses. This final rule implements the following changes to the CDQ regulations that were published as a proposed rule in the Federal Register on May 15, 1996 (61 FR 24475):

1. The city of Akutan is added to the list of western Alaska communities that are eligible to participate in the CDQ programs.

2. The authority for processing vessels to use scales to weigh total catch in the pollock CDQ fishery is removed.

3. Processor vessels are prohibited from filling fish holding bins above the level of the viewing port.

Changes from the Proposed Rule

Two changes were made from the proposed rule in the final rule. First, since publication of the proposed rule, the Federal regulations implementing Alaska fishery management plans have undergone a comprehensive consolidation and have been recodified at 50 CFR part 679 (61 FR 31228, June 19, 1996). The proposed rule would have amended the preconsolidation regulations, the final rule makes the respective amendments to the consolidated regulations.

Second, one paragraph, § 679.32(e)(1)(vi), was inadvertently included in the consolidated regulations (50 CFR part 679), but should have been included in this rule. A correction document was published to remove the paragraph (61 FR 37843, July 22, 1996). This rule adds this paragraph, which reads ''The receiving bins must not be filled in a manner that obstructs the viewing ports or prevents the observer from seeing the level of fish throughout the bin.''

Response to Comments

A 30-day public comment period on the proposed rule ended on June 13, 1996. Three letters of comment supporting the proposed rule, and one letter of general comment were received during the comment period. These four comments are summarized and responded to below.

Comment 1: Three letters of comment were received supporting the addition of Akutan to the list of eligible CDQ communities.

Response: NMFS notes these comments.

Comment 2: One letter of comment was received requesting NMFS to consider for the proposed multispecies CDQ program volumetric measurements for estimating total catch as opposed to total weight estimations because of the inherent problems with estimating total weight on processor vessels.

Response: A proposed rule is under development to implement a proposed FMP amendment that would extend the CDQ program to include additional species. If approved, NMFS will require the most reliable method to measure CDQ catches of groundfish.

Classification

NMFS prepared an FRFA as part of the RIR. A copy of this analysis is available from NMFS (see **ADDRESSES**). The addition of Akutan to the list of eligible CDQ communities in the Aleutian Region would affect a substantial number of small entities, that is, the other five communities currently participating in the CDQ program. Akutan would be expected to receive some CDQ support, and support would be reduced for one or more of the other communities accordingly. While it is possible that Akutan would receive only a very small allocation and the resulting reallocations would not have a significant impact, it is more likely that

the reallocations would reduce the gross revenues of the other five communities by more than 5 percent, thus having a significant economic impact on these entities. It would be speculative to try to predict specific allocations or impacts. The economic impact on other communities is not a factor to be considered in determining whether a particular community is eligible under the CDQ program. Accordingly, there are no practical alternatives available or that could be considered to reduce or minimize the economic impact on other communities if Akutan is added to the list of CDQ communities. The other aspects of this final rule are not expected to have a significant economic impact on a substantial number of small entities.

This rule has been determined to be not significant for purposes of E.O. 12866.

List of Subjects in 50 CFR Part 679

Fisheries, Reporting and recordkeeping requirements.

Dated: August 5, 1996.

C. Karnella,

Acting Program Management Officer, National Marine Fisheries Service.

For reasons set out in the preamble, 50 CFR part 679 is amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*

2. In § 679.30, the last sentence of paragraph (d)(2)(iv) is revised to read as follows:

§ 679.30 General CDQ regulations.

* * * * *

(d) * * *

(2) * * *

(iv) * * * The community of Unalaska is excluded under this provision.

* * * * *

3. In 679.32, paragraph (e), the introductory text is revised, the heading for paragraph (e)(1) is removed, paragraph (e)(2) is removed, paragraphs (e)(1)(i) through (e)(1)(vi) are redesignated as paragraphs (e)(1) through (e)(6) respectively, current paragraphs (e)(1)(iii)(A) through (e)(1)(iii)(D) are redesignated as paragraphs (e)(3)(i) through (e)(3)(iv) respectively, and newly redesignated paragraph (e)(6) is added as follows:

§ 679.32 Estimation of total pollock harvest in the CDQ fisheries (applicable through December 31, 1998).

* * * * *

(e) *Processor vessel measurement requirements.* Each processor vessel participating in the CDQ fishery for pollock must estimate the total weight of its groundfish catch by the volumetric procedures specified in this paragraph (e).

* * * * *

(6) *Bin viewing port.* The receiving bins must not be filled in a manner that obstructs the viewing ports or prevents the observer from seeing the level of fish throughout the bin.

4. In Table 7 the heading is revised and the entries under ''Aleutian Region'' are revised, to read as follows: Table 7 to Part 679—Communities Determined to be Eligible to Apply for Community Development Quotas (Other communities that do not appear on this table may also be eligible).

Aleutian Region:

1. Akutan
2. Atka
3. False Pass
4. Nelson Lagoon
5. Nikolski
6. St. George
7. St. Paul

* * * * *

[FR Doc. 96–20433 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–22–W

Proposed Rules

Federal Register
Vol. 61, No. 156
Monday, August 12, 1996

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 591

RIN 3206–AH56

Cost-of-Living Allowances (Nonforeign Areas); Partnership Pilot Project

AGENCY: Office of Personnel Management.

ACTION: Proposed rule.

SUMMARY: The Office of Personnel Management (OPM) is proposing a pilot project to establish a partnership with agencies and employees in administering the nonforeign area cost-of-living allowance (COLA) program. Under the project, COLA partnership committees would be established in Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands to assist OPM in reviewing and improving the COLA program. Involvement in the committees should help OPM, affected agencies, and their employees better understand issues relating to the compensation of Federal employees in these areas. The proposed regulations would also make a technical amendment to clarify the term ''agency'' as it applies to the COLA program.

DATES: Comments must be received on or before September 11, 1996.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Policy, Human Resources Systems Service, Office of Personnel Management, Room 6H31, 1900 E Street NW., Washington, DC 20415, or FAX to (202) 606–4264.

FOR FURTHER INFORMATION CONTACT: Donald L. Paquin, (202) 606–2838.

SUPPLEMENTARY INFORMATION: Under section 5941 of title 5, United States Code, and Executive Order 10,000, as amended, certain Federal employees in nonforeign areas outside the 48 contiguous States are eligible for cost-of-living allowances when local living costs are substantially higher than those in the Washington, DC, area. Nonforeign area COLA's are paid in Alaska, Hawaii, Puerto Rico, the U.S. Virgin Islands, and Guam and the Commonwealth of the Northern Mariana Islands.

OPM conducts living-cost surveys in these areas annually and compares the results with surveys conducted in the Washington, DC, area, as required by 5 U.S.C. 5941 and E.O. 10000. A cost-of-living allowance rate is then derived for each allowance area, which by law cannot exceed 25 percent of the rate of basic pay for eligible employees.

OPM publishes the results of these surveys in the Federal Register. (The most recent survey, for Alaska areas only, was published on February 2, 1996 (61 FR 4070).) Because of the interest in employee involvement shown in comments on the surveys, OPM believes increasing agency and employee participation in the survey process could greatly enhance the COLA program. This coincides with OPM's own desire to introduce partnership into the allowance-setting process in the COLA areas and is responsive to National Performance Review objectives on forming management/employee partnerships.

COLA Partnership Pilot Project

OPM proposes to initiate a COLA Partnership Pilot Project that would provide for greater agency and employee involvement in the nonforeign area cost-of-living allowance program. Under this proposal, OPM would establish COLA partnership committees, composed of representatives of OPM, other agencies, and labor organizations in Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands. The committees would—

(1) Advise and assist OPM in planning COLA surveys;

(2) Observe data collection during the surveys;

(3) Advise and assist OPM in the review of survey data;

(4) Advise OPM on the COLA program and other compensation issues relating to the allowance areas; and

(5) Assist OPM in the dissemination of information to affected employees about the COLA surveys and the COLA program.

Committee Membership

Under the proposed pilot project, OPM would invite the largest Federal agencies and labor organizations in each of the areas to participate on the COLA partnership committees. There may also be subcommittees, particularly in Alaska and Hawaii, where it might be advantageous to involve employees from each of the allowance areas. All committee and subcommittee members would be current full-time Federal employees performing official business of the Federal Government. Therefore, the Federal Advisory Committee Act is inapplicable.

Committees would be composed of up to five agency representatives and five labor organization representatives from the local area, as well as one or more OPM representatives. The agency and employee representatives would be invited from the four agencies and four labor organizations with the largest number of COLA recipients in each area, as determined by OPM. OPM would further invite one additional agency selected from among the other agencies in each area to designate a representative to serve on the committee on a 1-year rotating basis. Similarly, one additional labor organization would be asked to nominate a representative to serve on a 1-year rotating basis. Alternatively, affected agencies and labor organizations may agree to select committee members using other means.

Each participating agency shall provide the necessary support (including staff time and travel expenses, if needed) for its committee member(s). OPM anticipates that all agency and employee representatives would reside in the immediate area, so non-local travel expenses and per diem should not be necessary. Agencies may have to reimburse employees for local travel. OPM would provide appropriate administrative support and coordination among the committees.

Committee Activities

The partnership committees would be involved in survey design and preparation and in survey operation and review. Approximately 3 months prior to the survey, the committees would be asked to review the survey specifications that OPM would provide and assist OPM in planning for the survey. Survey specifications would include the items and outlets to be surveyed and the communities in which data are to be collected. Planning would include deciding when and how to contact outlets to obtain permission to collect prices and who should accompany OPM during data collection activities.

At the time of the survey, the committees would convene to help coordinate survey activities, observe data collection and/or discuss data collection with the observers, and assist OPM in reviewing the survey data. To avoid the appearance of a conflict of interest, OPM staff from outside the area would collect the data. After the survey, the committees may meet again to assess the data collection effort, plan for providing information on the survey to affected employees, and formulate a preliminary schedule of committee activities for the next survey.

The committees would most likely meet at least three times a year. OPM anticipates that, from time to time, the committees would also consider broader issues relating to the COLA surveys and methodology and other issues relating to the compensation of Federal employees in the allowance areas. Some meetings may be via telephone conference or other means, rather than face-to-face. There would be no required committee reports, but the committees may, at their discretion, provide written recommendations to OPM's Assistant Director for Compensation Policy.

Project Commencement

OPM plans to have the COLA partnership committees in operation no later than November 1, 1996, in order to prepare for the COLA surveys to be conducted in January through March 1997. Many of the affected agencies and labor organizations have attended preliminary briefings held by OPM on the pilot project. The proposed regulations reflect several of the comments OPM has received. OPM will continue to coordinate with agencies and labor organizations in the allowance areas to prepare for the project.

Definition of ''Agency''

The proposed regulations would also make a technical amendment to define ''agency'' under the definitions section of 5 CFR part 591, subpart B, and remove a corresponding reference in § 591.203 to agencies covered by the subpart.

Regulatory Flexibility Act

I certify that this regulation would not have a significant economic impact on a substantial number of small entities because it would affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 591

Government employees, Travel and transportation expenses, Wages.

U.S. Office of Personnel Management.

James B. King,

Director.

Accordingly, OPM proposes to amend 5 CFR part 591 as follows:

PART 591—ALLOWANCES AND DIFFERENTIALS

Subpart B—Cost-of-Living Allowance and Post Differential—Nonforeign Areas

1. The authority citation for subpart B of part 591 continues to read as follows:

Authority: 5 U.S.C. 5941; E.O. 10000, 3 CFR, 1943–1948 Comp., p. 792; E.O. 12510, 3 CFR, 1985 Comp., p. 338.

2. Section 591.201 is amended by adding a definition of ''agency'' in alphabetical order to read as follows:

§ 591.201 Definitions.

* * * * *

Agency means an Executive agency as defined in section 105 of title 5, United States Code, but does not include Government-controlled corporations. For the purposes of § 591.212, ''agency'' also includes the United States Postal Service.

* * * * *

3. Section 591.203 is amended by revising the section heading and the introductory text to paragraph (a) to read as follows:

§ 591.203 Employees covered.

(a) This subpart applies to civilian employees whose rates of basic pay are fixed by statute and who are employed by an agency. The following pay plans are covered by this subpart:

* * * * *

4. Section 591.212 is added to read as follows:

§ 591.212 COLA Partnership Pilot Project.

(a) *Purpose and duration of COLA Partnership Pilot Project.* The COLA Partnership Pilot Project is designed to assess the efficacy of a plan to increase agency and employee involvement in the allowance program. The pilot project shall be in effect for a period not to exceed 2 years from [the effective date of the final rule.]

(b) *Purpose and establishment of committees.* To assist OPM in reviewing and improving the allowance program and to help OPM, affected agencies, and their employees better understand issues relating to the compensation of Federal employees in the allowance areas, OPM may establish one or more COLA partnership committees. Committees established under this section function at the discretion of OPM and may be disestablished at any time. A committee may represent agencies and employees in more than one allowance area and will meet from time to time as requested by OPM.

(c) *Composition of committees.* Each committee shall be composed of one or more representatives of Federal agencies and labor organizations. All committee members shall be current full-time Federal employees performing official business of the Federal Government and will serve at their agencies' and OPM's discretion. All committee members, except the OPM members, shall be from the area represented by the committee. The representatives shall be selected as follows:

(1) *Agency representatives.* (i) OPM will identify the largest agencies (in terms of allowance recipients) in the area represented by the committee. OPM will invite up to four agencies each to designate a representative to serve on the committee. OPM will further invite one additional agency selected from among the other agencies in each committee area to designate a representative to serve on the committee on a 1-year rotational basis. To select this agency, OPM will use sampling with probability proportional to the size of the agency. If mutually agreeable among the agencies, they may select representatives using other means and may rotate committee positions among agencies on other than a 1-year rotational basis.

(ii) OPM will appoint one or more of its employees to serve on each COLA partnership committee.

(2) *Employee representatives.* OPM will identify the largest labor organizations (in terms of allowance recipients) in the area represented by the committee. OPM will invite up to four labor organizations each to nominate a representative to serve on the committee. OPM will further invite one additional labor organization selected from among the other labor organizations in each committee area to nominate a representative to serve on the committee on a 1-year rotational basis. To select this labor organization, OPM will use sampling with probability proportional to the size of the labor organization. If mutually agreeable among the labor organizations, they may select representatives using other means and may rotate committee positions among labor organizations on other than a 1-year rotational basis. OPM will select committee members from among the nominations in consultation with the nominees' employing agencies. However, no committee shall have more than one employee representative from United States Postal Service labor organizations.

(3) *Other members.* In consultation with the committee members, OPM may invite other current full-time Federal employees to serve on the committee. OPM will coordinate such invitations with the employing agencies.

(d) *Functions of committees.* COLA partnership committees may—

(1) Advise and assist OPM in planning living-cost surveys;

(2) Provide or arrange for observers for data collection during living-cost surveys;

(3) Advise and assist OPM in the review of survey data;

(4) Advise OPM on its administration of the COLA program, including survey methodology and other issues relating to the compensation of Federal employees in the allowance areas; and

(5) Assist OPM in the dissemination of information to affected employees about the living-cost surveys and the COLA program.

(e) *Data collection observers.* In consultation with the committees, OPM will determine the number of observers required to accompany OPM officials during the collection of living-cost data. All observers shall be from the local area and shall be full-time Federal employees performing official business of the Federal Government. The committees will nominate observers, and OPM will select from among these nominations in consultation with the nominees' employing agencies.

(f) *Subcommittees.* In consultation with the committees, OPM may establish one or more subcommittees to advise the committee on issues relating to the allowance areas and survey areas within the geographic area represented by the committee. If such subcommittees are established, they shall be composed of up to two agency representatives and two employee representatives from the local area, as well as one or more OPM representatives. OPM may, in consultation with the committee and subcommittee, invite additional Federal employees to serve on the subcommittee. Subcommittee agency and employee representatives shall be nominated and appointed in the same manner as committee members. All subcommittee members shall be current full-time Federal employees performing official business of the Federal Government.

[FR Doc. 96–20445 Filed 8–9–96; 8:45 am]

BILLING CODE 6325–01–M

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

10 CFR Part 430

[Docket No. EE–RM–93–801]

Energy Conservation Program for Consumer Products: Energy Conservation Standards for Refrigerators, Refrigerator-Freezers, and Freezers

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Proposed rule; reopening of comment period.

SUMMARY: The Department of Energy provides notice that the comment period is reopened on a proposal to amend the energy conservation standards for refrigerators, refrigerator-freezers, and freezers (refrigerator products). The Department is reopening the comment period on this proposal to obtain further comment on issues related to the appropriate consideration of the relationship between regulations under the Clean Air Act banning manufacture of hydrochlorofluorocarbon-141b (HCFC–141b) and the effective date and revised standard levels for DOE efficiency standards.

DATES: The comment period on this proposal is reopened until September 11, 1996. The Department requests 10 copies of the comments and, if possible, a computer disk.

ADDRESSES: Written comments are to be submitted to: Refrigerator Rulemaking (Docket No. EE–RM–93–801), U.S. Department of Energy, Office of Codes and Standards, EE–43, 1000 Independence Avenue, S.W., Room 1J–018, Washington, D.C. 20585–0121, (202) 586–7574.

FOR FURTHER INFORMATION CONTACT:

Michael G. Raymond, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Forrestal Building, Mail Station EE–43, 1000 Independence Avenue, S.W., Washington, D.C. 20585–0121, (202) 586–9611.

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Forrestal Building, Mail Station GC–72, 1000 Independence Avenue, S.W., Washington, D.C. 20585–0103, (202) 586–9507.

SUPPLEMENTARY INFORMATION:

Background

On July 20, 1995, the Department issued a notice of proposed rulemaking to amend the energy efficiency standards for refrigerator products. 60 FR 37388 (July 20, 1995). The proposal described two tiers of standards for different products: (1) Standards for products manufactured with the current insulation blowing agent, HCFC–141b (the ''Tier 1 standards''); (2) standards for products manufactured with a non-HCFC substitute blowing agent (the ''Tier 2 standards''). The Tier 1 standards would be more stringent than Tier 2. Overall, the Tier 1 standards would result in a 30 percent improvement in energy efficiency relative to current standards, although the improvement varied considerably among the different classes of covered products. The Tier 2 standards would be less stringent—they would permit use of 10 percent more energy than the Tier 1 standard for all product classes and sizes to compensate for the assumed energy penalty of the replacement for HCFC–141b. The revised standards would take effect three years after the promulgation of the final rule. The Tier 2 standards would be in effect for six years, after which time all products would be required to meet the Tier 1 standard level. The two tiers were developed to accommodate the interrelationship between the revised DOE standards and regulations of the U.S. Environmental Protection Agency (EPA) to implement the Montreal Protocol on Substances that Deplete the Ozone Layer and the Clean Air Act. The EPA regulations will prohibit production and import of HCFC–141b after January 1, 2003. 40 CFR § 82.4 (l), (m). The July 1995 notice of proposed rulemaking discussed the relationship between the DOE standards and the EPA standards, and acknowledged the uncertainty with regard to what substitutes for HCFC–141b would be available. 60 FR at 37396.

The July 1995 proposed rule was based in large part on a joint comment, filed by manufacturers, efficiency advocates, states and utilities in November 1994, that made a consensus recommendation on revised standards. In September and October of 1995, a number of manufacturers submitted comments on the proposed refrigerator standards indicating that, for a variety of reasons, they no longer supported the imposition of updated standards prior to 2003, and emphasizing the continuing uncertainty surrounding the thermal efficiency characteristics and costs of insulation produced using a blowing agent other than HCFC–141b. Efficiency advocates have indicated that the consensus recommendation on standards was based on estimates of the

efficiency of compressors to be available in 2000, and that if the effective date of the standard were delayed to 2003, further improvements in compressor efficiency likely to occur by 2003 should be considered in adopting any 2003 standard level.

To inform the development of a final rule on revised refrigerator standards, DOE is seeking further comment on these issues related to the relationship between revising DOE efficiency standards and EPA regulation of HCFCs, and on several options for responding to the comments received on this issue to date, as described below. No amendment to the July 1995 notice of proposed rulemaking is required to address these issues. However, consistent with the Department's commitment to providing ample opportunity for public input, DOE has concluded that reopening the comment period on these important matters is an appropriate step prior to promulgating a final rule.

Possible Responses To Comment on Effective Date and Standard Levels

To respond to comments about the effective date and uncertainty relating to substitute blowing agents, DOE is considering several possible adjustments to the standard levels and effective date for updated standards described in the July 1995 proposed rule:

1. DOE could promulgate the two-tiered standards as described in the July 1995 proposed rule effective on January 1, 2000. The less stringent Tier 2 would phase out 6 years thereafter. This approach would probably save more energy than the other approaches listed herein, but could result in manufacturers making two significant product design changes within a three-year period for some products.

2. DOE could promulgate the less stringent Tier 2 standards effective January 1, 2000, and begin a new rulemaking to consider revisions to take effect January 1, 2005. The energy savings from this approach could be comparable to the energy savings of the approach described in the proposed rule, depending on the outcome of the new rulemaking. The effective date of 2000, combined with EPA's 2003 phaseout date for HCFC–141b, could result in two significant product design changes within a three-year period.

3. DOE could promulgate the less stringent Tier 2 standards effective January 1, 2003, and begin a new rulemaking for further revised standards to take effect January 1, 2008. This approach would fully address manufacturer concerns about timing of redesigns, but could sacrifice energy savings because it assumes that there will be a 10 percent energy penalty for the HCFC–141b substitute.

4. DOE could promulgate a final rule establishing that the revised standards between the Tier 1 and Tier 2 levels would take effect January 1, 2003, and that the precise levels would be set in 1999 based on a narrow determination concerning the energy penalty, if any, of using an HCFC substitute. Because the possible energy penalty of the replacement blowing agent is unknown at this time, the Department would not establish the final standard until late 1999. Prior to that determination, DOE would solicit public comment on the issue of the magnitude of the energy penalty for available substitutes of HCFC–141b. After identifying blowing agents likely to be used by manufacturers of refrigerators produced for the U.S. market, DOE would make a determination by the end of 1999 concerning the energy penalty, if any, associated with an HCFC–141b substitute that: (1) Will be available for use (e.g., satisfies regulatory criteria relating to toxicological effects and could be produced in adequate quantities by 2003); (2) appears likely to result in the smallest energy penalty (or greatest efficiency improvement); and (3) is sufficiently comparable in cost to HCFC–141b so as not to require substantial revision of the economic analysis supporting the proposed standards. This determination would be used to establish specific standard levels for refrigerator products within the range between the Tier 1 and Tier 2 standards. Standard levels outside this range would not be considered. In determining this level, DOE would carefully consider the cost impacts on manufacturers of the use of particular HCFC–141b substitutes, using data obtained from manufacturers and other interested parties.

The Tier 1 standards would be the standard if there were no energy penalty for the replacement blowing agent relative to HCFC–141b. If the energy penalty relative to HCFC–141b is 10 percent or greater, the standards would be set at the Tier 2 standards. If the energy penalty is determined to be between 0 and 10 percent, the standard would be finalized at $(1+.01\times)$ times the Tier 1 standard. Thus, for instance, if the energy penalty was determined to be 5 percent, the standards would be set at the mid-point between the Tier 1 and Tier 2 standards.

This approach addresses manufacturer concerns about the timing of the effective date of the revised standards, and addresses the uncertainty regarding the energy penalty of substitute blowing agents by deferring that narrow question until there is better information. This approach achieves significant energy savings in any case, and implements the more energy efficient Tier 1 standards if there is no energy penalty associated with the HCFC–141b substitute. This approach also takes advantage of the bulk of the work done by manufacturers, efficiency advocates, states and utilities to develop the joint recommendation on refrigerator standards, and the DOE's analytical work to support the proposal based on that recommendation.

5. DOE could promulgate a final rule with the standard level at a specified intermediate level between Tier 1 and Tier 2, effective January 1, 2003. This approach would require a judgment now about the characteristics of likely available HCFC substitutes, but would avoid the need for a subsequent determination in 1999.

6. DOE could promulgate a final rule with two separate product classes. The class of refrigerator products manufactured with HCFC and hydrofluorocarbon (HFC) foams would be subject to standards at the Tier 1 level, and the class of refrigerator products manufactured with hydrocarbon (HC) foams would be subject to standards at the Tier 2 level. This approach would require a judgment now about the characteristics of likely HFC and HC substitutes for HCFCs, but would avoid the need for a subsequent determination in 1999.

7. DOE could discard the work done to date and start a new rulemaking from the outset using the full panoply of procedures and policies established in the DOE final rule on procedures for consideration of new or revised energy conservation standards issued on July 15, 1996. 61 FR 36974 (July 15, 1996).

DOE's preferred option is that described in item 4 above—promulgate a final rule establishing that standards will be set in the range between Tier 1 and Tier 2 levels effective January 1, 2003, with the final levels to be set based on a narrow determination of the energy penalty of HCFC–141b substitutes to be made in 1999. This approach is consistent with the program policies outlined in the July 15, 1996, final rule on procedures for developing standards: it addresses concerns about mitigating the cumulative impact of multiple regulations; it acknowledges uncertainty about a key engineering issue and crafts a sensible approach for addressing that uncertainty; and it puts to use the hard work of stakeholders to develop a consensus recommendation to the DOE on revised standards.

Issues for Comment

DOE requests comments and supporting data on any issue related to the relationship between the phaseout of HCFC–141b and revised DOE standards for refrigerator products. DOE also requests comments on the advantages or disadvantages of the approaches described in this notice, and particularly on the preferred option as described in item 4 above. DOE specifically requests input on the following:

- When should new refrigerator standards take effect? Would significant cost savings result from having the standards take effect at the same time as the HCFC production ban? Information and data on the cost impacts of a refrigerator efficiency standard taking effect in 2000 combined with a 2003 phaseout of HCFCs are specifically requested.
- What standard level, or range of standard levels, should be adopted given current information on blowing agents?
- Is new information available on design options, including more efficient compressors, that would indicate that the analysis that accompanied the 1995 proposed rule should be redone?
- What blowing agents will be available to replace HCFC–141b? If there is uncertainty now, will there be sufficient information available in 1999 to make this assessment?
- What will be the range of impacts on manufacturers of using a substitute blowing agent?
- If a later determination is to be made on energy penalties of HCFC–141b substitutes, what procedure should be followed to determine the energy penalty and the resulting final standard? If this approach is adopted, should the final rule specify a baseline or default standard level that would take effect in the event no determination is made?
- Under what range of conditions concerning the cost of HCFC substitutes, and related manufacturing cost impacts, can the existing economic analysis be used?

Issued in Washington, DC, August 6, 1996.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 96–20420 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 703

Investment and Deposit Activities

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule; Extension of comment period.

SUMMARY: On November 29, 1995 (60 FR 61219), the National Credit Union Administration (NCUA) published for public comment a proposed rule regarding investment and deposit activities for credit unions. The comment period for this proposed rule was to have expired on March 28, 1996. The original comment period was extended to June 26, 1996 (61 FR 8499). At the request of a national trade association, the NCUA Board approved an additional extension until September 30, 1996 (61 FR 29697). Now, to encourage additional comments, the NCUA Board has decided to extend the comment period on the proposed rule one more time. The extended comment period now expires November 18, 1996.

DATES: The comment period has been extended and now expires November 18, 1996. Comments must be received on or before November 18, 1996.

ADDRESSES: Comments should be directed to Becky Baker, Secretary of the Board. Mail or hand-deliver comments to: National Credit Union Administration Board, 1775 Duke Street, Alexandria, Virginia 22314–3428. Fax comments to (703) 518–6319. Post comments on NCUA's electronic bulletin board by dialing (703) 518–6480. Please send comments by one method only.

FOR FURTHER INFORMATION CONTACT: David M. Marquis, Director, Office of Examination and Insurance, (703) 518–6360, or Daniel Gordon, Senior Investment Officer, (703) 518–6620, or at the above address.

By the National Credit Union Administration Board on August 6, 1996.

Becky Baker,

Secretary of the Board.

[FR Doc. 96–20491 Filed 8–9–96; 8:45 am]

BILLING CODE 7535–01–M

12 CFR Part 704

Corporate Credit Unions: Requirements for Insurance

AGENCY: National Credit Union Administration (NCUA).

ACTION: Proposed rule; Extension of comment period.

SUMMARY: On June 4, 1996, (61 FR 28085), the National Credit Union Administration (NCUA) published for public comment a proposed rule revising its regulations governing corporate credit unions and requirements for insurance. The comment period for this proposed rule was to have expired on September 3, 1996. On July 23, 1996, the NCUA published for public comment a related proposed rule which would add a new section governing wholesale corporate credit unions (61 FR 38117). In order to provide the public with sufficient time to analyze the June 4, 1996 proposed rule and the July 23, 1996 proposed rule, the NCUA has decided to extend the comment periods of both rules until October 18, 1996.

DATES: The comment period has been extended and now expires October 18, 1996. Comments must be received on or before October 18, 1996.

ADDRESSES: Comments should be directed to Becky Baker, Secretary of the Board. Mail or hand-deliver comments to: National Credit Union Administration Board, 1775 Duke Street, Alexandria, Virginia 22314–3428. Fax comments to (703) 518–6319. Post comments on NCUA's electronic bulletin board by dialing (703) 518–6480. Please send comments by one method only.

FOR FURTHER INFORMATION CONTACT: Robert F. Schafer, Acting Director, Office of Corporate Credit Unions, (703) 518–6640, or at the above address.

By the National Credit Union Administration Board on August 6, 1996.

Becky Baker,

Secretary of the Board.

[FR Doc. 96–20492 Filed 8–9–96; 8:45 am]

BILLING CODE 7535–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Summary Notice No. PR–96–4]

Petition for Rulemaking; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rulemaking received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rulemaking (14 CFR Part 11), this

notice contains a summary of certain petitions requesting the initiation of rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials or withdrawals of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received October 11, 1996.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket No. _____, 800 Independence Avenue, SW., Washington, D.C. 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Ave., SW., Washington, D.C. 20591; telephone (202) 267–3132. Comments may also be sent electronically to the following internet address: nprmcmts@mail.hq.faa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. D. Michael Smith, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone (202) 267–7470.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C. on August 7, 1996.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Rulemaking

Docket No.: 28624.

Petitioner: Mr. Robert F. Yarmey.

Regulations Affected: 14 CFR 97.20.

Description of Rulechange Sought: To prohibit a circling approach from west of the Pitkin County (Colorado) airport (Sardi Field).

Petitioner's Reason for the Request: The petitioner feels that such change would reflect the spirit of the FAA's requirement to take timely and appropriate action by reducing the possibility or recurrence of accidents.

[FR Doc. 96–20513 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 96–ANE–15]

RIN 2120–AA64

Airworthiness Directives; AlliedSignal Inc. GTCP85 Series Auxiliary Power Units

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD), applicable to AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 Series auxiliary power units (APUs), that currently requires removing the existing turbine wheel shroud and installing one constructed of Hastelloy ''S'' material, or installing a containment augmentation ring. This action would delete the option of installing a turbine shroud constructed of Hastelloy ''S'' material. This proposal is prompted by a report of insufficient APU containment capability with the Hastelloy ''S'' shroud alone installed. The actions specified by the proposed AD are intended to prevent turbine shroud fragments from exiting the APU and puncturing the APU compartment, which could result in reduced fire extinguishing capability in the APU compartment.

DATE: Comments must be received by October 11, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–ANE–15, 12 New England Executive Park, Burlington, MA 01803–5299. Comments may also be submitted to the Rules Docket by using the following Internet address: ''epd-adcomments@mail.hq.faa.gov''. All comments must contain the Docket No. in the subject line of the comment. Comments may be inspected at this location between 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from AlliedSignal Aerospace, Attn: Data Distribution, M/S 64–3/2101–201, P.O. Box 29003, Phoenix, AZ 85038–9003; telephone (602) 365–2493, fax (602) 365–5577. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Robert Baitoo, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712–4137; telephone (310) 627–5245; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–ANE–15.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–ANE–15, 12 New England Executive Park, Burlington, MA 01803–5299.

Discussion

On April 13, 1993, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 93–07–13, Amendment 39–8545 (58 FR 21917, April 26, 1993), applicable to AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 Series auxiliary power units (APUs), to require removing the existing turbine wheel shroud and installing one constructed of Hastelloy ''S'' material, or installing a containment

augmentation ring. That action was prompted by an incident in which the one-piece cast turbine wheel separated and subsequently impacted the turbine wheel shroud, fragmenting the shroud into four segments. Two of these shroud fragments exited the APU. In that instance, the shroud was constructed of Inconel 718 material, and a containment augmentation ring, Part Number (P/N) 3612249–1, had been installed. That condition, if not corrected, could result in turbine shroud fragments exiting the APU and puncturing the APU compartment, which could result in reduced fire extinguishing capability in the APU compartment.

Since the issuance of that AD, the FAA received a report that an APU with turbine shroud constructed of Hastelloy ''S'' material, P/N 3611904–1, experienced an uncontained failure. The FAA's investigation revealed that the turbine shroud alone may not provide adequate containment under all conditions, and that a containment augmentation ring must be added to ensure that engine fragments do not puncture the APU compartment.

The FAA has reviewed and approved the technical contents of AlliedSignal Aerospace Alert Service Bulletin (ASB) No. GTCP85–49–A7189, Revision 1, dated July 19, 1996; and AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992. These ASB's describe procedures for installing a containment augmentation ring.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would supersede AD 93–07–13 to require installing an improved containment augmentation ring, P/N 3616426–1, or P/N 3616426–3, which is a redesigned containment augmentation ring to allow installation on certain APU's that cannot accept the -1 containment augmentation ring. The containment augmentation rings, P/Ns 3616426–1 and 3616426–3, improve the containment capability of the APU relative to the earlier containment augmentation ring, P/N 3612249–1, by preventing turbine shroud fragments from passing around the containment augmentation ring. The installation must be accomplished within 24 months after the effective date of this AD, for flight operable APUs, and within 36 months after the effective date of this AD, for APUs that are operable on the ground only. The actions would be required to be accomplished in accordance with the ASB's described previously.

There are approximately 1,050 APU's of the affected design in the worldwide fleet. The FAA estimates that 350 APU's installed on aircraft of U.S. registry would be affected by this proposed AD, and that it would take no additional work hours if the proposed actions are accomplished when the APU is already disassembled in the shop. Required parts would cost approximately $1,550 per APU. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $542,500.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40113, 44701.

39.13 [Amended]

2. Section 39.13 is amended by removing amendment 39–8545 (52 FR 45163, November 25, 1987) and by adding a new airworthiness directive to read as follows:

Allied Signal Inc.: Docket No. 96–ANE–15. Supersedes AD 93–07–13, Amendment 39–8545.

Applicability: AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 series auxiliary power units (APU's), incorporating a one-piece cast turbine wheel, Part Numbers (P/Ns) 968095–X, 3604604–X, 3606982–1, or 3842072–X (where ''X'' denotes any number). These APUs are installed on but not limited to the following aircraft: British Aerospace BAC 1–11 series; Boeing 707, 727, and 737 series; Lockheed L382 series; and McDonnell Douglas DC–8–70, DC–9, and MD–88 series aircraft.

Note: This airworthiness directive (AD) applies to each APU identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For APUs that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent turbine shroud fragments from exiting the APU and puncturing the APU compartment, which could result in reduced fire extinguishing capability in the APU compartment, accomplish the following:

(a) For flight operable APUs, within 24 months after the effective date of this AD, accomplish either of the following:

(1) Install a containment augmentation ring, P/N 3616426–3, in accordance with AlliedSignal Aerospace Alert Service Bulletin (ASB) No. GTCP85–49–A7189, Revision 1, dated July 19, 1996; or

(2) Install a containment augmentation ring, P/N 3616426–1, in accordance with AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992.

(b) For APUs that are operable on the ground only, within 36 months after the effective date of this AD, accomplish either of the following:

(1) Install a containment augmentation ring, P/N 3616426–3, in accordance with AlliedSignal Aerospace ASB No. GTCP85–49–A7189, Revision 1, dated July 19, 1996; or

(2) Install a containment augmentation ring, P/N 3616426–1, in accordance with AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated

November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on July 31, 1996.

Mark C. Fulmer,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 96–20396 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–CE–28–AD]

RIN 2120–AA64

Airworthiness Directives; Industrie Aeronautiche E Meccaniche Model Piaggio P–180 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to certain Industrie Aeronautiche E Meccaniche (I.A.M.) Model Piaggio P–180 airplanes. The proposed action would require replacing certain AlliedSignal Aerospace outflow/safety valves in the pressurization system with new or serviceable valves. Reports of cracking of the poppet within the primary and secondary outflow valves on two of the affected airplanes prompted the proposed action. Investigation has revealed problems during the manufacturing process of certain AlliedSignal outflow/safety valves. The actions specified by the proposed AD are intended to prevent outflow/safety valve cracking and subsequent failure, which could result in rapid decompression of the airplane.

DATES: Comments must be received on or before October 7, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–CE–28–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from AlliedSignal Aerospace, Technical Publications, Department 65–70, P.O. Box 52170, Phoenix, Arizona 85072–2170. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Edward S. Chalpin, Program Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium; telephone (322) 513–2717; facsimile (322) 230–6899; or Mr. Roman T. Gabrys, Project Officer, Small Airplane Directorate, Airplane Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; telephone (816) 426–6932; facsimile (816) 426–2169.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 96–CE–28–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 96–CE–28–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The Registro Aeronautico Italiano (RAI), which is the airworthiness authority for Italy, recently notified the FAA that an unsafe condition may exist on I.A.M. Model Piaggio P–180 airplanes. The RAI reports cracking of the poppet within the primary and secondary outflow/safety valves on two of the affected airplanes. Investigation has revealed problems during the manufacturing process of certain AlliedSignal Aerospace outflow/safety valves. The condition is traced to one of two lots (batch-runs) of molded poppets installed in valves during 1991. Research of these lots has revealed brittleness of these parts, which is characteristic of improper processing during injection molding. Tensile stress then develops upon installation of the poppet, which leads to hairline cracks. Small cracks have no effect, but can develop into larger cracks that cause an increase in the valve operating pressure, which could result in cabin depressurization.

Applicable Service Information

AlliedSignal Aerospace has issued Service Bulletin (SB) 103742–21–4059 and SB 103744–21–4060, both dated March 31, 1995. These service bulletins specify procedures for determining whether an I.A.M. Model Piaggio P–180 airplane has one of the affected outflow/safety valves installed. The service bulletins also reference the applicable outflow/safety valves as follows:

SB referenced in	Valve model	Valve serial Nos.
103742–21–4059	103742–ALL	21–121 through 21–131; 21–133 through 21–136; 21–138 through 21–140; 59–105; 79–116 through 79–119; 95–101; and 95–102.

SB referenced in	Valve model	Valve serial Nos.
103744–21–4060	103744–ALL	40–120; 40–126; 40–129; 40–131 through 40–134; 41–136; 41–137; 41–139; 59–105; 59–108; and 59–111.

I.A.M. Rinaldo Piaggio SB No. 80–0084, dated July 7, 1995, references the above AlliedSignal Aerospace service bulletins.

The RAI classified these service bulletins as mandatory and issued RAI AD 95–224, dated August 22, 1995, in order to assure the continued airworthiness of these airplanes in Italy.

Evaluation of All Applicable Information

This airplane model is manufactured in Italy and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the RAI has kept the FAA informed of the situation described above. The FAA has examined the findings of the RAI; reviewed all available information, including the service information referenced above; and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other I.A.M. Model Piaggio P–180 airplanes of the same type design that are registered in the United States and have an AlliedSignal Aerospace outflow/safety valve (referenced above in the discussion of the service information) installed, the proposed AD would require replacing outflow/safety valves with new or serviceable valves. Accomplishment of the proposed replacement would be in accordance with the applicable maintenance or service manual.

Compliance Time of the Proposed AD

The FAA has determined that an interval of three calendar months is an appropriate compliance time to address the identified unsafe condition in a timely manner. This compliance time was deemed appropriate after considering the safety implications, the average utilization rate of the affected fleet, and the availability of the replacement parts.

Cost Impact

The FAA estimates that 3 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 32 workhours per airplane to accomplish the proposed action, and that the average labor rate is approximately $60 an hour. AlliedSignal will provide parts at no cost to the owner/operator. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $5,760 or $1,920 per airplane. The FAA knows of no affected airplane owner/operator (of the 3 affected) that has already accomplished the proposed action.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Industrie Aeronautiche E Mecchaniche: Docket No. 96–CE–28–AD.

Applicability: Model Piaggio P–180 airplanes (all serial numbers), certificated in any category, that have one of the following AlliedSignal Aerospace outflow safety valves installed, as referenced in either AlliedSignal Aerospace Service Bulletin (SB) 103742–21–4059 or SB 103744–21–4060, both dated March 31, 1995:

SB Referenced in	Valve model	Valve serial Nos.
103742–21–4059	103742–ALL	21–121 through 21–131; 21–133 through 21–136; 21–138 through 21–140; 59–105; 79–116 through 79–119; 95–101; and 95–102.
103744–21–4060	103744–ALL	40–120; 40–126; 40–129; 40–131 through 40–134; 41–136 41–137; 41–139; 59–105; 59–108; and 59–111.

Note 1: The above AlliedSignal Aerospace service bulletins are referenced in I.A.M. Rinaldo Piaggio SB No. 80–0084, dated July 7, 1995.

Note 2: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by

this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required within the next three calendar months after the effective date of this AD, unless already accomplished.

To prevent outflow/safety valve cracking and subsequent failure, which could result in rapid decompression of the airplane, accomplish the following:

(a) Replace (with a new or serviceable valve) any outflow/safety valve that does not have one of the following:

(1) The valve identification plate MOD RECORD stamped ''PCA'' (Poppet Change Accomplished); or

(2) A valve with an inked ATD Quality Assurance ''Functional Test (FT)'' stamp that is dated June 1992, or later.

(b) As of the effective date of this AD, no outflow/safety valve that is referenced in the ''Applicability'' section of this AD may be installed on an affected airplane.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Brussels Aircraft Certification Office (ACO), FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B–1000 Brussels, Belgium. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Brussels ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Brussels ACO.

(e) All persons affected by this directive may obtain copies of the documents referred to herein upon request to AlliedSignal Aerospace, Technical Publications, Department 65–70, P.O. Box 52170, Phoenix, Arizona 85072–2170; or may examine these documents at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on August 5, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–20395 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 96–NM–41–AD]

RIN 2120–AA64

Airworthiness Directives; British Aerospace Model BAe 146 Series Airplanes and Model Avro 146–RJ Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all British Aerospace Model BAe 146 series airplanes and certain Model Avro 146–RJ series airplanes. This proposal would require a one-time inspection to detect corrosion of the direction link subassembly of the main landing gear (MLG) assembly, and repair or replacement of the direction link subassembly with a serviceable unit, if necessary. This proposal is prompted by a report of failure of the direction link subassembly due to corrosion. The actions specified by the proposed AD are intended to prevent such failures, which can result in directional control problems of the airplane during landing.

DATES: Comments must be received by September 23, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–41–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from British Aerospace Regional Aircraft Limited, Avro International Aerospace Division, Customer Support, Woodford Aerodrome, Woodford, Cheshire SK7 1QR, England. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–41–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–41–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on all British Aerospace Model BAe 146 series airplanes and certain Model Avro 146–RJ series airplanes. The CAA advises that it has received a report of a failure of a direction link subassembly of the main landing gear (MLG). Investigation revealed that the direction link subassembly was not sealed adequately to protect it from moisture. Further investigation revealed that ingress of moisture resulted in heavy corrosion on the threads of the direction link tube and the eye ends; this led to the failure of the direction link subassembly. Such failure of the direction link subassembly, if not detected and corrected in a timely manner, could result in problems with the directional control of the airplane during landing.

Explanation of Relevant Service Information

British Aerospace has issued Service Bulletin SB.32–143, dated August 22, 1995. This service bulletin describes procedures for a visual inspection to detect corrosion of the direction link subassembly of the MLG assembly, and repair or replacement of the direction link subassembly with a serviceable part, if necessary. The service bulletin also describes certain follow-on procedures (application of a jointing compound to the threads of the direction link tube) if light surface corrosion or no corrosion is detected. The service bulletin also refers to Messier-Dowty Service Bulletin 146–32–127, dated August 21, 1995, as an additional source of service information. The CAA classified the British Aerospace service bulletin as mandatory in order to assure the continued airworthiness of these airplanes in the United Kingdom.

FAAs Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require a one-time visual inspection to detect corrosion of the direction link subassembly of the MLG assembly, and repair or replacement of the direction link subassembly with a serviceable part, if necessary. The proposed AD would also require certain follow-on procedures (application of a jointing compound to the threads of the direction link tube) if light surface corrosion is detected or if no corrosion is detected. The actions would be required to be accomplished in accordance with the British Aerospace service bulletin described previously.

Cost Impact

The FAA estimates that 52 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 3 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $9,360, or $180 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Should an operator be required to accomplish the replacement of the link subassembly, it would be accomplished concurrently with the required inspection and take approximately no more work hours than the inspection itself. Replacement parts would cost approximately $8,200 per airplane. Based on these figures, the cost impact of any necessary replacement action is estimated to be $8,200 per airplane.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

British Aerospace Regional Aircraft Limited, Avro International Aerospace Division (Formerly British Aerospace, plc; British Aerospace Commercial Aircraft Limited): Docket 96–NM–41–AD.

Applicability: All Model BAe 146 series airplanes and Model Avro 146–RJ series airplanes, as listed in British Aerospace Service Bulletin SB.32–143, dated August 22, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (g) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent failure of the direction link subassembly of the main landing gear (MLG), which could result in reduced directional control of the airplane during landing, accomplish the following:

(a) For airplanes that have accumulated 8,000 or more landings on the MLG assembly as of the effective date of this AD, or on which the MLG assembly was manufactured or last overhauled within 4 years prior to the effective date of this AD: Perform a visual inspection to detect corrosion of the direction link subassembly of the MLG assembly at the later of the times specified in paragraph (a)(1) or (a)(2) of this AD, in accordance with British Aerospace Service Bulletin SB.32–143, dated August 22, 1995.

Note 2: British Aerospace Service Bulletin SB.32–143, dated August 22, 1995, references Messier-Dowty Service Bulletin 146–32–127, dated August 21, 1995, as an additional source of service information.

(1) Prior to the accumulation of 12,000 total landings, or within 5 years since manufacture or last overhaul, whichever occurs first. Or

(2) Prior to the accumulation of 400 landings on the MLG assembly after the effective date of this AD, or within 2 months

after the effective date of this AD, whichever occurs first.

(b) For airplanes not subject to paragraph (a) of this AD: Perform a visual inspection to detect corrosion of the direction link subassembly of the MLG assembly at the later of the times specified in paragraph (b)(1) or (b)(2) of this AD, in accordance with British Aerospace Service Bulletin SB.32–143, dated August 22, 1995.

(1) Prior to the accumulation of 4,000 landings on the MLG assembly after the effective date of this AD. Or

(2) Within 12 months after the effective date of this AD.

(c) If no corrosion is found during the inspection required by paragraph (a) or (b) of this AD: Prior to further flight, perform the follow-on actions in accordance with British Aerospace Service Bulletin SB.32–143, dated August 22, 1995.

Note 3: ''Follow-on actions,'' as specified in this AD, include applying jointing compound to the threads; in some case, restoring the cadmium plate; and applying sealant to the exposed threads and castellations on the direction link subassembly. These actions are described in detail in Messier-Dowty Service Bulletin 146–32–127, dated August 21, 1995.

(d) If light surface corrosion, as defined in British Aerospace Service Bulletin SB.32–143, dated August 22, 1995, is detected during the inspection required by paragraph (a) of this AD: Prior to further flight, remove the corrosion and perform the follow-on actions in accordance with the service bulletin.

(e) If any corrosion is found during the inspection required by paragraph (a) or (b) or this AD, and that corrosion is beyond the limits specified in British Aerospace Service Bulletin SB.32–143, dated August 22, 1995: Prior to further flight, replace the link subassembly in accordance with the service bulletin.

(f) As of the effective date of this AD, no person shall install a MLG or directional link subassembly unless the inspection and necessary follow-on actions of the directional link subassembly specified in paragraphs (a), (b), (c), and (d) of this AD have been performed, in accordance with British Aerospace Service Bulletin SB.32–143, dated August 22, 1995.

(g) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(h) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–20429 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–139–AD]

RIN 2120–AA64

Airworthiness Directives; Jetstream Model BAe ATP Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Jetstream Model BAe ATP airplanes. This proposal would require repetitive inspections of the ram air inlet ducts for structural integrity and security of fasteners, and repairs, if necessary. This proposal also provides an optional terminating modification for the repetitive inspections. This proposal is prompted by a report of the separation of a ram air inlet duct from the airplane during flight. The actions specified by the proposed AD are intended to prevent such separation, which could pose a hazard to persons or property on the ground.

DATES: Comments must be received by September 23, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–139–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2148; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket numbers and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 96–NM–139–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 96–NM–139–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model BAe ATP airplanes. The CAA advises that the ram air inlet duct base plate flanges can delaminate and allow the screws fastening the ducts to the airplane to pull through the duct base plate. These conditions, if not corrected, could result in the separation of a duct from the airplane during flight, which poses a hazard to persons or property on the ground.

Explanation of Relevant Service Information

Jetstream has issued Service Bulletin BAe ATP–21–36, dated January 3, 1996, which describes procedures for inspecting the left and right ram air inlet ducts, to detect if the duct base plate flange has delaminated and the screws fastening the ducts to the airplane are pulling through the duct base plate; this service bulletin also describes procedures for repairing these discrepancies using new bolts and washers. The CAA classified this service bulletin as mandatory and issued CAA Airworthiness Directive 003–01–96 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

In addition, Jetstream has issued Service Bulletin BAe ATP–21–37, dated January 23, 1996, which describes a ram air inlet duct modification that terminates the need to perform required repetitive duct inspections and repairs. This modification, which would prevent the duct from separating from the airplane, requires the bolting of reinforcing plates to the base flange of the duct. The CAA classified this service bulletin as optional.

FAA's Conclusions

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require the inspection of the airplane's left and right ram air inlet ducts to determine whether the duct base plate flange has delaminated and the screws fastening these ducts have pulled through the duct base plate; and would require repair, if necessary. Thereafter, the proposed AD also would require repetitive inspections and repairs, if necessary, unless an optional terminating action is performed. The actions would be required to be accomplished in accordance with the service bulletins described previously.

Cost Impact

The FAA estimates that 10 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed inspection, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $600 per inspection, or $60 per airplane, per inspection.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Should an operator elect to accomplish the optional terminating modification provided in this proposal, it would require approximately 1.5 work hours to accomplish, at an average labor rate of $60 per work hour. (This work hour figure does not include the time necessary for sealant to cure.) The cost of required parts would be nominal and could be produced locally from standard materials. Based on these figures, the cost impact of the proposed optional terminating modification on U.S. operators is estimated to be $60 per airplane.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Jetstream Aircraft, Ltd. (Formerly British Aerospace Commercial Aircraft, Limited): Docket 96–NM–139–AD.

Applicability: Model BAe ATP airplanes having constructor numbers 2002 through 2063 inclusive, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated unless accomplished previously.

To prevent the separation of the ram air inlet duct from the airplane, accomplish the following:

(a) Prior to the accumulation of 50 flight hours after the effective date of this AD, inspect the left and right ram air inlet ducts to determine whether the duct base plate flange has delaminated and the screws fastening the duct have pulled through the duct base plate, in accordance with Jetstream BAe ATP Service Bulletin ATP–21–36, dated January 3, 1996.

(1) If no discrepancy is detected, repeat the inspection thereafter at intervals not to exceed 250 flight hours.

(2) If any discrepancy is detected, prior to further flight, repair in accordance with the service bulletin. Thereafter, repeat the inspection at intervals not to exceed 250 flight hours.

(b) Accomplishment of the modification of the ram air inlet ducts in accordance with

Jetstream BAe ATP Service Bulletin ATP–21–37, dated January 23 , 1996, constitutes terminating action for the repetitive inspections required by paragraph (a) of this AD.

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 6, 1996.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 96–20430 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 35

[Docket No. RM96–11–000]

Capacity Reservation Open Access Transmission Tariffs

August 2, 1996.

AGENCY: Federal Energy Regulatory Commission, DOT.

ACTION: Notice of proposed rulemaking; technical conference.

SUMMARY: On July 18, 1996 (61 FR 38663, July 25, 1996), the Commission announced that it will convene a one-day technical conference on the notice of proposed rulemaking (61 FR 21847, May 10, 1996) in this proceeding. The proposed rule specifies filing requirements to be followed by public utilities in making transmission tariff filings based on capacity reservations for all transmission users. Persons wishing to participate in the conference should file a request with the Secretary indicating the general issue or issues they wish to discuss and identifying the party or parties they will represent. The agenda and format for the technical conference will be announced at a later date.

DATES: The technical conference will be held on September 20, 1996, beginning at 9:30 a.m. Requests to participate and issues should be filed on or before August 15, 1996.

ADDRESSES: The conference will be held at the Federal Energy Regulatory Commission, 888 First St., NE, Washington, DC 20426. Filings should be made with the Office of the Secretary at the same address.

FOR FURTHER INFORMATION CONTACT: David D. Withnell, Federal Energy Regulatory Commission, Office of the General Counsel, 888 First St., N.E., Washington, D.C. 20426, Telephone: (202) 208–2063.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20441 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[NV–029–0001; FRL–5549–5]

Clean Air Act Reclassification; Nevada-Clark County Nonattainment Area; Carbon Monoxide

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to find that the Clark County, Nevada carbon monoxide (CO) nonattainment area has met the criteria in section 186(b)(4) of the Clean Air Act (CAA): it exceeded the CO National Ambient Air Quality Standard (NAAQS) once in 1995; it has adopted and implemented the CAA required moderate nonattainment area control measures; and, it has demonstrated progress towards attaining the CO NAAQS. As a result of this finding, EPA proposes to grant a one-year extension of Clark County's moderate area attainment date from December 31, 1995 to December 31, 1996. EPA's proposed finding is based on a review of monitored air quality data for compliance with the CO NAAQS, as well as the air quality planning progress of Clark County. If EPA takes final action on this proposed finding, the Clark County CO nonattainment area will remain classified as a moderate CO nonattainment area as a result of extending the CAA mandated attainment date for one year. The intended effect of extending the attainment date is to allow Nevada and Clark County either to fully implement and strengthen current CO control measures, or to adopt additional control measures prior to the 1996–97 winter CO season in an effort to attain the CO NAAQS.

DATES: Written comments on this proposal must be received by September 11, 1996.

ADDRESSES: Written comments should be sent to:

Wallace Woo, Chief, Plans Development Section, A–2–2, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105.

The rulemaking docket for this proposal, Docket No. 96–NV–PL–001, may be inspected and copied at the following location between 8 a.m. and 4:30 p.m. on weekdays. A reasonable fee may be charged for copying parts of the docket.

U.S. Environmental Protection Agency, Region 9, Air and Toxics Division, Plans Development Section, A–2–2, 75 Hawthorne Street, San Francisco, California 94105.

Copies of the docket are also available at the State and local offices listed below:

Nevada Division of Environmental Protection, 333 West Nye Lane, Carson City, Nevada, 89710; and,

Clark County Department of Comprehensive Planning, 500 South Grand Central Parkway, Suite 3012, Las Vegas, Nevada, 89155–1741.

FOR FURTHER INFORMATION CONTACT: Jerry Wamsley, A–2–2, Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105, (415) 744–1226.

SUPPLEMENTARY INFORMATION:

I. Background

A. CAA Requirements and EPA Actions Concerning Designation and Classifications

With enactment of the Clean Air Act Amendments of 1990, under section 107(d)(1)(C) of the Clean Air Act (CAA), each carbon monoxide (CO) area designated nonattainment prior to enactment of the 1990 Amendments was designated nonattainment by operation of law. Under section 186(a) of the CAA, each CO area designated nonattainment under section 107(d) was also classified by operation of law as either ''moderate'' or ''serious'' depending on the severity of the area's air quality problem. CO areas with design values between 9.1 and 16.4 parts per million (ppm) were classified as moderate. States containing areas that were classified as moderate nonattainment by

operation of law under section 107(d) were required to submit State implementation plans (SIPs) designed to attain the CO national ambient air quality standard (NAAQS) as expeditiously as practicable but no later than December 31, 1995.

On November 6, 1991, Clark County was designated nonattainment for CO and was classified as a ''high'' moderate area given its design value of 14.4 ppm (See 56 FR 56694). Clark County's nonattainment designation and classification is codified at 40 CFR part 81.329. The moderate area SIP requirements are set forth in section 187(a) of the CAA and differ depending on whether the area's design value is below or above 12.7 parts per million (ppm). With its design value of 14.4 ppm, Clark County is required to meet the ''high'' moderate nonattainment area requirements and attain the CO NAAQS by December 31, 1995.

B. Reclassification to a Serious Nonattainment Area

EPA has the responsibility, pursuant to sections 179(c) and 186(b)(2) of the CAA, of determining within six months of the applicable attainment date, December 31, 1995, whether a moderate area has attained the CO NAAQS. Under section 186(b)(2)(A), if EPA finds that a moderate area has not attained the CO NAAQS, it is reclassified as serious by operation of law. Pursuant to section 186(b)(2)(B) of the Act, EPA must publish a notice in the Federal Register identifying areas which failed to attain the standard and therefore must be reclassified as serious by operation of law.

EPA makes attainment determinations for CO nonattainment areas based upon whether an area has two years (or eight consecutive quarters) of clean air quality data.[1] Section 179(c)(1) of the Act states that the attainment determination must be based upon an area's ''air quality as of the attainment date.'' Consequently, EPA will determine whether an area's air quality has met the CO NAAQS by December 31, 1995 based upon the most recent two years of air quality data entered into the Aerometric Information Retrieval System (AIRS) data base.

EPA determines a CO nonattainment area's air quality status in accordance with 40 CFR 50.8 and EPA policy.[2] EPA has promulgated two NAAQS for CO: an eight-hour average concentration and a one-hour average concentration. Because there were no violations of the one-hour standard in the Clark County area in 1994 and 1995, this notice addresses only the air quality status of the Clark County area with respect to the eight-hour standard. The eight-hour CO NAAQS requires that not more than one non-overlapping eight-hour average per year per monitoring site can exceed 9.0 ppm (values below 9.5 are rounded down to 9.0 and they are not considered exceedances). The second exceedance of the eight-hour CO NAAQS at a given monitoring site within the same year constitutes a violation of the CO NAAQS.

C. Attainment Date Extensions

If a state does not have the two consecutive years of clean data necessary to show attainment of the NAAQS, it may apply, under section 186(a)(4) of the CAA, for a one year attainment date extension. At its discretion, EPA may grant an extension if the area has: (1) measured no more than one exceedance of the CO NAAQS at any monitoring site in the nonattainment area in the year preceding the extension year, and (2) complied with the requirements and commitments pertaining to the applicable implementation plan for the area. Under section 186(a)(4), EPA may grant up to two one year extensions if these conditions have been met.

The Administrator's authority to extend attainment dates for moderate areas is discretionary. Section 186(a)(4) of the Act provides that the Administrator ''may'' extend the attainment date for areas meeting the minimum requirements specified above. The provision does not dictate or compel EPA to grant extensions to such areas. Therefore, EPA will examine the moderate area's air quality planning progress and will be disinclined to grant an attainment date extension unless a State has, in substantial part, addressed its moderate area CO planning obligations. To determine if the State has substantially met these planning requirements, EPA will review the State's attainment date extension application to assess whether the State has: (1) adopted and substantially implemented control measures to satisfy the requirements for a moderate CO nonattainment area; and, (2) that reasonable further progress is being met for the area.

If the State cannot make a sufficient demonstration that the area has met the extension criteria described above and EPA determines that the area has not demonstrated attainment of the CO NAAQS, then the area will be reclassified as serious by operation of law pursuant to section 186(b)(2) of the Act. If an extension is granted, then, at the end of the extension year, EPA will review the area's air quality data to determine if the area has attained the CO NAAQS. Recall that CO areas must have two consecutive years of clean air quality data to demonstrate attainment. Consequently, if the area measures a violation of the CO NAAQS during the extension year, the area will be unable to qualify for a second one year extension. Then, once EPA makes a finding of failure to attain the CO NAAQS, the moderate area will be reclassified as serious by operation of law.

II. Today's Action

In today's action, EPA proposes to find that the Clark County CO nonattainment area has met the criteria in section 186(b)(4) of the CAA, thereby qualifying for a one year attainment date extension. As a result of this finding, EPA proposes to grant a one-year extension of Clark County's moderate area attainment date from December 31, 1995 to December 31, 1996. This proposed finding is based on both EPA's review of 1994 and 1995 monitored air quality data for compliance with the CO NAAQS and EPA's review of Clark County's application for an attainment date extension.

A. Ambient Air Monitoring Data

The following table lists the location and dates that the eight-hour CO NAAQS of 9 ppm has been exceeded in Clark County during 1994, 1995, and 1996. Although the attainment and extension criteria address the 1994 and 1995 data, the 1996 data is relevant to later discussion in this section.

[1] See memorandum from Sally L. Shaver, Director, Air Quality Strategies and Standards Division, EPA, to Regional Air Office Directors, entitled ''Criteria for Granting Attainment Date Extensions, Making Attainment Determinations, and Determinations of Failure to Attain the NAAQS for Moderate CO Nonattainment Areas,'' October 23, 1995 (Shaver memorandum).

[2] See memorandum from William G. Laxton, Director, Technical Support Division, entitled ''Ozone and Carbon Monoxide Design Value Calculations'', June 18, 1990. See also Shaver memorandum.

EXCEEDANCES OF 8-HOUR CARBON MONOXIDE NATIONAL AMBIENT AIR QUALITY STANDARD[1] in the Clark County, Nevada Nonattainment Area

Monitoring Site	1994		1995		1996	
	Concen.	Date	Concen.	Date	Concen.	Date
2850 East Charleston Blvd	10.6 ppm	1/4	10.2 ppm	11/23	10.1 ppm	1/6
	9.5 ppm	1/21		.....	10.3 ppm	1/14
	9.6 ppm	1/22		.....	10.2 ppm	3/10
	9.6 ppm	12/1				
	10.9 ppm	12/17				
ppm						

[1] The eight-hour carbon monoxide NAAQS is 9 parts per million.
[2] Concen. = monitored carbon monoxide concentration in parts per million.

1. 1994 Data

During calendar year 1994, Clark County exceeded the eight-hour CO NAAQS five times. All of these exceedances occurred at the East Charleston monitoring site. These exceedances total four violations of the CO NAAQS.

2. 1995 Data

During calendar year 1995, Clark County exceeded the eight-hour CO NAAQS once at the East Charleston monitoring site. Consequently, there were no violations of the CO NAAQS in 1995.

3. 1996 Data

During the first quarter of 1996, Clark County exceeded the eight-hour CO NAAQS three times; all at the East Charleston monitoring site. These exceedances total two violations of the CO NAAQS.

4. Discussion of CO NAAQS Exceedances During the 1995–96 Winter CO Season

Clark County meets the first statutory criterion for an attainment date extension by having no more than one exceedance of the CO NAAQS in the nonattainment area in 1995. However, this achievement is clouded by three exceedances of the CO NAAQS during January and March 1996. Furthermore, Clark County raised several concerns with the East Charleston monitoring site suggesting that siting problems biased the data collected there.

a. Clark County Concerns with East Charleston Monitoring Site

In recent correspondence from Clark County to EPA, Clark County raised several concerns with the siting of the East Charleston monitor and proposed several changes to the Clark County monitoring network.[3] Clark County asserted that the configuration of the East Charleston monitoring site is inconsistent with the requirements for National Air Monitoring Station (NAMS) given in the Code of Federal Regulations (see 40 CFR Part 58.) Clark County's specific concerns were as follows: (a) several trees located less than ten meters from the station and adjacent block walls, north and west of the station, impede the air flow around the monitor; (b) the current probe height is less than two meters above the top of the block wall, Clark County suggests it should be three meters or more; and, (c) vehicle emissions from a nearby apartment complex parking lot may be causing a bias of approximately 1.0 ppm during high CO episodes. In sum, Clark County asserts that air flow obstructions reducing windspeed in and around the sampling probe along with a potential source of nearby vehicle emissions both contribute to bias the East Charleston data. Clark County suggests that this total bias may contribute 1.4 ppm or approximately 10% to the 1995 high CO value of 10.3 ppm.

Because of these concerns, Clark County asked EPA to delay a finding of attainment or nonattainment for the CO NAAQS until new CO data is collected during October to December of 1996 at new monitoring sites. Towards this end, Clark County proposed the following actions: (a) to relocate the East Charleston monitoring station within the same neighborhood; (b) to increase the number of EPA recognized neighborhood sites by adding monitoring sites at East Sahara and East Flamingo Boulevards; (c) to identify and add a suitable microscale monitoring station with high pedestrian traffic; and, (d) to request designation of the Paul Meyer Park monitor in Spring Valley as a background CO monitoring site.

In response to Clark County's concerns and proposal, EPA and Clark County have agreed to revise the CO monitoring network in Clark County. The present East Charleston monitoring site will continue to operate according to all applicable protocols until its lease expires in 1997. Three new monitoring sites will be added to the Clark County air quality monitoring system before the 1996–97 winter CO season: two neighborhood scale sites, one at Sunrise Acres Elementary School and the other at Crestwood Elementary School in the East Charleston area; and, a microscale site on Las Vegas Boulevard at Tropicana. Both the neighborhood scale site at Sunrise Acres Elementary School and the microscale site on Las Vegas Boulevard will be potential National Air Monitoring Stations. As such, they must meet federal monitoring requirements and their siting and operating protocols are subject to EPA approval. To determine accurately and scientifically the air quality status of Clark County in 1996, it is essential that Clark County install these three new monitoring sites before October 1, 1996 and operate them correctly during the 1996–97 winter CO season.

b. EPA Review of Other CO Data Collected in East Charleston Area During 1995–96 Winter CO Season

During the 1995–96 winter CO season, two special purpose CO monitoring sites were operated within a city block of the East Charleston monitoring station: the ''Proximity'' site (2850 East Charleston Boulevard) and the ''Microscale'' (2801 East Charleston Boulevard) site. The data collected at these monitoring sites are not used for regulatory purposes and these monitors may have siting issues independent of those at the East Charleston station.

However, EPA staff examined the data collected at these two sites and compared them to the data obtained at the East Charleston station over the 1995–96 winter CO season on the days where exceedances of the CO NAAQS were observed at any of the three monitors. For these days, EPA compared the eight-hour maximum average value at the three sites to determine qualitatively the extent of the CO problem in the East Charleston area and

[3] See correspondence from Michael Naylor, Clark Co. Health District to John Kennedy, U.S. Environmental Protection Agency, February 7, 1996.

the extent of any inconsistencies between East Charleston data and data collected at other CO monitors in the area.

The comparison shows that data from the three sites were very similar. On the exceedance days, the daily maximum eight-hour average values almost always occurred during the same time period at all three sites. Also, on the nine days where an exceedance of the CO NAAQS was observed at any of the three monitors, East Charleston recorded three exceedances, Proximity recorded five exceedances, and Microscale recorded seven exceedances. This suggests that exceedances at East Charleston did not appear to be anomalies solely derived from siting problems. Ambient CO values near or above the CO NAAQS appear to occur consistently in the East Charleston area.

The exception was the period between November 30, 1995 and December 21, 1995 when the East Charleston monitoring site was operated under a different protocol. The sampling probe height at East Charleston was raised from 3.7 meters to 14.2 meters while the sampling probes at the Proximity and Microscale sites remained at 10 and 3.5 meters respectively. Data collected in January 1996 suggest that CO values observed at the East Charleston monitor during this November/December timeframe were lower than they otherwise might have been due to the difference in probe height. Parallel monitoring at the two different probe heights during the January 1996 exceedances show CO values were 11–13% lower at 14.2 meters than when measured at 3.7 meters[4]. Also, in contrast, where the East Charleston site measured no exceedances of the CO NAAQS during this timeframe, the Proximity site measured CO values greater than the CO NAAQS once and the Microscale site measured CO values greater than the NAAQS three times. After December 21, 1995, Clark County returned the East Charleston sampling probe to 3.7 meters at EPA's request.[5] EPA's request was consistent with the National Air Monitoring Station operating protocols used at the East Charleston site since its inception fifteen years ago.

In summary, data exists in addition to the data collected at East Charleston to suggest that frequency and severity of exceedances of the CO NAAQS at the East Charleston site do not appear to be anomalies solely derived from site problems. Under predictable weather patterns and meteorology, ambient CO values near or above the CO NAAQS occur consistently in the East Charleston area.

5. Conclusion

Clark County meets the first statutory criterion for an attainment date extension by having no more than one exceedance of the CO NAAQS in the nonattainment area in 1995. However, this achievement is clouded by 3 exceedances of the CO NAAQS in January and March of 1996.

EPA will not disqualify the January to March winter 1996 CO season monitoring data from the East Charleston station without further review and conclusive evidence that it is inaccurate. Clark County should operate the East Charleston monitor according to proper protocols through the coming 1996–97 winter CO season in parallel with the new monitors at Sunrise Acres Elementary School, Crestwood Elementary School, and on Las Vegas Boulevard & Tropicana. Then, in collaboration with Nevada Division of Environmental Protection and the Clark County Health District, EPA will compare the East Charleston data to data from the replacement site at Sunrise Acres Elementary School to determine what bias, if any, exists in the East Charleston data. In early 1997, EPA will use the data from Crestwood Elementary School and Las Vegas Boulevard, along with data from the rest of the Clark County air quality monitoring network, to determine Clark County's air quality status.

B. Review of Clark County's Attainment Date Extension Request

On March 28, 1996, Nevada submitted Clark County's application for a one-year extension of the moderate CO attainment date from December 31, 1995 to December 31, 1996.[6] Clark County does not have two consecutive years of clean data needed to show attainment of the CO NAAQS. So, as discussed earlier, EPA may grant a one year attainment date extension if Clark County meets the following two criteria: (1) no more than one exceedance of the CO NAAQS at any monitoring site in the nonattainment area in 1995, and (2) compliance with the requirements and commitments pertaining to the applicable implementation plan for the area. Having reviewed Clark County's ambient air quality data for exceedances of the CO NAAQS, the remainder of this proposal will review whether or not Clark County meets the second criterion.

1. Review of SIP Implementation and Compliance

To determine whether or not Nevada and Clark County have complied with the applicable SIP, EPA will examine the air quality planning progress made in Clark County. In this assessment, EPA will review recent State implementation plan submittals and the extension application to determine if Nevada and Clark County have: (a) adopted and implemented the control measures needed to satisfy the CAA requirements for a moderate CO nonattainment area; and (b) made reasonable further progress towards meeting the CO NAAQS. These criteria are used as part of determining compliance with the applicable SIP because Nevada and Clark County have recently submitted amendments to several of these moderate area control measures. EPA has yet to review, approve, and include these recent amendments in the applicable SIP.

a. Compliance With Moderate Area Planning Requirements

The CAA requires moderate CO nonattainment areas, such as Clark County, to implement the following control measures and planning requirements: (a) enhanced inspection and maintenance of motor vehicles (enhanced I/M) for CO; (b) an oxygenated fuels program requiring gasoline to be sold with 2.7% oxygenate by weight; (c) areawide vehicle miles traveled (VMT) forecasts and linked contingency measures; (d) a demonstration of attainment for the CO NAAQS; and, (e) any additional control measures needed to attain the CO NAAQS.[7]

Nevada has submitted two enhanced I/M programs for Clark County. Nevada submitted its first enhanced I/M program on July 28, 1994. It was intended to comply with EPA regulations extant at the time (see 57 FR 52950, November 5, 1992). Since then, Nevada redesigned its enhanced I/M program to take advantage of increased flexibility offered by EPA's revised

[4] See February 7, 1996 Michael Naylor to John Kennedy correspondence at page 6. January 1996 exceedances were approximately 10.3 ppm, measured at 3.7 meters, while CO values measured at 14.2 meters were approximately 9.0 ppm.

[5] See correspondence from David P. Howekamp, U.S. Environmental Protection Agency to Michael Naylor, dated December 15, 1995.

[6] See ''1996 Extension Year Application for the Las Vegas Valley Carbon Monoxide Nonattainment Area,'' Clark County Department of Comprehensive Planning, March 1996.

[7] For more information on air quality planning requirements, see section 187(a) of the CAA, the ''General Preamble to Title I of the CAA'' (57 FR 13498–13570, April 16, 1992 and 57 FR 18070–18077, April 28, 1992), and the ''Technical Support Document to Aid States with the Development of Carbon Monoxide State Implementation Plans'' (EPA–452/R–92–003, July 1992)

enhanced I/M program regulations (see 60 FR 48029, September 18, 1995). Thus, Clark County's present enhanced I/M program is designed to meet EPA's ''low'' enhanced I/M performance standard. Nevada submitted this program to EPA on March 20, 1996. This low enhanced I/M program was not fully implemented in Clark County during the 1995–96 winter CO season. In September 1995, Nevada began implementing its low enhanced I/M program. Program improvements included connecting test analyzers to a common network over approximately 290 inspection stations. However, on road testing of the in-use registered motor vehicle population (remote sensing) was not implemented during the 1995–96 winter CO season. Nevada is scheduled to begin remote sensing in July 1996.

Requiring a minimum 2.5% oxygenate by weight, Clark County first implemented its oxygenated fuels program in November of 1989. By November 1991, the oxygenated fuels regulation, Health District Regulation—Section 53, was revised to meet the minimum 2.7% oxygenate by weight requirement of the CAA. Clark County submitted this regulation to EPA on July 6, 1992. Since this submittal, Clark County has revised its oxygenated fuels regulation several times within the 2.7% oxygenate content requirement. Clark County's latest submittal of the oxygenated fuels regulation (revised and adopted July 27, 1995) to EPA was on October 4, 1995.

Clark County provided vehicle miles traveled forecasts, contingency measures, and an attainment demonstration in three CO plan submittals. Clark County submitted its first CO plan on November 17, 1992 to comply with the CO plan submittal requirements of the CAA. Then, Clark County provided a second revised plan submittal on October 4, 1995. The second revision was required due to changes in the enhanced I/M program and resulting changes in Clark County's CO control strategy. Clark County submitted the third revised CO plan on November 8, 1995 including State and local commitments to control measures in 2000 and 2010. Assuming implementation of these enforceable commitments allowed transportation planning agencies to demonstrate that current transportation plans and programs will conform to the CO plan's emissions budget in 2000 and 2010.

Also, in the October 4, 1995 CO plan submittal, Clark County included a wintertime Reid vapor pressure (RVP) fuel requirement, a control measure not required by the CAA. However, Clark County determined that this added measure was needed to attain the CO NAAQS. The Nevada Board of Agriculture subsequently amended the Nevada Administrative Code to require a wintertime RVP of 9 pounds per square inch (psi).

In conclusion, Clark County has adopted and submitted items addressing the planning requirements of the CAA for moderate CO areas. Clark County's adopted CO control strategy for the 1995–96 winter CO season included the following elements: a low program standard enhanced vehicle I/M program, a 2.7% oxygenated fuels program, and a wintertime RVP requirement. However, the low enhanced I/M program was not fully implemented during the 1995–96 winter CO season. EPA expects Clark County's enhanced I/M program to be fully implemented before the 1996–97 winter CO season. Furthermore, Clark County submitted to EPA all CAA required plan elements such as VMT forecasts, contingency measures, and an attainment demonstration for the CO NAAQS.

b. Reasonable Further Progress Towards Meeting the CO NAAQS

Both the number and severity of violations of the CO NAAQS have decreased since 1990.[8] In 1990, Clark County violated the CO NAAQS thirteen times with a 14.2 ppm design value. In comparison, during 1995, Clark County exceeded the CO NAAQS once with a 9.2 ppm design value. The frequency and severity of CO NAAQS violations have decreased. Furthermore, these improvements in air quality coincide with implementation of the control measures described above, especially the oxygenated fuels program.

2. Conclusion

Given the planning actions and reasonable further progress by Clark County, EPA proposes that Clark County meets the second statutory criterion required for a one year attainment date extension: it has adopted, submitted, and, for the most part, implemented, the control measures needed to satisfy the requirements for a moderate CO nonattainment area; it has adopted and submitted the planning requirements for a moderate CO area; and, it has made reasonable further progress towards meeting the CO NAAQS.

[8] See Attachments 1–4 to ''1996 Extension Year Application for the Las Vegas Valley Carbon Monoxide Nonattainment Area,'' Clark County Department of Comprehensive Planning, March 1996.

III. Consequences of Today's Action

If EPA takes final action on this proposed finding that Clark County has met the criteria for an attainment date extension, then Clark County will be granted a one year attainment date extension and will remain classified as a moderate CO nonattainment area. After December 31, 1996, EPA will again review the air quality data for Clark County to determine if it has attained the CO NAAQS.

If Clark County measures violations of the CO NAAQS during 1996, the area will be unable to qualify for a second one year extension. Then, after an EPA finding of failure to attain the CO NAAQS, Clark County would be reclassified as a serious carbon monoxide nonattainment area by operation of law.

IV. Executive Order (EO) 12866

Under E.O. 12866, 58 FR 51735 (October 4, 1993), EPA is required to determine whether regulatory actions are significant and therefore should be subject to OMB review, economic analysis, and the requirements of the Executive Order. The Executive Order defines a ''significant regulatory action'' as one that is likely to result in a rule that may meet at least one of the four criteria identified in section 3(f), including, under paragraph (1), that the rule may ''have an annual effect on the economy of $100 million or more or adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities.''

The Agency has determined that extending attainment dates, as proposed today, would not result in the effects identified in section 3(f). Under section 186(a)(4) of the CAA, attainment date extensions are based upon air quality conditions and planning considerations and are either administrative in nature, or must occur by operation of law in light of certain air quality conditions. They do not, in-and-of-themselves, impose any new requirements on any sectors of the economy.

V. Regulatory Flexibility

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-

profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

As discussed in section IV. of this notice, attainment date extensions under section 186(a)(4) of the CAA do not create any new requirements. Therefore, I certify that today's proposed action does not have a significant impact on small entities.

VI. Unfunded Mandates

Under sections 202, 203 and 205 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, EPA must assess whether various actions undertaken in association with proposed or final regulations include a Federal mandate that may result in estimated costs of $100 million or more to the private sector, or to State, local or tribal governments in the aggregate. EPA believes, as discussed above, that the proposed finding that Clark County nonattainment area meets the criteria in section 186(a)(4) and thereby qualifies for an attainment date extension is a factual determination based upon air quality considerations and must occur by operation of law and, hence, does not impose any Federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act.

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, Carbon monoxide.

Authority: 42 U.S.C. 7401–7671q.

Dated: July 22, 1996.

Felicia Marcus,

Regional Administrator.

[FR Doc. 96–20370 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 81

[WA 54–7127; FRL–5550–5]

Clean Air Act Reclassification; Spokane, Washington Carbon Monoxide Nonattainment Area: Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: EPA is extending the comment period for a proposed rule published July 1, 1996 (61 FR 33879). On July 1, 1996, EPA proposed to find that the Spokane, Washington carbon monoxide (CO) nonattainment area has not attained the CO national ambient air quality standard by the Clean Air Act mandated attainment date for moderate nonattainment areas, December 31, 1995.

At the request of the Spokane Air Pollution Control Authority, EPA is extending the comment period for 30 days.

DATES: Comments will be accepted until August 31, 1996.

ADDRESSES: Written comments should be sent to: Montel Livingston, SIP Manager, Office of Air Quality, M/S OAQ–107, EPA Region 10, Docket #WA 54–7127, 1200 Sixth Avenue, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: William M. Hedgebeth of the EPA Region 10 Office of Air Quality, (206) 553–7369.

Dated: July 30, 1996.

Chuck Clarke,

Regional Administrator.

[FR Doc. 96–20368 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Parts 153 and 159

[OPP–60010E; FRL–5388–1]

RIN 2070-AB50

Reporting Requirements for Risk/Benefit Information; Reopening of Comment Period to Request Comments on Burden Estimates

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposal; reopening of comment period.

SUMMARY: Under section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), pesticide registrants are required to submit to the Agency information that they acquire which may be relevant to the balancing of the risks and benefits of their pesticide product(s). On September 24, 1992 (57 FR 44290), EPA issued a proposed rule which defined the specifics of this reporting requirement. After evaluating the comments received in response to that proposal, as well as several discussions with stakeholders, the Agency is now working to issue a final rule which clearly defines the reporting obligations of registrants under FIFRA section 6(a)(2). Before issuing this final rule, however, the Agency is reopening the rulemaking record to allow interested individuals to comment on the burdens that would be imposed by the rule in its current draft final form. In addition, the Agency is seeking comments on the revised burden estimates presented in the Information Collection Request (ICR) related to the draft final rule. Although an ICR was prepared and made available as part of the proposed rule, and the comments received on that ICR have been considered in developing the final draft rule and ICR, the Agency has recently received several letters expressing concern about preliminary burden estimates which were prematurely made publicly available. In order to provide another opportunity for the regulated community to provide new comments or information related to the burden and cost estimates, the Agency has decided to reopen the rulemaking record for the narrow purpose of soliciting additional comment on the sole issue of the costs or burdens associated with the proposed rule and the draft final rule. After consideration of any comments received, the Agency will submit the revised ICR package to the Office of Management and Budget (OMB) for review and approval under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). EPA is soliciting comments on the specific aspects of the collection described below. This ICR, entitled: Submission of Unreasonable Adverse Effects Information Under FIFRA Section 6(a)(2) [EPA ICR No. 1204.04; OMB No. 2070-0039], will replace the existing ICR once EPA issues the final rule.

DATES: Comments must be submitted on or before September 11, 1996.

ADDRESSES: Submit written comments identified by the docket control number OPP-60010E and EPA ICR No. 1204.04 by mail to: Public Response Section, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments directly to the OPP docket which is located in Rm. 1132 of Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Electronic comments must be submitted as a ASCII file avoiding the use of special characters and any form or encryption. Comments and data will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All comments and data in electronic form must be identified by the docket number ''OPP-60010E'' and EPA ICR No. 1204.04. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic comments on this document may be filed online at many Federal Depository Libraries.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All comments will be available for public inspection in Rm. 1132 at the Virginia address given above from 8 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: Jim Roelofs, Policy and Special Projects Staff, Office of Pesticide Programs, Environmental Protection Agency, Mail Code (7501C), 401 M St., SW., Washington, DC 20460, Telephone: (703) 308-2964, e-mail: roelofs.jim@epamail.epa.gov.

To obtain a copy of the material referenced in this notice (i.e., the Supporting Statement and attachments that make up ICR 1204.04), you may visit the OPP Public Response Section at the address provided above, using docket number OPP-60010E to obtain the information you need, or you can request a copy of the material by calling or e-mailing a request to Jim Roelofs.

SUPPLEMENTARY INFORMATION: Electronic Availability: Electronic copies of the ICR and any accompanying material are available from the EPA Public Access gopher (gopher.epa.gov) at the Environmental Sub-Set entry for this document under ''Rules and Regulations.''

I. Request for Comments

The Agency is reopening the rulemaking record today in order to solicit additional comment on the sole issue of the costs or burdens associated with the proposed rule and the latest draft of the final rule [a copy of which is attached as an appendix to the ICR]. In this regard, the Agency notes that it is not soliciting comments on the perceived value to the Agency of the information identified in the proposed rule and draft final rule, nor is it soliciting comments on the legality of either rule. The Agency received a number of such comments during the original rulemaking comment period, and does not believe the changes from the proposal to the draft final rule raise any new issues related to the legality of the rule or the utility of the information which would warrant a reopening of the comment period for those issues. If any person wishes to submit comments on an issue other than the costs of the rule to registrants, that person may file a petition to reopen the rulemaking record and should include in such petition an explanation of why the requested reopening could lead to significant material changes in the rule and why the comments to be submitted during the reopening could not have been submitted earlier.

In terms of comments on costs and burden estimates, the Agency is interested in detailed comments identifying how the proposed and draft final rules would affect the costs (and any other burdens) imposed upon registrants by their reporting obligations under section 6(a)(2). The Agency is particularly interested in comments addressing the issues set forth below, although interested persons are invited to submit any comments related to cost or burden they believe are material to this reporting rulemaking. Comments that provide detail on how registrants are currently complying or would have to comply with reporting requirements together with an accompanying identification and explanation of the costs (and/or other burdens) associated with each facet of compliance would be particularly helpful.

(1) The nature of the training (and the costs associated with it) that registrants would be obligated to undertake under the terms of the proposed or draft final rule; how that training differs from the training (and the costs associated with it) that registrants are currently required to undertake in order to comply with the existing reporting requirements under section 6(a)(2); and whether and how any particular change in the proposed or draft final rule would affect the nature of the training or the costs associated with it.

(2) The costs and burdens associated with reporting incidents under current reporting requirements; any changes in those costs and burdens associated with reporting pursuant to the provisions of the proposed rule; and any changes in those costs and burdens associated with reporting pursuant to the draft final rule. The Agency would be particularly interested in comments on how the threshold for reporting incidents, the summarization of incidents, and/or the proposal to require the reporting of all incidents (rather than series of incidents) affect the costs and burdens that would have to be borne by registrants in complying with these reporting requirements, as compared to current practices.

(3) The costs and burdens associated with reporting efficacy failure studies and information concerning pesticide resistance.

II. The Information Collection Request

EPA is seeking comments on the following Information Collection Request (ICR), which will revise an ICR currently approved by OMB:

ICR numbers: EPA ICR No. 1204.04; OMB No. 2070-0039.

Expiration: OMB approval of the current ICR expires on November 30, 1996.

Title: Submission of Unreasonable Adverse Effects Information Under FIFRA Section 6(a)(2).

Affected entities: This collection applies to all pesticide registrants. The Standard Industrial Codes assigned to the businesses required to submit a response under this collection activity are 286 and 287.

Abstract: This information collection stems from a non-discretionary statutory requirement. Section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires pesticide registrants to submit information to the Agency that they acquire which may be relevant to the balancing of the risks and benefits of a pesticide product. In *CSMA and NACA* v. *EPA* 484 F. Supp. 513 (1980), the District Court of the District of Columbia agreed with EPA that FIFRA section 6(a)(2) covers all information relevant to EPA's determination of whether a pesticide may cause unreasonable adverse effects. The Court agreed that submissible information includes the same type of information as that provided by a registrant as part of an application for registration. The Court specifically rejected the argument that the responsibility for determining what constitutes an unreasonable adverse effect shifts to industry once EPA has granted a registration.

As such, the statute requires the registrant to submit any factual information that it acquires regarding adverse effects associated with its pesticidal products, and it is up to the Agency to determine whether or not that factual information constitutes an unreasonable adverse effect. In order to limit the amount of less meaningful information that might be submitted to the Agency, EPA has limited the scope of factual information that the registrant must submit. The draft final rule would serve to limit this scope even further by providing a more detailed description of the reporting obligations of registrants under FIFRA section 6(a)(2).

As further defined by the final rule implementing the FIFRA section 6(a)(2) requirements, registrants are required to report on: (1) Studies showing new or

more severe toxicological responses than previously reported of any type in any strain of test organism; (2) epidemiological or exposure studies of human population groups; (3) studies or incidents tending to show lack of efficacy of certain pesticide products with public-health related uses; (4) incidents involving toxic or adverse effects to non-target organisms; (5) information on excess residues on food or feed, or residues in surface water, ground water, or drinking water; (6) information on metabolites, degradates, contaminants or impurities which may be of toxicological concern; (7) information showing that a product fails to perform as claimed or that pests have developed resistance to the product; and (8) other information which may be relevant to risk/benefit determinations of any type.

Respondents must (1) Read the final rule or instructions, (2) plan activities to ensure required information is identified and submitted, (3) process, compile, and review information for accuracy and appropriateness, (4) complete written instruments to effectuate a submission, and (5) submit the information to EPA. In addition, as a part of the initial implementation for the final rule, the registrant must conduct a ''screening'' or ''initial review'' of their existing records. The purpose of this initial exercise is to identify specific information that is within the registrant's possession which has not already been submitted to EPA, but which meets the criteria under the final rule for submission under FIFRA section 6(a)(2).

Since section 6(a)(2) requires the submission of certain information when it is acquired by a registrant, any information meeting the criteria for submission under section 6(a)(2) which happens to be in the possession of the registrant upon the effective date of the final rule, and which has not already been submitted to EPA, would need to be submitted to EPA immediately. The Agency recognizes that some of this information may be out dated and has, therefore, limited the type of information that should be apart of this initial ''screening.''

Under FIFRA section 6(a)(2), as implemented by the final rule, pesticide registrants have absolutely no obligation to create or seek out this information. Such activities may be conducted by the registrant in support of pesticide registration under FIFRA section 3, or reregistration under section 4 (which are approved by OMB under separate ICR approvals), or in the normal course of business, such as following up on consumer complaints to gather more information. Regardless of how the information comes into the possession of the registrant, once the registrant acquires information subject to submission under section 6(a)(2), as defined by the final rule, the registrant must submit it to EPA.

Burden statement: EPA estimates that the first year burdens associated with becoming familiar with the changes to the requirements total 38,265 burden hours, with an average of 17.39 burden hours per registrant (38,265 ÷ 2,200). Calculated by taking an estimated total annual burden of 660 hours for registrants to determine who needs to know the new requirements (0.3 hour per registrant x 2,200 registrants) and an estimated total of 37,605 hours for registrants to learn the new requirements (2.5 hours x 15,042 people expected to need instructions).

Another initial first year burden is related to the requirements in 40 CFR 159.159, which requires registrants to check their files for certain reportable information that they may already have but have not sent in earlier, either because it was not required or because of an error. The burden associated with this ''audit'' depends upon whether the Registrant has such reportable information (which is actually a subset of that information which is reportable) and then whether or not he or she prepares an inventory of the information he or she has, or simply submits copies of the information. In any case, the Agency estimates that this initial audit is likely to result in an estimated average burden of 5 hours for each registrant to review its records, 2 hours for submissions to be prepared, and 0.5 hour for the actual submissions, for a total estimated first year burden of 7.5 hours per registrant, with a total first year burden of 16,500 hours (7.5 x 2,200 registrants).

After the initial implementation of these amended requirements, EPA estimates that the total annual burden for registrants to determine who needs to know the requirements will decrease to 440 hours (0.2 hour per registrant x 2,200 registrants) and the estimated total for reading the instructions will decrease to 22,563 hours (1.5 hour per person x 15,042 people), for a total estimated annual burden of 23,003 hours associated with annual rule familiarization, with an average burden of 10.46 hours per registrant (23,003 ÷ 2,200 registrants).

EPA has eliminated any recordkeeping requirements associated with the submittal of section 6(a)(2) information and any burdens associated with maintaining registration related data or information covered by another ICR. However, a registrant may be required to keep information related to a partial submission, so that when information completing the submittal is sent to EPA the registrant provides an appropriate cross reference to the original submission. EPA estimates that this need to cross reference a partial submission may occur a total of 10 or 15 times each year, with an estimated annual burden of 0.5 hour per occurrence, for a total annual burden of 7.5 hours overall, or an average burden of 0.0034 hour per registrant (7.5 ÷ 2,200).

In order to determine an estimated per registrant burden, as requested by OMB, EPA has estimated that each registrant is likely to submit an average number of 4.07 submissions each year (annual submissions expected (8,960) ÷ total number of registrants (2,200)). At a total annual burden of 6.4 hours per submission, the annual total burden per registrant for submissions could be 26.05 hours. This burden must be added to the other burdens related to this rulemaking to bring the total annual per registrant burden associated with the rule to 36.3534 hours for the first year (26.05 for submissions + 10.3 for initial burdens + .0034 for follow-up), and 27.7534 hours for subsequent years (26.05 for submissions + 1.7 for training + .0034 for follow-up).

As for the total estimated burdens for the ICR, EPA estimates the first year total burden is 74,996.48 hours, which is expected to decrease in subsequent years to an annual estimated burden of 43,234.48 hours.

List of Subjects in Part 153 and 159

Environmental protection, Information collection requests, Pesticides and pests, Reporting and recordkeeping requirements.

Date: August 1, 1996.

Lynn R. Goldman,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 96–20459 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–F

Notices

Federal Register
Vol. 61, No. 156
Monday, August 12, 1996

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

Grain Inspection, Packers and Stockyards Administration

Invitation to Serve on Grain Inspection Advisory Committee

Under authority of section 20 of the United States Grain Standards Act (Act), the Secretary of Agriculture established the Federal Grain Inspection Service (FGIS) Advisory Committee (Advisory Committee) on September 29, 1981, to provide advice to the Administrator on implementation of the Act. Section 14 of the United States Grain Standards Act Amendments of 1993, Public Law 103–156, extended the authority for the Advisory Committee through the year 2000.

The Advisory Committee presently consists of 15 members, appointed by the Secretary, who represent the interests of grain producers, processors, handlers, merchandisers, consumers, and exporters, including scientists with expertise in research related to the policies in section 2 of the Act. Members of the Committee serve without compensation. They are reimbursed for travel expenses, including per diem in lieu of subsistence, for travel away from their homes or regular places of business in performance of Committee service, as authorized under section 5703 of title 5, United States Code. Alternatively, travel expenses may be paid by Committee members.

Nominations are being sought for persons to serve on the Advisory Committee to replace the five members and five alternate members whose terms expire in December 1996.

Persons interested in serving on the Advisory Committee, or in nominating individuals to serve, should contact: James R. Baker, Administrator, GIPSA, Room 1094–S, P.O. Box 96454, Washington, DC 20090–6454, in writing and request Form AD–755, which must be completed and submitted to the Administrator at the above address not later than October 11, 1996.

Nominations are open to all individuals without regard to race, color, religion, sex, national origin, age, mental or physical handicap, or marital status.

The final selection of Advisory Committee members and alternates will be made by the Secretary.

Dated: August 6, 1996.

James R. Baker,

Administrator.

[FR Doc. 96–20449 Filed 8–9–96; 8:45 am]

BILLING CODE 3410–EN–P

Rural Business-Cooperative Service

Notice of Request for Revision of a Currently Approved Information Collection

AGENCY: Rural Business-Cooperative Service, USDA.

ACTION: Proposed collection; Comments request.

SUMMARY: The Rural Business-Cooperative Service (RBS) is the successor to the Rural Business and Cooperative Development Service (RBCDS), which was a successor to the Rural Development Administration (RDA), which was a successor to the Farmers Home Administration (FmHA).

In accordance with the Paperwork Reduction Act of 1995, this notice announces RBS' intention to request an extension of a currently approved information collection in support of the Intermediary Relending Program (IRP).

DATES: Comments on this notice must be received by October 11, 1996.

FOR FURTHER INFORMATION CONTACT: M. Wayne Stansbery, Loan Specialist, Rural Business-Cooperative Service, USDA, Ag. Box 1521, Washington, DC 20250, Telephone: (202) 720–6819.

SUPPLEMENTARY INFORMATION:

Title: RBS/Intermediary Relending Program.

OMB Number: 0575–0130.

Expiration Date of Approval: January 1997.

Type of Request: Revision of a currently approved information collection.

Abstract: A proposed rule for a complete revision of the IRP regulations (7 CFR 1948, subpart C) was published in the Federal Register on January 18, 1995, at 60 FR 3566. The public reporting burden for information collection associated with that proposed rule was approved by the Office of Management and Budget (OMB) under OMB No. 0575–0130. After considering the public comments on the proposed rule, the Agency now proposes to include some additional changes in the final rule that will impact on the public reporting burden. Accordingly, the Agency will seek OMB approval for a revision in the public reporting burden for information collection associated with the IRP regulations.

The objective of the IRP is to improve community facilities and employment opportunities and increase economic activity in rural areas by financing business facilities and community development. This purpose is achieved through loans made by RBS to intermediaries that establish programs for the purpose of providing loans to ultimate recipients for business facilities and community development. The regulations contain various requirements for information from the intermediaries and some requirements may cause the intermediary to require information from ultimate recipients. The information requested is vital for RBS to be able to process applications in a responsible manner, make prudent credit and program decisions, and effectively monitor the intermediaries' activities to protect the Government's financial interest and ensure that funds obtained from the Government are used appropriately. It includes information to identify the intermediary, describe the intermediary's experience and expertise, describe how the intermediary will operate its revolving loan fund, provide for debt instruments, loan agreements, and security, and other material necessary for prudent credit decisions and reasonable program monitoring. The changes being proposed include providing operating plans for revolving lines of credit. Revolving lines of credit are currently not allowed, but consideration is being given to authorizing such loans if certain conditions, including having sound operating plans and procedures, are met. Another proposed change requires additional details in the work plan regarding goals, strategies, anticipated outcomes, and technical assistance. The

increase in burden is offset by eliminating the requirement for specific collateral assignments and by providing a new shorter form for supplemental loan agreements to be used with subsequent loans. The net effect of the changes will be to reduce the total paperwork and record keeping burden slightly.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 3.72 hours per response.

Respondents: Non-profit corporations, public agencies, and cooperatives.

Estimated number of Respondents: 160.

Estimated number of responses per respondent: 30.35.

Estimated total annual burden on respondents: 16,930 hours.

Copies of this information collection can be obtained from Sam Spencer, Rural Business Team Information collection Coordinator, at (202) 720–9588.

Comments: Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to Sam Spencer, Rural Business Team Information Collection Coordinator, Regulations and Paperwork Management Division, U. S. Department of Agriculture, Rural Development, STOP 0743, Washington, DC 20250. All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Dated: August 5, 1996.

Dayton J. Watkins,

Administrator, Rural Business-Cooperative Service.

[FR Doc. 96–20410 Filed 8–9–96; 8:45 am]

BILLING CODE 3410–07–U

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 834]

Approval of Manufacturing Activity Within Foreign-Trade Zone 83; Onan Engine Company, Inc. (Small Internal Combustion Engines) Huntsville, AL

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the Huntsville-Madison County Airport Authority, grantee of FTZ 83, filed with the Foreign-Trade Zones (FTZ) Board (the Board) on November 13, 1995, requesting authority on behalf of the Onan Engine Company, Inc., to manufacture small internal combustion engines under zone procedures within FTZ 83, Huntsville, Alabama (FTZ Docket 74–95, 60 FR 58596, 11–28–95);

Whereas, the Board adopts the findings and recommendation of the Examiner's report, and finds that the requirements of FTZ Act and the Board's regulations are satisfied and that the proposal is in the public interest; and,

Now, therefore, the Board hereby approves the request, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 31st day of July 1996.

Robert S. LaRussa,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 96–20504 Filed 8–09–96; 8:45 am]

BILLING CODE 3510–DS–P

[Order No. 841]

Grant of Authority for Subzone Status Motch Corporation (Turning and Grinding Machinery); Euclid, OH

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, by an Act of Congress approved June 18, 1934, an Act ''To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,'' as amended (19 U.S.C. 81a–81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved;

Whereas, an application from the Cleveland-Cuyahoga County Port Authority, grantee of Foreign-Trade Zone 40, for authority to establish special-purpose subzone status at the vertical and horizontal turning and grinding machinery manufacturing plant of the Motch Corporation in Euclid, Ohio, was filed by the Board on August 11, 1995, and notice inviting public comment was given in the Federal Register (FTZ Docket 43–95, 60 FR 43760, 8–23–95); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby authorizes the establishment of a subzone (Subzone 40H) at the Motch Corporation plant in Euclid, Ohio, at the location described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28. As indicated in the application, the scope of manufacturing authority is limited to vertical and front turning centers, vertical numerical chuckers, horizontal self loaders, and vertical and universal grinders.

Signed at Washington, DC, this 1st day of August 1996.

Robert S. LaRussa,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 96–20505 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–DS–P

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Opportunity to Request Administrative Review of

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended, may request, in accordance with section 353.22 or 355.22 of the Department of Commerce (the Department) Regulations (19 CFR 353.22/355.22 (1993)), that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Opportunity To Request a Review: Not later than AUGUST 31, 1996, interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in AUGUST for the following periods:

Antidumping Proceeding	Period
Argentina: Oil Country Tubular Goods	
A–357–810—Other Than Drill Pipe	2/2/95–7/31/96
Drill Pipe	8/11/95–7/31/96
Argentina: Seamless Pipe	
A–357–809	1/27/95–7/31/96
Australia: Corrosion-Resistant Carbon	
A–602–803—Steel Flat Products	8/1/95–7/31/96
Belgium: Cut-to-Length Carbon Steel Plate	
A–423–805	8/1/95–7/31/96
Belgium: Phosphoric Acid	
A–423–602	8/1/95–7/31/96
Brazil: Cut-to-Length Carbon Steel Plate	
A–351–817	8/1/95–7/31/96
Brazil: Seamless Pipe	
A–351–826	1/27/95–7/31/96
Canada: Corrosion-Resistant Carbon Steel	
A–122–822—Flat Products	8/1/95–7/31/96
Canada: Cut-to-Length Carbon Steel Plate	
A–122–823	8/1/95–7/31/96
Canada: Magnesium	
A–122–814	8/1/95–7/31/96
Finland: Cut-to-Length Carbon Steel Plate	
A–405–802	8/1/95–7/31/96
France: Corrosion-Resistant Carbon	
A–427–808—Steel Flat Products	8/1/95–7/31/96
France: Industrial Nitrocellulose	
A–427–009	8/1/95–7/31/96
Germany: Cold-Rolled Carbon Steel Flat Products	
A–428–814	8/1/95–7/31/96
Germany: Corrosion-Resistant Carbon Steel Flat Products	
A–428–815	8/1/95–7/31/96
Germany: Cut-to-Length Carbon Steel Plate	
A–428–816	8/1/95–7/31/96
Germany: Seamless Pipe	
A–428–820	1/27/95–7/31/96
Israel: Phosphoric Acid	
A–508–604	8/1/95–7/31/96
Italy: Grain-Oriented Electrical Steel	
A–475–811	8/1/95–7/31/96
Italy: Oil Country Tubular Goods	
A–475–816—Other Than Drill Pipe	2/2/95–7/31/96
Italy: PTFE Resin	
A–475–703	8/1/95–7/31/96
Italy: Seamless Pipe	
A–475–814	1/27/95–7/31/96
Italy: Tapered Roller Bearings	
A–475–603	8/1/95–7/31/96
Japan: Acrylic Sheet	
A–588–055	8/1/95–7/31/96
Japan: Brass Sheet & Strip	
A–588–704	8/1/95–7/31/96
Japan: Corrosion-Resistant Carbon Steel Flat Products	
A–588–824	8/1/95–7/31/96
Japan: Oil Country Tubular Goods	
A–588–835—Other Than Drill Pipe	2/2/95–7/31/96
Drill Pipe	8/11/95–7/31/96
Japan: PTFE Resin	
A–588–707	8/1/95–7/31/96
Japan: Tapered Roller Bearings 4 Inches and Under	
A–588–054	8/1/95–7/31/96
Kazakhstan: Titanium Sponge	
A–834–803	8/1/95–7/31/96

Antidumping Proceeding	Period
Mexico: Cement	
A–201–802	8/1/95–7/31/96
Mexico: Cut-to-Length Carbon Steel Plate	
A–201–809	8/1/95–7/31/96
Mexico: Oil Country Tubular Goods	
A–201–817—Other Than Drill Pipe	2/2/95–7/31/96
Drill Pipe	8/11/95–7/31/96
Poland: Cut-to-Length Carbon Steel Plate	
A–455–802	8/1/95–7/31/96
Romania: Cut-to-Length Carbon Steel Plate	
A–485–803	8/1/95–7/31/96
Russia: Titanium Sponge	
A–821–803	8/1/95–7/31/96
South Korea: Cold-Rolled Carbon Steel Flat Products	
A–580–815	8/1/95–7/31/96
South Korea: Corrosion-Resistant Carbon	
A–580–816—Steel Flat Products	8/1/95–7/31/96
South Korea: Oil Country Tubular Goods Other Than Drill Pipe	
A–580–825	2/2/95–7/31/96
Spain: Cut-to-Length Carbon Steel Plate	
A–469–803	8/1/95–7/31/96
Sweden: Cut-to-Length Carbon Steel Plate	
A–401–805	8/1/95–7/31/96
Thailand: Malleable Pipe Fittings	
A–549–601	8/1/95–7/31/96
The Netherlands: Brass Sheet & Strip	
A–421–701	8/1/95–7/31/96
The Netherlands: Cold-Rolled Carbon Steel Flat Products	
A–421–804	8/1/95–7/31/96
The People's Republic of China: Petroleum Wax Candles	
A–570–504	8/1/95–7/31/96
The People's Republic of China: Sulfanilic Acid	
A–570–815	8/1/95–7/31/96
The Ukraine: Titanium Sponge	
A–823–803	8/1/95–7/31/96
The Ukraine: Uranium	
A–823–802	8/1/95–7/31/96
The United Kingdom: Cut-to-Length Carbon Steel Plate	
A–412–814	8/1/95–7/31/96
Turkey: Aspirin	
A–489–602	8/1/95–7/31/96
Suspension Agreements	
Japan: Color Negative Photographic Paper	
A–588–832	8/1/95–7/31/96
Japan: EPROMs	
A–588–504	8/1/95–7/31/96
Countervailing Duties	
Belgium: Cut-to-Length Carbon Steel Plate	
C–423–806	1/1/95–12/31/95
Brazil: Cut-to-Length Carbon Steel Plate	
C–351–818	1/1/95–12/31/95
Canada: Live Swine	
C–122–404	4/1/95–3/31/96
Canada: Pure Magnesium	
C–122–815	1/1/95–12/31/95
Canada: Alloy Magnesium	
C–122–815	1/1/95–12/31/95
France: Corrosion-Resistant Carbon Steel	
C–427–810	1/1/95–12/31/95
Germany: Cold-Rolled Carbon Steel Flat Products	
C–428–817	1/1/95–12/31/95
Germany: Corrosion-Resistant Carbon Steel	
C–428–817	1/1/95–12/31/95
Germany: Cut-to-Length Carbon Steel Plate	
C–428–817	1/1/95–12/31/95
Israel: Industrial Phosphoric Acid	
C–508–605	1/1/95–12/31/95
Italy: Seamless Pipe	
C–475–815	11/28/94–12/31/95
Italy: OCTG	
C–475–817	12/2/94–12/31/95
Korea: Cold-Rolled Carbon Steel Flat Products	
C–580–818	1/1/95–12/31/95

Antidumping Proceeding	Period
Korea: Corrosion-Resistant Carbon Steel Plate	
C–580–818	1/1/95–12/31/95
Malaysia: Extruded Rubber Thread	
C–557–806	1/1/95–12/31/95
Mexico: Cut-to-Length Carbon Steel Plate	
C–201–810	1/1/95–12/31/95
Spain: Cut-to-Length Carbon Steel Plate	
C–469–804	1/1/95–12/31/95
Sweden: Cut-to-Length Carbon Steel Plate	
C–401–804	1/1/95–12/31/95
The United Kingdom: Cut-to-Length Carbon Steel Plate	
C–412–815	1/1/95–12/31/95

In accordance with sections 353.22(a) and 355.22(a) of the regulations, an interested party as defined by section 353.2(k) may request in writing that the Secretary conduct an administrative review. The Department has changed its requirements for requesting reviews for countervailing duty orders. Pursuant to 19 CFR 355.22(a) of the Department's Interim Regulations (60 FR 25137 (May 11, 1995)), an interested party must specify the individual producers or exporters covered by the order for which they are requesting a review. Therefore, for both antidumping and countervailing duty reviews, the interested party must specify for which individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin, and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Seven copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B–099, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230. The Department also asks parties to serve a copy of their requests to Import Administration, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 353.31(g) or 355.31(g) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the Federal Register a notice of ''Initiation of Antidumping (Countervailing) Duty Administrative Review,'' for requests received by August 31, 1996. If the Department does not receive, by August 31, 1996, a request for review of entries covered by an order or finding listed in this notice and for the period identified above, the Department will instruct the Customs Service to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute, but is published as a service to the international trading community.

Dated: August 7, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary for Enforcement Group III.

[FR Doc. 96–20508 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–DS–M

[A–614–801]

Fresh Kiwifruit From New Zealand: Termination of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Termination of Antidumping Duty Administrative Review.

SUMMARY: On June 25, 1996, the Department of Commerce (the Department) published in the Federal Register (61 FR 32771) the notice of initiation of the administrative review of the antidumping duty order on Fresh Kiwifruit from New Zealand. We are terminating this review as a result of the timely withdrawal by New Zealand Kiwifruit Marketing Board, of its request for the review. New Zealand Kiwifruit Marketing Board was the only interested party that requested this review.

EFFECTIVE DATE: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Paul M. Stolz, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–4474.

SUPPLEMENTARY INFORMATION:

Background

On June 3, 1996, New Zealand Kiwifruit Marketing Board, an interested party, requested an administrative review of the antidumping duty order on Fresh Kiwifruit from New Zealand for the period June 1, 1995 through May 31, 1996, pursuant to 751(a)(1)(B) of the Tariff Act of 1930 as amended by the Uruguay Round Agreements Act. On June 25, 1996, the Department published in the Federal Register (61 FR 32771) the notice of initiation of that administrative review. New Zealand Kiwifruit Marketing Board withdrew its request for review on July 3, 1996, pursuant to 19 CFR 353.22(a)(5). There were no other requests for this review. As a result, the Department is terminating this review.

This notice is published in accordance with section 353.22(a)(5) of the Department's regulations (19 CFR 353.22.(a)(5)).

Dated: July 29, 1996.

Jeffrey P. Bialos,

Principal Deputy Assistant Secretary for Import Administration.

[FR Doc. 96–20501 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–122–814]

Pure Magnesium From Canada; Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On June 10, 1996, the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order on pure magnesium from Canada (61 FR 29343). The review covers one manufacturer/exporter of the subject merchandise to the United States for the period August 1, 1994 through July 31, 1995. We gave interested parties an opportunity to comment on our preliminary results. Based on our analysis of the comments and rebuttal comments received, we have corrected certain clerical errors in the margin calculations. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled ''Final Results of the Review.''

EFFECTIVE DATE: August 12, 1996.

FOR FURTHER INFORMATION CONTACT: Michael Rausher or Richard Rimlinger, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

Background

On June 10, 1996, the Department published the preliminary results of administrative review of the antidumping duty order on pure magnesium from Canada (61 FR 29343). We gave interested parties an opportunity to comment on the preliminary results. There was no request for a hearing. The Department has now conducted this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of the Review

The product covered by this review is pure magnesium. Pure unwrought magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Granular and secondary magnesium are excluded from the scope currently classified under subheading 8104.11.0000 of the Harmonized Tariff Schedule (HTS). The HTS item numbers are provided for convenience and for Customs purposes. The written description remains dispositive.

The review covers one Canadian manufacturer/exporter, Norsk Hydro Canada Inc. (NHCI), and the period August 1, 1994 through July 31, 1995.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received a case brief from the petitioner, Magnesium Corporation of America (Magcorp), and we received a case brief and rebuttal brief from the respondent, NHCI.

Comment 1: NHCI argues that the Department's methodology in deducting from NHCI's gross unit price the amounts reported for antidumping and countervailing duty cash deposits is contrary to the antidumping statute and the Department's consistent practice which has been upheld by the Court of International Trade. Respondent claims that only ordinary *ad valorem* import duties, not antidumping and countervailing duty cash deposits, should be deducted from the gross unit price in calculating export price and requests that the Department amend its calculations accordingly.

Department's Position: We agree with NHCI that we incorrectly deducted antidumping and countervailing duty cash deposits from the gross unit price of the U.S. transactions. For these final results, we have deducted only import duties from the gross unit price.

Comment 2: Magcorp claims that the Department appears to have made a clerical error in the margin calculations with respect to currency conversion. Petitioner argues that a currency conversion is not necessary in the calculation of home market price, because there are several instances in the respondent's questionnaire response which indicate that a currency conversion is not necessary in order to calculate the dumping margin. Therefore, petitioner requests that the Department correct its calculations for the final results of review.

NHCI agrees with Magcorp that the Department's margin calculations contain a currency conversion clerical error.

Department's Position: For these final results, we converted into U.S. dollars only those home market price and expense amounts that NHCI reported in Canadian dollars.

Final Results of the Review

As a result of this review, we determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period	Margin (percent)
Norsk Hydro Canada, Inc	8/1/94–7/31/95	0.00

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to Customs.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for NHCI will be the rate established above; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less than fair value (LTFV) investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in these final results of review or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be 21 percent, the ''all others'' rate established in *Pure Magnesium From Canada: Amendment of Final Determination of Sales At Less Than Fair Value and Order in Accordance With Decision on Remand,* 58 FR 62643, November 29, 1993.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as final reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties

occurred and the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Failure to comply is a violation of the APO.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: August 2, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–20500 Filed 8–09–96; 8:45 am]

BILLING CODE 3510–DS–P

Belmont University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 96–027. Applicant: Belmont University, Nashville, TN 37212–3757. Instrument: Electron Microscope, Model EM208. Manufacturer: Philips, Czechoslovakia. Intended Use: See notice at 61 FR 28176, June 4, 1996. Order Date: January 17, 1996.

Docket Number: 96–030. Applicant: University of South Alabama, Mobile, AL 36617. Instrument: Electron Microscope, Model CM100. Manufacturer: N. V. Philips, The Netherlands. Intended Use: See notice at 61 FR 28176, June 4, 1996. Order Date: October 13, 1995.

Docket Number: 96–034. Applicant: National Institutes of Health, Bethesda, MD 20892–7260. Instrument: Electron Microscope, Model JEM–1010. Manufacturer: JEOL Ltd., Japan. Intended Use: See notice at 61 FR 28176, June 4, 1996. Order Date: September 27, 1995.

Docket Number: 96–035. Applicant: State University of New York, Albany, NY 12222. Instrument: Electron Microscope, Model JEM–2010F. Manufacturer: JEOL Ltd., Japan. Intended Use: See notice at 61 FR 28176, June 4, 1996. Order Date: October 4, 1995.

Docket Number: 96–041. Applicant: Medical College of Georgia, Augusta, GA 30912. Instrument: Electron Microscope, Model JEM–1010. Manufacturer: JEOL Ltd., Japan. Intended Use: See notice at 61 FR 28177, June 4, 1996. Order Date: February 9, 1996.

Docket Number: 96–047. Applicant: University of Wisconsin-Madison, Madison, WI 53706. Instrument: Electron Microscope, Model EM 912 Omega. Manufacturer: LEO Electron Microscopy, Germany. Intended Use: See notice at 61 FR 28175, June 4, 1996. Order Date: February 27, 1996.

Docket Number: 96–053. Applicant: Wayne State University, Detroit, MI 48201. Instrument: Electron Microscope, Model JEM–1010. Manufacturer: JEOL Ltd., Japan. Intended Use: See notice at 61 FR 30220, June 14, 1996. Application accepted by Commissioner of Customs: May 14, 1996.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. Reasons: Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument or at the time of receipt of application by the U.S. Customs Service.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 96–20502 Filed 8–09–96; 8:45 am]

BILLING CODE 3510–DS–P

Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 96–071. Applicant: University of California, Los Alamos National Laboratory, P.O. Box 990, Los Alamos, NM 87545. Instrument: ICP Mass Spectrometer, Model PlasmaQuad. Manufacturer: Fisons Instruments, United Kingdom. Intended Use: The instrument will be used to study the transport of ultra low level contaminants in the environment, and trace composition of high purity materials, soils, waters, aerosols in air and biological tissues. Application accepted by Commissioner of Customs: July 5, 1996.

Docket Number: 96–072. Applicant: Penn State University, 118 Research Building West, University Park, PA 16802. Instrument: Nano Indentor System, Model UMIS 2001. Manufacturer: CISRO, Australia. Intended Use: The instrument will be used to study interfacial phenomena in engineering materials and the information gathered will be used in mathematical models and will be applied to the design of superior alloys. It is planned to study the mechanical properties of materials as a function of precise location within the microstructure. In addition, the instrument will be used for educational purposes in the courses Esci 414M, Esci 497D, Esci 475, Esci 410H. Application accepted by Commissioner of Customs: July 5, 1996.

Docket Number: 96–073. Applicant: University of California, Accounting Office, 400 University Hall, Berkeley, CA 94720. Instrument: High Pressure Freezing Machine, Model HPM 010. Manufacturer: Bal-Tec, Inc., Liechtenstein. Intended Use: The instrument will be used to freeze a wide variety of cells and tissues, including *Drosophila* embryos and *Arabidopsis* plant tissues. In addition, the instrument will be used in electron microscopy courses that teach all the techniques, including rapid freezing, needed to prepare samples and examine them in the electron microscope. Application accepted by Commissioner of Customs: July 11, 1996.

Docket Number: 96–074. Applicant: The Association of Universities for Research in Astronomy, Inc., 1625 Massachusetts Avenue, NW, Washington, DC 20036. Instrument: 8M Optical Telescope Primary Mirror. Manufacturer: REOSC Optique, France. Intended Use: The instrument will be

used with a telescope which is used by the international astronomical community to advance basic research and scientific opportunities involving star birth, origins of heavy elements, galaxy formation, the early universe, etc. Application accepted by Commissioner of Customs: July 12, 1996.

Docket Number: 96–075. Applicant: University of Illinois at Urbana-Champaign, Purchasing Division, 506 South Wright Street, 207 Henry Administration Building, Urbana, IL 61801. Instrument: Eye Tracking System, Model EYELINK. Manufacturer: SR Research Ltd., Canada. Intended Use: The instrument will be used to study various aspects of human eye movements while performing various visual performance tasks including flight instrument panel usage. Other experiments will involve looking at the effects of aging on eye movement for visual perception. Application accepted by Commissioner of Customs: July 15, 1996.

Docket Number: 96–076. Applicant: University of Illinois at Urbana-Champaign, Purchasing Division, 506 South Wright Street, 207 Henry Administration Building, Urbana, IL 61801. Instrument: Eye Tracking System, Model EYELINK. Manufacturer: SR Research Ltd., Canada. Intended Use: The instrument will be used to measure eye-gaze positions and detect small saccades (quick, high velocity eye movements) during the visual perception of natural speech in real time as an observer moves or talks. Application accepted by Commissioner of Customs: July 15, 1996.

Docket Number: 96–077. Applicant: University of Illinois at Urbana-Champaign, Purchasing Division, 506 South Wright Street, 207 Henry Administration Building, Urbana, IL 61801. Instrument: Eye Tracking System, Model EYELINK. Manufacturer: SR Research Ltd., Canada. Intended Use: The instrument will be used to study eye movements of people as they read and look at pictures and to examine the eye movements of people who are seeking information in a 3–D virtual reality environment. Application accepted by Commissioner of Customs: July 15, 1996.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 96–20503 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–DS–P

National Oceanic and Atmospheric Administration

[I.D. 080596E]

South Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a meeting of its Advisory Panel Selection Committee (closed session), public meetings of its Controlled Access and Snapper Grouper Committees, Snapper Grouper Committee, Mackerel Committee, and a Council session.

The Council welcomes written public comment on any of the agenda items. See **ADDRESSES** for the Council address to send in comments.

DATES: The meetings will be held from August 19-22, 1996. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: The meetings will be held at the Town & Country Inn, 2008 Savannah Highway, Charleston, SC 29407; telephone: (803) 571-1000.

Council address: South Atlantic Fishery Management Council, One Southpark Circle, Suite 306; Charleston, SC 29407-4699.

FOR FURTHER INFORMATION CONTACT: Susan Buchanan, Public Information Officer; telephone: (803) 571-4366; fax: (803) 769-4520; email: susan_buchanan@safmc.nmfs.gov

SUPPLEMENTARY INFORMATION:

Meeting Dates

August 19, 1996, 1:30 p.m. to 5:00 p.m.—Advisory Panel Selection Committee;

The Advisory Panel Selection Committee will meet in closed session to review applications and develop recommendations for advisory panel member appointments;

August 20, 1996, 8:30 a.m. to 12:00 noon—joint Controlled Access and Snapper Grouper Committees;

The Controlled Access and Snapper Grouper Committees will review the options paper for Snapper Grouper Amendment 9 and develop recommendations for Amendment 9 options to take to public hearing;

August 20, 1996, 1:30 p.m. to 5:00 p.m.—Snapper Grouper Committee;

The Snapper Grouper Committee will meet to review the options paper for Snapper Grouper Amendment 8;

August 21, 1996, 8:30 a.m. to 12:00 noon—Snapper Grouper Committee;

The Snapper Grouper Committee will develop recommendations for Snapper Grouper Amendment 8 options to take to public hearing;

August 21, 1996, 1:30 p.m. to 5:00 p.m.—Mackerel Committee;

The Mackerel Committee will meet to review the status of the 1996 king mackerel catch, review the status of trip limits, review the Gulf king Mackerel Assessment, reconsider the South Atlantic king mackerel total allowable catch the Council set at its June 1996 meeting, and discuss the incidental allocation of mackerel in the shark fishery;

August 22, 1996, 8:30 a.m. to 11:30 a.m.—Council session;

The Council will conduct Chairman and Vice Chairman elections, receive the Controlled Access Committee report and take public comment before approving Snapper Grouper Amendment 9 for public hearing; receive the Snapper Grouper Committee report and take public comment before approving Snapper Grouper Amendment 8 for public hearing;

August 22, 1996, 11:30 a.m. to 5:00 p.m.—Council session;

The Council will meet in closed session from 11:30 a.m. to 12:00 noon, to receive the Advisory Panel Selection Committee report and appoint advisory panel members; from 1:30 p.m. to 2:00 p.m., the Council will receive the Mackerel Committee report, and take public comment before taking action to reconsider South Atlantic king mackerel TAC; from 2:00 p.m. to 3:00 p.m., the Council will receive a report on the Ad Hoc Bycatch Reduction Device (BRD) Advisory Panel meeting, and a report on the NMFS Highly Migratory Species Program; from 3:15 p.m. to 5:00 p.m., the Council will hear a presentation from Dr. Andrew Brod entitled, ''The Demand for ITQs: The Puzzle of the Atlantic Wreckfish Industry'', hear a report on the Council Chairmen's meeting, review the status of Magnuson Act Amendments and Reauthorization, receive agency and liaison reports, and discuss other business.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) by August 13, 1996.

Dated: August 5, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–20432 Filed 8–9–96; 8:45 am]

BILLING CODE 3510–22–P

COMMODITY FUTURES TRADING COMMISSION

MidAmerica Commodity Exchange: Proposed Amendments Converting the Live Hogs Futures Contract From a Physical Delivery Contract to a Cash Settlement System

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of proposed contract market rule changes.

SUMMARY: The MidAmerica Commodity Exchange (''MCE'') has submitted proposed amendments to its Live Hogs futures contract that would convert the delivery provisions of that futures contract from a physical delivery contract to a cash settlement system. In accordance with Section 5a(a)(12) of the Commodity Exchange Act, and acting pursuant to the authority delegated by Commission Regulation 140.96, the Acting Director of the Division of Economic Analysis (''Division'') of the Commodity Futures Trading Commission (''Commission'') has determined, on behalf of the Commission, that the proposed amendments are of major economic significance and that publication of the proposed amendments would be in the public interest. On behalf of the Commission, the Division is requesting comment on this proposal.

DATES: Comments must be received on or before September 11, 1996.

ADDRESSES: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, D.C. 20581. Reference should be made to the proposed amendments converting the MCE live hogs futures contract to cash settlement.

FOR FURTHER INFORMATION CONTACT: Frederick V. Linse, Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581, telephone (202) 418–5273.

SUPPLEMENTARY INFORMATION: The existing terms of the live hogs futures contract provides for physical delivery of 20,000 pounds of live hogs meeting specified quality and weight requirements at MCE-approved public livestock yards at seven delivery points located in six different states. The contract's existing terms also specify that trading ends on the business day immediately preceding the last five business days of the contract month.

The proposed amendments will delete all physical delivery provisions of the futures contract. These provisions will be replaced by terms specifying cash settlement of all open positions at the expiration of trading in a contract month. The cash settlement price will be based on the cash market value of hogs during the last two trading days of expiring contract months. Specifically, the proposed cash settlement price will equal the two-day weighted average of the mid-point of the price range for U.S. No. 1, No. 2, and No. 3 grade barrows and gilts in the 220 to 260-pound weight range in the Iowa-Southern Minnesota region, as reported by the U.S. Department of Agriculture (USDA) in its Midwest Direct Hog report. The Iowa-Southern Minnesota region is defined by the USDA as the state of Iowa and the Southern two tiers of counties in Minnesota. The final cash settlement price will be determined in four steps. First, the midpoint of the price range for U.S. 1, 2 and 3 barrows and gilts in the 220 to 260-pound weight range at country points for each of the last two trading days will be calculated and rounded to the nearest whole cent. Second, the volume percentage for each of last two trading days will be calculated by dividing the volume of hog receipts on each such day by the total volume of receipts for the two-day period. Third, each day's calculated midpoint price is then multiplied by that day's calculated volume percentage to determine the weighted value for that day. Fourth, the daily weighted values for the two-day period are summed and rounded to the nearest whole cent to determine the final cash settlement price.

The Exchange's proposal also will change the last trading day to the tenth business day of the contract month from the sixth to the last business day of the contract month.

According to the MCE, physical delivery through public livestock yards no longer reflects dominant cash market practice. The MCE indicated that the number of hogs sold for slaughter from Midwestern public stockyards has been steadily declining, and totaled just 1,383,000 sales in 1995, while the number of hogs sold directly to packers by producers and other market intermediaries from interior country points in the Iowa-Southern Minnesota region has been steadily increasing, and equaled 28,424,000 in 1995. The MCE further indicates that, as a result of the decline in the importance of sales through public livestock yards, the usefulness of the live hogs futures contract as a price discovery and risk management tool has been adversely affected. The MCE believes that by changing the pricing basis for the MCE live hog contract from Midwestern public stockyards to the Iowa-Southern Minnesota direct hog market will enable the contract to better reflect the cash market for slaughter hogs in the Midwest. The Exchange submits that specifying a cash settlement procedure to replace the physical delivery settlement mechanism will simplify the settlement procedure for the contract and facilitate greater use of the contract by hedgers.

The MCE proposes to make the amendments effective, following Commission approval, with respect to all newly listed contract months beginning with the February 1997 contract month. No currently listed contract month or existing position would be affected by the proposed amendments.

On behalf of the Commission, the Division is requesting comment on the proposed amendments. In particular, the Division is seeking comment regarding the extent to which the proposed cash settlement price will reflect the underlying cash market and the susceptibility of the proposed cash settlement price to manipulation or distortion.

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581. Copies of the amended terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by telephone at (202) 418–5100.

The materials submitted by the MCE in support of the proposed amendments may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1987)). 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 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or arguments on the proposed amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581 by the specified date.

Issued in Washington, D.C. on August 6, 1996.

Blake Imel,

Acting Director.

[FR Doc. 96–20446 Filed 8–9–96; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Submission for OMB review; comment request.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before September 11, 1996.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Wendy Taylor, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue, S.W., Room 5624, Regional Office Building 3, Washington, DC 20202–4651.

FOR FURTHER INFORMATION CONTACT: Patrick J. Sherrill (202) 708–8196. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: August 6, 1996.

Gloria Parker,

Director, Information Resources Group.

Office of Special Education and Rehabilitative Services

Type of Review: Extension.

Title: State Plan Under Part B of the Individuals with Disabilities Education Act.

Frequency: Triennial.

Affected Public: State, local or Tribal Gov't, SEAs or LEAs.

Annual Reporting and Recordkeeping Hour Burden:

Responses: 19.

Burden Hours: 551.

Abstract: State educational agencies are required to submit a State Plan to the U.S. Department of Education in order to receive funds under Part B of the Individuals with Disabilities Education Act.

Office of Postsecondary Education

Type of Review: Revision.

Title: Drug and Violence Prevention Program in Higher Education, The Institution-Wide Program Competition.

Frequency: At the time of grant application.

Affected Public: Not-for-profit institutions.

Reporting and Recordkeeping Hour Burden:

Responses: 240.

Burden Hours: 3,840.

Abstract: Safe and Drug-Free Schools and Communities National Programs (ESEA–A–2) legislation calls for drug and violence prevention programs that benefit college and university students. The Institution-Wide grant competition responds to the mandate by making federal funds available to colleges and universities through a competitive grant making competition.

Office of Postsecondary Education

Type of Review: Extension.

Title: Alternative Documentation of Income Form.

Frequency: Annually.

Affected Public: Individuals or households.

Annual Reporting and Recordkeeping Hour Burden:

Responses: 75,000.

Burden Hours: 24,750.

Abstract: Borrowers in the William D. Ford Federal Direct Loan Program Income Contingent Plan will use this form to submit documentation of their current income when Adjusted Gross Income information is unavailable or does not reflect current income.

[FR Doc. 96–20413 Filed 8–9–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Notice of Availability of an Environmental Assessment on the Proposed Sale of Surplus Natural and Low-Enriched Uranium

AGENCY: Department of Energy.

ACTION: Notice of availability.

SUMMARY: The Department of Energy (DOE) announces the availability of a draft Environmental Assessment (EA) on the proposed sale of about 35.7 million pounds of natural uranium and low-enriched uranium located at the gaseous diffusion plants in Portsmouth, Ohio, and Paducah, Kentucky. DOE prepared the EA pursuant to the National Environmental Policy Act of 1969 (NEPA), the Council on Environmental Quality's NEPA regulations, and the Department's NEPA regulations. The EA describes: (1) The purpose and need for action by the Department; (2) the Department's proposed action; (3) alternatives (including a no-action alternative) to the proposed action; and (4) the potential impacts of the proposed action and alternatives.

ADDRESSES: Questions or requests for copies of the draft EA should be addressed to: Mr. John Kotek, Office of Nuclear Energy, Science and Technology, NE–1, U.S. Department of Energy, 1000 Independence Ave., NW, Washington, DC, 20585. Mr. Kotek may be contacted by telephone at (202) 586–6823, or by facsimile at (202) 586–0698.

DATES: The Department has sent copies of the draft EA for review by affected states, Indian tribes, and other parties who have expressed an interest in the proposed action. DOE will consider comments on the draft EA postmarked or facsimilied by September 11, 1996, in preparing the final EA and in deciding whether to issue a finding of no significant impact or to prepare an environmental impact statement for the proposed sale. Comments sent after that date will be considered to the extent practicable.

Issued in Washington, D.C., this 7th day of August, 1996, for the United States Department of Energy.

Terry R. Lash,

Director, Office of Nuclear Energy, Science and Technology.

[FR Doc. 96–20424 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

Environmental Management Site-Specific Advisory Board, Oak Ridge Reservation

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Oak Ridge Reservation.

DATES: Wednesday, September 4, 1996, 6:00 pm–9:00 pm.

ADDRESSES: Oak Ridge Inn (formerly Holiday Inn), 420 South Illinois Avenue, Oak Ridge, Tennessee

FOR FURTHER INFORMATION CONTACT: Sandy Perkins, Site-Specific Advisory Board Coordinator, Department of Energy Oak Ridge Operations Office, 105 Broadway, Oak Ridge, TN 37830, (423) 576–1590.

SUPPLEMENTARY INFORMATION:

Purpose of the Board: The purpose of the Board is to make recommendations to DOE and its regulators in the areas of environmental restoration, waste management, and related activities.

Tentative Agenda:

August Meeting Topics

This meeting will be a business meeting with no technical presentations planned. The Board will be working on the 1996 Self Evaluation and its Annual Report.

Public Participation: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Sandy Perkins at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments.

Minutes: The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E–190, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available at the Department of Energy's Information Resource Center at 105 Broadway, Oak Ridge, TN between 8:30 am and 5:00 pm on Monday, Wednesday, and Friday; 8:30 am and 7:00 pm on Tuesday and Thursday; and 9:00 am and 1:00 pm on Saturday, or by writing to Sandy Perkins, Department of Energy Oak Ridge Operations Office, 105 Broadway, Oak Ridge, TN 37830, or by calling her at (423) 576–1590.

Issued at Washington, DC on August 6, 1996.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96–20422 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

Environmental Management Site-Specific Advisory Board, Pantex Plant, Amarillo, Texas

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) notice is hereby given of the following Advisory Committee meeting: Environmental Management Site-Specific Advisory Board (EM SSAB), Pantex Plant, Amarillo, Texas.

DATES AND TIMES: Tuesday, August 27, 1996: 1:00 p.m.–6:00 p.m.

ADDRESSES: Boatmen's First National Bank, Centennial Room, 8th and Fillmore, Amarillo, Texas.

FOR FURTHER INFORMATION CONTACT: Tom Williams, Program Manager, Department of Energy, Amarillo Area Office, P.O. Box 30030, Amarillo, TX 79120 (806) 477–3121.

SUPPLEMENTARY INFORMATION:

Purpose of the Committee: The Board provides input to the Department of Energy on Environmental Management strategic decisions that impact future use, risk management, economic development, and budget prioritization activities.

Tentative Agenda

1:00 pm Welcome—Introductions—Approval of Minutes
1:10 pm Co-Chairs' Comments
1:20 pm Core Values Assessment Results, Dr. Mark Somma
1:50 pm Subcommittee Reports
—Policy and Personnel, 2nd reading for by-law change
—Nominations, 1st reading for Stella Devers' nomination
—Budget and Finance, FY97 budget
2:10 pm Task Force Reports
—Environmental Restoration
2:15 pm Well Discussion
3:15 pm Break
3:25 pm Safety and Voluntary Protection Program
—Frank George and Dick Watkins
4:25 pm Defense Nuclear Facilities Safety Board Report, Jim McConnell
4:40 pm Vulnerability Update, Gerald Johnson
5:10 pm Updates
—Elena Capsuto, Texas Department of Health
—Paul Sowa, Fatality Final Report
—Occurrence Reports—DOE
5:55 pm Closing Comments
6:00 pm Adjourn

**Public comment will be invited throughout the meeting.

Public Participation: The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Written comments will be accepted at the address above for 15 days after the date of the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Tom Williams' office at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments.

Minutes: The minutes of this meeting will be available for public review and copying at the Pantex Public Reading Rooms located at the Amarillo College Lynn Library and Learning Center, 2201 South Washington, Amarillo, TX phone (806) 371–5400. Hours of operation are from 7:45 am to 10:00 pm, Monday through Thursday; 7:45 am to 5:00 pm on Friday; 8:30 am to 12:00 noon on Saturday; and 2:00 pm to 6:00 pm on Sunday, except for Federal holidays. Additionally, there is a Public Reading Room located at the Carson County Public Library, 401 Main Street, Panhandle, TX phone (806) 537–3742. Hours of operation are from 9:00 am to 7:00 pm on Monday; 9:00 am to 5:00 pm, Tuesday through Friday; and closed Saturday and Sunday as well as Federal Holidays. Minutes will also be available

by writing or calling Tom Williams at the address or telephone number listed above.

Issued at Washington, DC, on August 6, 1996.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96–20423 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

Office of Civilian Radioactive Waste Management; Safe Transportation and Emergency Response Training; Technical Assistance and Funding

AGENCY: Office of Civilian Radioactive Waste Management, Department of Energy.

ACTION: Notice extending comment period.

SUMMARY: On Thursday, May 16, 1996, the Department of Energy (the Department) published a Notice of proposed policy and procedures (61 FR 24772) that set forth its plans for implementing a program of technical and financial assistance to states for training public safety officials of appropriate units of local government and to Indian tribes through whose jurisdiction the Department plans to transport spent nuclear fuel or high-level radioactive waste. The training would cover both safe routine transportation procedures and emergency response procedures as directed in Section 180(c) of the Nuclear Waste Policy of Act of 1982, as amended, (42 U.S.C. 10101 *et seq.*). The comment period for this Notice of proposed policy and procedures was scheduled to close on August 15, 1996.

Today's notice announces a 45-day extension of the comment period on the proposed policy statement discussed in the Notice. The Department is taking this action in response to requests for an extension of the comment period.

DATES: Written comments should be sent to the Department and must be received on or before September 30, 1996.

ADDRESSES: Written comments should be directed to: Corinne Macaluso, U.S. Department of Energy, c/o Lois Smith, TRW Environmental Safety Systems, Inc., 600 Maryland Avenue, S.W., Suite 695, Washington, D.C. 20024, ATTN.: Section 180(c) Comments.

Persons submitting comments should include their names and addresses. Receipt of comments in response to the Notice will be acknowledged if a stamped, self-addressed postal card or envelope is enclosed.

FOR FURTHER INFORMATION CONTACT: For further information on the transportation of spent nuclear fuel and high-level radioactive waste under the Nuclear Waste Policy Act, please contact: Ms. Corinne Macaluso, Environmental and Operational Activities, Office of Civilian Radioactive Waste Management, (RW–45), U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Telephone: 202–586–2837.

Information packets are available for interested persons who want background information about the Office of Civilian Radioactive Waste Management transportation program and the Section 180(c) program prior to providing comments. To receive an information packet, please call 1–800–225–NWPA (or call 202–488–6720 in Washington, D.C.) or write to the National Information Center, 600 Maryland Avenue, S.W., Suite 695, Washington, D.C. 20026 or the Yucca Mountain Science Center, 4101B Meadows Lane, Las Vegas, Nevada 89107.

Copies of comments received will be available for examination and may be photocopied at the Department's Public Reading Room at 1000 Independence Avenue, S.W., Room 1E–190, Washington, D.C.

Issued in Washington, D.C., on August 6, 1996.

Lake Barrett,

Deputy Director, Office of Civilian Radioactive Waste Management.

[FR Doc. 96–20419 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

Office of Energy Research

Health and Environmental Research Advisory Committee

AGENCY: Office of Energy Research, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770), notice is given of a meeting of the Health and Environmental Research Advisory Committee.

DATES: Tuesday, September 10, 1996, 9:00 a.m. to 5:00 p.m.; and Wednesday, September 11, 1996, 9:00 a.m. to 12:00 p.m.

ADDRESSES: Holiday Inn-Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland 20815.

FOR FURTHER INFORMATION CONTACT: Dr. Benjamin Barnhart, Designated Federal Official, Health and Environmental Research Advisory Committee, U.S. Department of Energy, ER–70, GTN, Germantown, Maryland 20874, Telephone Number: 301–903–3683.

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: To provide advice on a continuing basis to the Director of Energy Research of the Department of Energy on the many complex scientific and technical issues that arise in the development and implementation of the health and environmental research program.

Tentative Agenda

Tuesday, September 10, 1996, and Wednesday, September 11, 1996

- Welcome Remarks
- Opening of Meeting
- Remarks by the Director of the Office of Energy Research
- Office of Health and Environmental Research Program Overview: Scope, Issues, Budget
- Review of Office of Health and Environmental Research Programs
- Review of Subcommittee Activities
- New Business
- Public Comment (10-minute rule)

Public Participation: The two-day meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Benjamin Barnhart at the address or telephone number listed above. Requests to make oral statements must be received five days prior to the meeting; reasonable provision will be made to include the statement in the agenda. The Chairperson of the Committee is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business.

Transcripts: The transcript of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, IE–190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays.

Issued in Washington, D.C. on August 7, 1996.

Rachel M. Samuel,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96–20421 Filed 8–9–96; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

Proposed Information Collection and Request for Comments (FERC Form No. 423)

August 6, 1996.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed information collection and request for comments.

SUMMARY: In compliance with the requirements of Section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

DATES: Consideration will be given to comments submitted on or before October 11, 1996.

ADDRESSES: Copies of the proposed collection of information can be obtained from and written comments may be submitted to the Federal Energy Regulatory Commission, Attn: Michael P. Miller, Information Services Division, ED–12.4, 888 First Street, N.E., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Michael P. Miller may be reached by telephone at (202) 208–1415, by fax at (202) 273–0873, and by e-mail at mmiller@ferc.fed.us.

SUPPLEMENTARY INFORMATION: The information collected under the requirements of FERC Form No. 423 ''Monthly Report of Cost and Quality of Fuels for Electric Plants'' (OMB No. 1902–0024) is used by the Commission to implement the statutory provisions of Section 205 of the Federal Power Act (FPA), 16 U.S.C. 824d as amended by Section 208 of the Public Utilities Regulatory Policies Act (PURPA). Under Section 205, the Commission is required to conduct a review every two years of utility fuel procurement practices under automatic adjustment clauses to assure economic purchase of fuels. Most jurisdictional utilities include in their wholesale rate structures automatic fuel adjustment clauses or other automatic clauses under which changes in fuel costs are permitted to be passed on to customers as they occur, without the regulatory review that would occur with the filing of new rates. Section 205 of the FPA also includes the requirement that such rates be just and reasonable. To determine just and reasonable rates for electric service it is necessary to investigate and analyze the various costs, including fuel costs, incurred in providing the service. The Commission implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR Part 141.61.

Action: The Commission is requesting a three-year extension of the current expiration date, with no changes to the existing collection of data.

Burden Statement: Public reporting burden for this collection is estimated as:

Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1)×(2)×(3)
735	12	2	17,640

Estimated cost burden to respondents: 17,640 hours/2,087 hours per year × $102,000 per year=$862,137.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology *e.g.* permitting electronic submission of responses.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20435 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[FERC–585]

Proposed Information Collection and Request for Comments

August 7, 1996.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notice of proposed information collection and request for comments.

SUMMARY: In compliance with the requirements of Section 3506(c)(2)(a) of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), the Federal Energy Regulatory Commission (Commission) is soliciting public comment on the specific aspects of the information collection described below.

DATES: Consideration will be given to comments submitted on or before October 11, 1996.

ADDRESSES: Copies of the proposed collection of information can be obtained from and written comments may be submitted to the Federal Energy Regulatory Commission, Attn: Michael P. Miller, Information Services Division, ED–12.4, 888 First Street N.E., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Michael P. Miller may be reached by telephone at (202) 208–1415, by fax at

(202) 273–0873, and by e-mail at mmiller@ferc.fed.us.

SUPPLEMENTARY INFORMATION:

Abstract: The information collected under the requirements of FERC–585 ''Reporting of Electric Energy Shortages and Contingency Plans under PURPA 206'' (OMB No. 1902–0138) is used by the Commission to implement the statutory provisions of Sections 206 of the Public Utility Regulatory Policies Act of 1979 (PURPA) Pub. L. 95–617, 92 Stat. 3117 added to the Federal Power Act (FPA) Section 202, subsection (g). FPA Section 202(g) requires the Commission to establish rules requiring each public utility to report to FERC and appropriate State regulatory authorities any anticipated shortage of electric energy or capacity which would affect the utility's ability to serve its wholesale customers; and submit to the Commission and the appropriate State regulatory authority, and periodically revise contingency plans respecting shortages of electric energy or capacity which would equitably accommodate service to both direct retail customers and those served by utilities supplied at wholesale by the public utility.

The Commission uses the information to evaluate and formulate appropriate options for action in the event an anticipated shortage is reported and/or materializes. The Commission implements these filing requirements in the Code of Federal Regulations (CFR) under 18 CFR Part 294

Action: The Commission is requesting a three-year extension of the current expiration date, with no changes to the existing collection of data

Burden Statement: Public reporting burden for this collection is estimated as:

Number of respondents annually (1)	Number of responses per respondent (2)	Average burden hours per response (3)	Total annual burden hours (1)×(2)×(3)
6	1	76	456

Estimated cost burden to respondents: 456 hours/2,087 hours per year × $102,00 per year = $22,287.

The reporting burden includes the total time, effort, or financial resources expended to generate, maintain, retain, disclose, or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

The estimate of cost for respondents is based upon salaries for professional and clerical support, as well as direct and indirect overhead costs. Direct costs include all costs directly attributable to providing this information, such as administrative costs and the cost for information technology. Indirect or overhead costs are costs incurred by an organization in support of its mission. These costs apply to activities which benefit the whole organization rather than any one particular function or activity.

Comments are invited on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology *e.g.* permitting electronic submission of responses.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20442 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–328–000]

ANR Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 1, 1996, ANR Pipeline Company (ANR), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1 and Original Volume No. 2 the following tariff sheets:

Second Revised Volume No. 1
Fourteenth Revised Sheet No. 17
Original Sheet No. 212
Original Sheet No. 213
Original Volume No. 2
Seventh Revised Sheet No. 14

ANR states that the referenced tariff sheets are being submitted pursuant to ANR's approved Order No. 528 cost recovery settlement to implement partial recovery of approximately $0.65 million of additional buyout/buydown costs, in part by a fixed monthly charge applicable to ANR's customers, and in part by a volumetric buyout/buydown surcharge of $0.0002 per dth applicable to all throughout.

ANR states that this filing is being made pursuant to Article II of the Stipulation and Agreement filed by ANR on February 12, 1991 in Docket Nos. RP91–33–000 and RP91–35–0000, as approved by the Commission on March 1, 1991. ANR has requested that the Commission accept the tendered tariff sheets to become effective September 1, '996. ANR states that it intends to commence billing of the proposed fixed monthly charges and volumetric surcharge in October, 1996 for September, 1996 business.

ANR states that all of its Volume Nos. 1 and 2 customers and interested State Commissions have been apprised of this filing.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with 18 CFR 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in § 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are

available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20401 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–326–000]

Columbia Gas Transmission Corporation; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 1, 1996, Columbia Gas Transmission Corporation (Columbia) tendered the filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheets to become effective September 1, 1996.

Original Sheet No. 99G
Original Sheet No. 99H

Columbia states that the instant filing is being submitted pursuant to Article VII, Section C, Accrued-But-Not-Paid Gas Costs, of the ''Customer Settlement'' in Docket No. GP94–02, *et al.*, approved by the Commission on June 15, 1995 (71 FERC ¶ 61,337 (1995)). The Customer Settlement became effective on November 28, 1995, when the Bankruptcy Court's November 1, 1995 order approving Columbia's Plan of Reorganization became final. Under the terms of Article VII, Section C, Columbia is entitled to recover amounts for Accrued-But-Not-Paid Gas Costs. As directed by Article VII, Section C, the tariff sheets contained herein are being filed in accordance with Section 39 of the General Terms and Conditions of the Tariff, to direct bill the Accrued-But-Not-Paid Gas Costs that have been paid subsequent to November 28, 1995. The instant filing reflects Accrued-But-Not-Paid Gas Costs in the amount of $628,145.69 plus applicable FERC interest of $5,505.56. This is Columbia's third filing pursuant to Article VII, Section C, and Columbia reserves the right to make the appropriate additional filings pursuant to that provision. The allocation factors on Appendix F of the Customer Settlement were used as prescribed by Article VII, Section C.

Columbia also agrees to make available for this filing the data that it was required to provide in its June 13, 1996 compliance filing in Docket No. RP96–140–002 pursuant to a protective agreement.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20403 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP96–676–000]

Columbia Gas Transmission Corporation; Notice of Request Under Blanket Authorization

August 6, 1996.

Take notice that on July 29, 1996, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP96–676–000 a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to construct and operate an additional delivery point for interruptible transportation service, under Columbia's blanket certificate issued in Docket No. CP83–76–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Specifically, Columbia proposes to provide 12,000 Dth per day of gas service through the new point of delivery to Ohio Intrastate Gas Transmission Company for residential, commercial and industrial use. Columbia estimates the delivery point to cost $84,049.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20406 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–330–000]

Florida Gas Transmission Company; Notice of Proposed Changes In FERC Gas Tariff

August 6, 1996.

Take notice that on August 2, 1996, Florida Gas Transmission Company (FGT) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets to become effective September 2, 1996.

First Revised Sheet No. 14
First Revised Sheet No. 16
Second Revised Sheet No. 28
Second Revised Sheet No. 34
Third Revised Sheet No. 45
Third Revised Sheet No. 46
Third Revised Sheet No. 59
Fifth Revised Sheet No. 120
Third Revised Sheet No. 143
Third Revised Sheet No. 187
Third Revised Sheet No. 188A

FGT states that in the January 31, 1996, Policy Statement, the Commission outlined requirements for pipelines to implement negotiated/recourse rate programs whereby a pipeline and its shippers could mutually agree to rates other than those contained in the pipeline's tariff as long as all shippers had recourse to the Commission approved cost based tariff rates. In order to implement these programs, conforming changes are required to FGT's tariff. FGT states that it is filing herein to implement such conforming tariff changes.

FGT states that it has not negotiated any rates with customers which are outside of the maximum and minimum rate ranges contained in its tariff and is not filing at this time to implement any specific negotiated rate transactions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C., 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a motion to intervene. Copies

of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20409 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–327–000]

Koch Gateway Pipeline Company; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 1, 1996, Koch Gateway Pipeline Company (Koch Gateway) tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets to be effective September 1, 1996:

Twelfth Revised Sheet No. 20
Eleventh Revised Sheet No. 21
Twelfth Revised Sheet No. 22
Twelfth Revised Sheet No. 24

Koch Gateway states this filing is submitted as an application pursuant to Section 4 of the Natural Gas Act, 15 U.S.C. 717c (1988), and Part 154 of the Rules and Regulations Commission.

Koch Gateway states that it files the above tariff sheets to reduce its Account No. 858 surcharge as a result of Koch Gateway's expectation to complete its collection of one portion of this surcharge.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's regulations. All such motions or protest must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a Motion to Intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20402 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–331–000]

National Fuel Gas Supply Corporation; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 2, 1996, National Fuel Gas Supply Corporation (National Fuel) tendered for filing as part of its FERC Gas Tariff, the following tariff sheets with a proposed effective date of September 1, 1996:

Fourth Revised Sheet No. 211
Original Sheet No. 211A

National Fuel states that this filing reflects proposed changes to National Fuel's Firm and Interruptible Rate Schedules to provide options for customers to purchase storage and/or transportation service at negotiated rates, with the recourse rates being the existing rates for the same class of service.

National Fuel requests the Commission waive its Regulations, to the extent necessary, to permit the proposed tariff sheets to become effective on September 1, 1996. In this regard, National Fuel states in its Policy Statement, the Commission declared that it does not intend to suspend negotiated rate filings and will grant waiver of the 30-day notice requirement. *Statement of Policy and Request for Comments,* 74 FERC ¶ 61,076 (1996) at 61,241–42.

In the event the Commission elects to suspend the tariff sheets, pursuant to Section 154.7(a)(9), National Fuel states that its intention that such tariff sheets be moved into effect at the end of the applicable suspension period.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Rule 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20408 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–329–000]

NorAm Gas Transmission Company; Notice of Proposed Changes in FERC Tariff

August 6, 1996.

Take notice that on August 1, 1996, NorAm Gas Transmission (NGT) tendered for filing to become part of its FERC Gas Tariff, Fourth Revised Volume No. 1, the following tariff sheets, with an effective date of September 1, 1996:

Third Substitute Fourth Revised Sheet No. 13

NGT stated that the purpose of this filing was to adjust NGT's rates to reflect $4,321,962 of gas supply realignment costs, plus applicable interest, pursuant to Section 23.2 of the General Terms and Conditions of its Tariff. NGT stated that this filing includes the cost of terminating or revising gas supply contracts pursuant to certain settlement agreements with its suppliers.

NGT stated that copies of its filings have been mailed to all of its affected customers and the State Commissions of Arkansas, Louisiana, Oklahoma, and Texas.

Any person desiring to be heard or to protest the subject filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.211 and 385.214 of the Commission's Rules of Practice and Procedure 18 CFR 385.211 and 385.214. All such motions or protests must be filed as provided in § 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and available for public inspection, with the exception of that portion for which NGT requested privileged treatment.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20400 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP96–279–001]

Texas Eastern Transmission Corporation; Notice of Compliance Filing

August 6, 1996.

Take notice that on August 1, 1996, Texas Eastern Transmission Corporation (Texas Eastern) tendered for filing

detailed information showing how Texas Eastern developed the compressor fuel projections contained in its Interim ASA filing of June 18, 1996 in Docket No. RP96–279–000.

Texas Eastern asserts that the purpose of this filing is to comply with the Commission's order issued July 17, 1996 in Docket No., RP96–279–000.

Texas Eastern states that the compressor fuel projections were developed by using a linear regression analysis model designed to forecast compressor fuel consumption for Texas Eastern's system. Texas Eastern also states that the ultimate test of a projection model is the comparison of the projections developed to the actual results experienced and that the month of June 1996 actual compressor fuel has already proven to be within 3% tolerance of its projection.

Texas Eastern states that copies of the filing were served on all parties in Docket No. RP96–279–000. The July 17, Order provides that parties are permitted to file comments within 15 days of the filing.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with 18 CFR 385.214 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20404–Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. TM96–6–30–000]

Trunkline Gas Company; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 1, 1996, Trunkline Gas Company (Trunkline) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, revised tariff sheets, listed on Appendix A of its filing to become effective September 1, 1996.

Trunkline states that this filing is being made in accordance with Section 23 (Miscellaneous Revenue Flowthrough Surcharge Adjustment) of the General Terms and Conditions of Trunkline's FERC Gas Tariff, First Revised Volume No. 1.

Trunkline states that pursuant to Section 23 of the General Terms and Conditions, the value of retained unauthorized gas and scheduling penalties collected from affiliates and excess revenues received over costs incurred under Trunkline's cash-out provisions for the twelve months ended May 31, 1996 is negative. Accordingly, there will be no Section 23 adjustment in effect for the period September 1, 1996 through August 31, 1997.

Trunkline further states that filing copies of this filing are being served on all affected customers and applicable state regulatory agencies.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with 18 CFR 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20407 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. MT96–22–000]

Williams Natural Gas Company; Notice of Proposed Changes in FERC Gas Tariff

August 6, 1996.

Take notice that on August 1, 1996, Williams Natural Gas Company (WNG) tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheet to be effective September 1, 1996:

Second Revised Sheet No. 221

WNG states that this filing is being made to update WNG's tariff in compliance with 18 CFR Part 250.16(b)(1), which requires an interstate natural gas pipeline to report any changes which occur to the list of operating personnel and facilities shared by the interstate natural gas pipeline and its marketing or brokering affiliates.

WNG states that a copy of its filing was served on all jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest this filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,

Secretary.

[FR Doc. 96–20405 Filed 8–9–96; 8:45am]

BILLING CODE 6717–01–M

[Docket No. RM95–3–000]

Filing and Reporting Requirements for Interstate Natural Gas Company Rate Schedules and Tariffs; Notice of Revised Natural Gas Pipeline Company Electronic Tariff Filing Instructions

August 6, 1996.

On September 28, 1995, the Federal Energy Regulatory Commission (Commission) issued Order No. 582, (the rule) amending part 154 of the Commission's regulations under the Natural Gas Act.[1] The changes wrought by the rule include modifications to the Commission's electronic filing requirements, including changes to the instructions for filing tariff sheets electronically. The electronic tariff sheet instructions adopted by the rule included, on the title page, all valid Office of Management and Budget (OMB) control numbers applicable to the filing of tariff sheets. OMB control number 1902–0154 expired June 30, 1996. Recently, OMB extended the expiration date for OMB control number 1902–0154 to June 31, 1997.

A respondent will not be penalized for failure to respond to a collection of information unless the collection of information displays a valid OMB

[1] Filing and Reporting Requirements for Interstate Natural Gas Companies Rate Schedules and Tariffs, Order No. 582, 60 FR 52960 (October 11, 1995), 72 FERC ¶ 61,300 (1995).

control number.[2] The title page of the electronic tariff filing instructions attached at Appendix A is revised to display the new expiration date for OMB control number 1902–0154. No other changes to the instructions have been made.

Lois D. Cashell,

Secretary.

Appendix A—Natural Gas Pipeline Company Tariff Filings Revised

Docket No. RM95–3–001

OMB Numbers/Expiration Date

1902–0066—5/31/97
1902–0070—5/31/97
1902–0152—5/31/97
1902–0153—5/31/97
1902–0154—5/31/97
1902–0155—5/31/97

This document replaces the Tariff Filing Record Formats issued August 31, 1989.

[FR Doc. 96–20434 Filed 8–9–96; 8:45 am]

BILLING CODE 6717–01–M

[2] A more extensive discussion of the significance of the OMB control number can be found in 75 FERC ¶ 61,106 (1996).

ENVIRONMENTAL PROTECTION AGENCY

[FRL 5551–2; (ICR # 1520.01 and OMB # 2070–0110)]

Agency Information Collection Activities Up for Renewal

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) for Recall of Suspended and Canceled Pesticides is coming up for renewal. Before submitting the renewal package to the Office of Management and Budget (OMB), EPA is soliciting comments on specific aspects of the collection as described below.

DATES: Comments must be submitted by October 11, 1996.

ADDRESSES: Office of Enforcement and Compliance Assurance, Office of Compliance, Agriculture and Ecosystems Division, Agriculture Branch (2225A), 401 M St., SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Phyllis Flaherty, Chief, Agriculture Branch, at 202–564–4131/fax: 202–564–0085 or David Stangel at 202–564–4162/fax: 202–564–0085.

SUPPLEMENTARY INFORMATION:

Affected Entities: This action affects registrants of suspended and canceled pesticides that are required to be recalled.

Title: Recall of Suspended and Canceled Pesticides (EPA Form No. 1520.01), OMB No. 2070–0110, Expiration Date: 9/30/96.

Abstract: Section 19(b) of the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) authorizes the Administrator to order the recall of suspended and canceled pesticides by the registrant of the pesticide and others in the chain of distribution of the pesticide. The information reported to the Agency will be used to ensure that the recalled pesticides were transported, handled and stored safely, for indemnification purposes, and to plan for Agency reimbursement for storage of the recalled pesticides.

Pesticides subject to suspension and cancellation actions have been found to cause unreasonable adverse effects. The Agency has a special interest mitigating the hazards posed by stocks of the pesticide, including requiring that they be removed from the channels of distribution and use by means of a recall. The Agency is also concerned that the recalled pesticide be transported, handled and stored safely pending final disposition of the recalled stocks. Finally, the Agency is concerned that the recalled pesticides undergo proper treatment, recovery, or disposal.

As part of the suspension and cancellation order, registrants of the pesticide in question will be requested to recall the suspended and canceled pesticide from the channels of distribution and, if necessary, from the users of the pesticide. As part of the recall, registrants will be requested to submit a report to the Administrator which indicates who was contacted in carrying out the recall, the quantity of suspended and canceled pesticide in their possession and where the recalled pesticide is being stored.

EPA will not require respondents to fill out specific forms. However, EPA will establish a format into which respondents should organize the required data. The specific data that will be requested are: (1) A plan for contacting holders of the suspended and canceled pesticide; (2) how the suspended and canceled pesticide will be transported to a storage facility; (3) the name and location of the storage facility chosen and the criteria used for choosing the facility; and (4) the quantity of suspended and canceled pesticide by EPA Registration Number, number of containers, container size (pounds or gallons as appropriate), total quantity (pounds or gallons as appropriate), for each discrete pesticide. Items 1, 2 and 3 would be provided prior to the recall taking place. Respondents will be requested to submit the information to the EPA Regional office having jurisdiction over the company headquarters.

Information that respondents are requested to collect and submit to the Agency will be used for a variety of purposes. The information will give the Agency an estimate of the amount of recalled pesticide being stored and allow the Agency to plan for reimbursement of storage costs. The Agency will also be better able to allocate resources for payment of indemnification claims to users of the suspended and canceled pesticide for losses suffered as a result of the suspension and cancellation as authorized by section 15 of FIFRA. Finally, the Agency will use the information for compliance purposes, determining where recalled pesticides are being stored, the quantity being stored at each location and the adequacy of the storage facility as determined through inspections. The information collected will enable the Agency to target inspections efficiently. The information collected will be used by EPA Regional and State pesticide compliance and enforcement staffs, the Office of Enforcement and Compliance Assurance and the Office of Pesticide Programs.

The EPA would like to solicit comments to: (i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Burden Statement

Burden Hours per Response: 40 hours per respondent which includes time for reading the Federal Register or Notice of Intent to Cancel, plan activities, create and gather information, process information, and record and report information.

Frequency of Response: As necessary. Burden estimates are based on one recall action per year.

Number of Respondents: 40 respondents per recall action.

Total Annual Reporting and Recordkeeping Burden: 1,600 hours.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purpose of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

No person is required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control number for EPA's regulations are displayed in 40 CFR Part 9.

Send comments regarding these matters, or any other aspect of the information collection, including suggestions for reducing the burden, to the address listed above.

Dated: August 5, 1996.

Elaine E. Stanley,

Director, Office of Compliance, Office of Enforcement and Compliance Assurance.

[FR Doc. 96–20461 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–U

[FRL–5551–6]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Requirements for Generators, Transporters, and Waste Management Facilities Under the RCRA Hazardous Waste Manifest System

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C.3501 *et seq.*),this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Requirements for Generators, Transporters, and Waste Management Facilities Under the RCRA Hazardous Waste Manifest System, ICR No. 801.11, OMB No. 2050–0039. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 11, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 801.11, OMB Control No. 2050–0039.

SUPPLEMENTARY INFORMATION

Title: Requirements for Generators, Transporters, and Waste Management Facilities Under the RCRA Hazardous Waste Manifest System, ICR No. 801.11, OMB No.2050–0039. This request is an extension of a currently approved collection.

Abstract: EPA's authority to require compliance with the manifest system stems primarily from RCRA § 3002(a)(5). This section mandates a hazardous waste manifest system to assure that all hazardous waste generated is designated for and arrives at the appropriate treatment, storage, disposal facility. An essential part of the manifest system is the Uniform Hazardous Waste Manifest (Form 8700–22A). The manifest is a tracking document that accompanies the waste from its generation site to its final disposition. The manifest lists the wastes that are being shipped and the final destination of the waste.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on April 1, 1996 (61 FR 14303); 8 comments were received.

Burden Statement: The reporting burden per response for this collection of information is estimated to average 25 minutes for generators, 10 minutes for transporters, and 10 minutes for treatment, storage and disposal facilities. The record keeping burden per response for this collection of information is estimated to average 6 minutes for generators, 6 minutes for transporters, and 6 minutes for treatment, storage and disposal facilities.

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Estimated Number of Respondents: 214,395 generators, 500 transporters, 739 TSDFs, and 31 States having manifest programs which collect data from waste handlers.

Frequency of Response: Annual Frequency of Response per Waste Handler is 341 for generators, 5,241 for Transporters, and 3,059 for TSDFs.

Estimated Total Annual Hour Burden: 2,822,873 hours.

Estimated Total Annualized Cost Burden: $1,292,772.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 801.11 and OMB Control No. 2050–0039 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460.

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: August 5, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96–20462 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5551–5]

Agency Information Collection Activities Under OMB Review; NSPS for Automobile and Light Duty Truck Surface Coating Operations (Subpart MM) OMB #2060–0034; EPA #1064.07

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C.

3507(a)(1)(D), this notice announces that the Information Collection Request (ICR) for Standards of Performance for New Stationary Sources—Automobile and Light Duty Truck Surface Coating Operations—Subpart MM) described below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before September 11, 1996.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260–2740, and refer to EPA ICR No. 1064.07.

SUPPLEMENTARY INFORMATION:

Title: Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations (Subpart MM) OMB Control No. 2060–0034; EPA ICR No. 1064.07). This is a request for extension of a currently approved collection.

Abstract: Owners/operators of automobile and light duty truck surface coating operations must notify EPA of construction, modification, startups, shut downs, date and results of initial performance test. Monitoring requirements specific to automobile and light duty truck surface coating operations consist of monitoring both VOC emissions and incineration temperatures.

In order to ensure compliance with the standards promulgated to protect public health, adequate reporting and recordkeeping is necessary. In the absence of such information enforcement personnel would be unable to determine whether the standards are being met on a continuous basis, as required by the Clean Air Act.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register Notice required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on September 29, 1995.

Burden Statement: The annual public reporting and recordkeeping burden for this collection of information is estimated to average 56 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: automobile and light duty truck surface coating operations.

Estimated Number of Respondents: 47.

Frequency of Response: 4.

Estimated Number of Responses: 182.

Estimated Total Annual Hour Burden: 2,635.3 hours.

Estimated Total Annualized Cost Burden: $0.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1064.07 and OMB Control No. 2060–0034 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, OPPE Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460.

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: August 6, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96–20463 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–U

[FRL–5551–4]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; ''1996 Metal Products and Machinery Industry Phase II Survey''

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: ''1996 Metal Products and Machinery (MP&M) Industry Phase II Survey'' (EPA ICR No. 1787.01). The ICR describes the nature of the information collection, the anticipated burden the data collection will create on recipient facilities, and the statistical sampling plan EPA will use to distribute the data collection instruments. The ICR also includes representative copies of the specific data collection instruments that will be distributed to the public.

DATES: Comments and requests for information must be received by EPA no later than September 11, 1996.

ADDRESSES: The public may contact Sandy Farmer at the EPA for a copy of ICR 1787.01. Ms. Farmer may be reached by mail at: U.S. EPA, OPPE Regulatory Information Division (Mail Code 2137), 401 M Street S.W., Washington, DC 20460; or by telephone at (202) 260–2740. The ICR will be available either as hard-copy or as electronic media (e.g., 1.44MB disks).

SUPPLEMENTARY INFORMATION:

Title: Information Collection Request for the 1996 Metal Products and Machinery Industry Phase II Survey (EPA ICR No. 1787.01). This is a new collection.

Abstract: The Metal Products and Machinery (MP&M) Phase II survey is intended to collect, from industry and other affected entities, the type of technical and economic information required by EPA to develop effluent limitations guidelines for MP&M Phase II activities. The MP&M Phase II activities include those operations performed at sites that manufacture, maintain, or repair metal products and machinery included in the following industry categories: motor vehicles (i.e., automotive industry activities—excluding automotive filling stations), bus & truck, railroad, office machines, household equipment, instruments (i.e., measurement and control instruments), precious metals, ships & boats, and other metal products (i.e., previously described as ''non-precious'' metals). Such entities may be privately owned or may be owned by the federal government or by state/local governments. In addition to the directly affected entities listed above, the EPA also plans to collect information related to the regulatory burden that would be created by implementation of a final MP&M Phase II rule on the state/local governmental authorities responsible for operating the affected publicly owned

treatment works (POTWs) and issuing permits.

EPA is required under Section 304(m) of the Clean Water Act (CWA) of 1987 (Federal Water Pollution Control Act, 33 U.S.C. 1314[m]) to promulgate new effluent limitations guidelines. As the result of a lawsuit by the Natural Resources Defense Council, Inc. (NRDC) and Public Citizen, Inc. (*NRDC et al* v. *Reilly*, Civ. No. 89–2980), a Consent Decree was entered by the Court on January 31, 1992 that established the schedule for promulgating numerous effluent limitations guidelines including the MP&M Phase II rule. Thus, EPA is required under a court order stemming from the CWA to promulgate the MP&M Phase II rule. Because this survey will be issued under authority of Section 308 of the CWA of 1987 (Federal Water Pollution Control Act, U.S.C. Section 1318), responses from the data collection survey instrument recipients are mandatory. The data collected from this survey will provide EPA with the technical and economic information required to effectively evaluate pollution control technologies and the economic achievability of the final rule. EPA will consider both technical performance and economic achievability (including cost effectiveness analyses of alternative pollution control technologies) when developing the final regulations.

An Agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15. The Federal Register notice announcing the impending submission of the MP&M Phase II Survey ICR to OMB, as required under the Paperwork Reduction Act's regulations at 5 CFR 1320.8(d), was published on December 12, 1995. Comments from the public regarding the December 12, 1995 announcement were received by the Agency. These comments, and EPA's responses, are presented as Appendix 6 in the MP&M Phase II Survey ICR.

Burden Statement: The one-time public reporting and recordkeeping burden for this collection of information is estimated to range from 1.7 to 208 hours per response, depending on the survey completed. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

The total nationwide public reporting and recordkeeping burden for this information collection is estimated to be 77,372 hours or $3,481,740. The nationwide burden will be distributed among the 5,735 survey respondents in accordance with the type of survey (or surveys) sent to each of the recipient sites. The majority of the sites will receive only the Industrial Screener Survey. Each of these sites will only have an estimated burden of 1.7 hours or $77. The sites that will experience the highest level of burden will receive the Industrial Screener Survey and the ''Long'' Comprehensive Industrial Survey. Only 275 sites will receive this combination of surveys. Each of these sites will have the burden of the screener survey and an estimated additional burden of 208 hours or $9,360 to complete the ''Long'' Comprehensive Industrial Survey.

EPA made every effort possible to reduce the national reporting burden associated with this data collection. EPA measured the reductions in burden by comparing the MP&M Phase I data collection (conducted from 1990 to 1992) burden with the burden estimated for the current data collection. EPA also examined the results from the already completed MP&M Phase I data collection and used these results to improve the MP&M Phase II survey documents. The following are examples of how EPA reduced the burden associated with the current data collection relative to the already completed MP&M Phase I effort:

1. EPA reduced the total number of Industrial Screener Surveys that will be mailed by 22% even though there are estimated to be 150% more MP&M Phase II sites than MP&M Phase I sites.

2. EPA developed a ''Short'' Comprehensive Industrial Survey instrument that will be sent to facilities discharging less than 1,000,000 gallons per year of processed wastewater. EPA anticipates that many of these low-flow sites will be small businesses. Based on a pretest, EPA found that the ''short'' industrial survey will require only 7.9 hours to complete, while the ''Long'' Comprehensive Industrial Survey will require 208 hours to complete. Thus, EPA is significantly reducing the burden on the recipients of the ''short'' industrial survey.

3. EPA estimates the total number of pages the public will have to complete to respond to the MP&M Phase II data collection will be 73% fewer than the total number of pages that were completed to respond to the MP&M Phase I survey effort.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1787.01 in any inquiry.

Ms. Sandy Farmer (Mail Code 2137), U.S. EPA, OPPE Regulatory Information Division, 401 M Street S.W., Washington, DC 20460.

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the EPA, 725 17th Street N.W., Washington, DC 20503.

Dated: August 2, 1996.

Joseph Retzer,

Director, Regulatory Information Division.

[FR Doc. 96–20464 Filed 8–9–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting; National Clearinghouse on Election Administration

In accordance with the provisions of the Federal Advisory Committee Act (5 U.S.C. App. I) and Office of Management and Budget Circular A–63, as revised, the Federal Election Commission announces the following Advisory Panel meeting.

Name: Federal Election Commission Election Administration Advisory Panel.

Date: 23–24 August 1996.

Place: ANA Hotel, 2401 M Street, NW., Washington, DC 20037.

Time:

0830–1200; 1330–1700 on August 23
0900–1200; 1300–1430 on August 24

Proposed Agenda

Use of the Internet by Election Officials; Progress in Computerizing Statewide Election Systems; NVRA Reporting Requirements; Important Changes in Federal Election Law; Commercializing Voter Registration; The Future of Polling Place Accessibility; Downsizing Election Operations.

Purpose of the Meeting

The Panel will present their views on problems in the administration of Federal

elections, and formulate recommendations to the Federal Election Commission Office of Election Administration for its future program development.

The Advisory Panel meeting is open to the public, dependent on available space. Any member of the public may file a written statement with the Panel before, during, or after the meeting. To the extent that time permits, the Panel Chair may allow public presentation or oral statements at the meeting.

All communications regarding the Advisory Panel should be addressed to Penelope Bonsall, Office of Election Administration, Federal Election Commission, 999 E Street NW, Washington, DC 20463.

Dated: August 8, 1996.

Marjorie W. Emmons,

Secretary to the Commission.

[FR Doc. 96–20638 Filed 8–8–96; 3:03 pm]

BILLING CODE 6715–01–M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, D.C. 20573.

Infiniti Shipping Inc., 1805 Stevens Avenue, Merrik, NY 11566, Officers: Clifford Edwin Serie, President, Paul Clifford Serie, Vice President

Demars International Export Import, 55–12 Broadway, Long Island City, NY 11106, Dean Dujmovic, Sole Proprietor

Elite Freight Forwarders Inc., 9 Ridgewood Avenue, Glen Ridge, NJ 07028, Officer: Percival Bramble, Jr., President

Dated: August 7, 1996.

Joseph C. Polking,

Secretary.

[FR Doc. 96–20418 Filed 8–9–96; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 5, 1996.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. Citizens Corporation, and Harrison Group, Inc., both of Franklin, Tennessee; to become bank holding companies by each acquiring 61 percent of the voting shares of Peoples State Bancshares, Inc., Grant, Alabama, and thereby indirectly acquire Peoples State Bank, Grant, Alabama.

In connection with this application, Citizens Corporation and Harrison Group, Inc., to engage directly in mortgage lending activities pursuant to § 225.25(b)(1) of the Board's Regulation Y, and to acquire Financial Data Technology, Inc., Franklin, Tennessee, and thereby engage in data processing activities pursuant to § 225.25(b)(7) of the Board's Regulation Y. These activities will be conducted throughout the State of Tennessee.

2. Colony Bankcorp, Inc., Fitzgerald, Georgia; to acquire 100 percent of the voting shares of Broxton State Bank, Broxton, Georgia.

3. First Bankshares of West Point, Inc., West Point, Georgia; to merge with Canebrake Bancshares, Inc., Uniontown, Alabama, and thereby indirectly acquire First State Bank of Uniontown, Uniontown, Alabama.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. First Banks, Inc., Creve Coeur, Missouri; to acquire 100 percent of the voting shares of Sunrise Bancorp, Inc., Roseville, California, and thereby indirectly acquire Sunrise Bank of California, Roseville, California.

2. LandMark Bancshares of Texas, Inc., Columbia, Missouri; to become a bank holding company by acquiring 100 percent of the voting shares of Itasca State Bank, Itasca, Texas.

3. The Landrum Company, Columbia, Missouri; to acquire 100 percent of the voting shares of LandMark Bancshares of Texas, Inc., Columbia, Missouri.

Board of Governors of the Federal Reserve System, August 6, 1996.

Jennifer J. Johnson

Deputy Secretary of the Board

[FR Doc. 96–20447 Filed 8–9–96; 8:45 am]

BILLING CODE 6210–01–F

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.25 of Regulation Y (12 CFR 225.25) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for

processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act, including whether consummation of the proposal can ''reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices'' (12 U.S.C. 1843). Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than August 26, 1996.

A. Federal Reserve Bank of Cleveland (R. Chris Moore, Senior Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. Mellon Bank Corporation, Pittsburgh, Pennsylvania; and The Chase Manhattan Corporation, New York, New York, to acquire through their joint venture ChaseMellon Shareholder Services, L.L.C., Ridgefield Park, New Jersey, certain assets relating to the shareholder service business of Wells Fargo Bank, N.A., San Francisco, California, and certain of its affiliated banks pursuant to § 225.25(b)(3) of the Board's Regulation Y. Comments regarding this application must be received by August 23, 1996.

B. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. Capitol Bankshares, Inc., Madison, Wisconsin; to engage *de novo* through its subsidiary Capitol Mortgage Corporation, Madison, Wisconsin, in making and servicing loans, pursuant to § 225.25(b)(1) of the Board's Regulation Y.

C. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. King Bancshares, Inc., Kingman, Kansas to engage *de novo* through its subsidiary, Western Credit, Inc., Hutchinson, Kansas, and thereby engage in making consumer finance loans pursuant to § 225.25(b)(1)(i) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, August 6, 1996.

Jennifer J. Johnson

Deputy Secretary of the Board

[FR Doc. 96–20448 Filed 8–9–96; 8:45 am]

BILLING CODE 6210–01–F

GENERAL SERVICES ADMINISTRATION

DEPARTMENT OF THE INTERIOR

National Park Service

NATIONAL CAPITAL PLANNING COMMISSION

Memorandum of Agreement Among the General Services Administration, the Department of the Interior—National Park Service and the National Capital Planning Commission

This Memorandum of Agreement (Memorandum) is entered into by and among the General Services Administration (GSA), the Department of the Interior—National Park Service (NPS), and the National Capital Planning Commission (NCPC) for the purpose of ensuring that development and redevelopment within the Pennsylvania Avenue area (as defined in 40 U.S.C. 871(f)) complies with the Pennsylvania Avenue Plan of 1974 (Plan), as amended, and the Pennsylvania Avenue Development Corporation's General Guidelines and Square Guidelines.

Whereas, Public Law 104–134 abolishes the Pennsylvania Avenue Development Corporation (PADC) as of April 1, 1996,

Whereas, Public Law 104–134 requires that all rights, title and interest in and to all property held in the name of the Pennsylvania Avenue Development Corporation be transferred to the General Services Administration or the Department of the Interior—National Park Service,

Whereas, Public Law 104–134 transfers PADC's responsibilities with respect to amending, completing, redeveloping, and ensuring compliance with the Plan to GSA and NCPC,

Whereas, GSA, NPS, and NCPC intend to encourage and facilitate the continued development of the Pennsylvania Avenue area in a manner that builds on and reinforces the past achievements of PADC in restoring Pennsylvania Avenue and its environs,

Whereas, GSA, NPS, and NCPC wish to work in partnership to ensure that the supervision of the Plan is carried out in a responsible and efficient manner and with appropriate public participation,

The Parties to This Memorandum Do Hereby Agree:

I. Property Development—If GSA decides to develop any property subject to the Plan, the following procedures shall apply:

A. GSA shall prepare (with the advice of NCPC) the Request for Proposals (RFP);

B. GSA shall convene a panel that shall include a representative from NCPC staff to review submitted proposals. The panel, before making its final determination, shall ensure that the selected proposal has been evaluated by a design committee assembled by GSA to ensure high quality building and urban design. The design committee shall include a representative from NCPC. Once GSA has made a selection, GSA shall transmit a copy of the selected proposal to NCPC prior to contract award. NCPC staff will have 10 calendar days to consider whether the proposed selection conforms to the Plan and the General and Square Guidelines. In this document, whenever a review period ends on a Saturday, Sunday or a legal holiday, the review shall conclude on the next day which is not a Saturday, Sunday or legal holiday.

1. If, within the 10 calendar day review period, NCPC staff informs GSA in writing that NCPC believes that the proposed selection conforms with the Plan, the General and Square Guidelines, GSA may proceed to contract award. Unless otherwise agreed, failure of NCPC to act within 10 calendar days shall be construed to mean that NCPC finds that the proposed selection conforms with the Plan, the General and Square Guidelines.

2. If, within the 10 calendar day review period, NCPC staff informs GSA that NCPC believes that the proposed selection does not conform with the Plan, the General and/or Square Guidelines, NCPC shall provide GSA with a written statement explaining NCPC's reasons for so concluding. GSA, upon consideration of NCPC's written statement may either:

a. Accept NCPC's view and either reject the proposal or require the selected offeror to submit a proposed amendment of the Plan, the General and/or Square Guidelines and follow the procedures set forth below in paragraphs I.C. (Plan amendment) and I.D. (General and Square Guidelines amendment), as appropriate, or

b. Work with NCPC staff to reconcile differences in view regarding the need for amendment of the Plan, the General

and/or Square Guidelines. If, after good faith efforts, no resolution is reached, GSA may reject NCPC's view and provide a written memorandum that explains GSA's reasons for rejecting NCPC's view and proceed to contract award.

C. If the proposal that GSA selects requires an amendment to the Plan, GSA shall transmit the selected offeror's proposal for Plan amendment (along with all relevant documentation) to NPS and NCPC for review and comment. GSA's selection of a proposal that will require Plan amendment and referral to NPS and NCPC shall constitute GSA support for Plan amendment.

1. Within 30 calendar days of receiving a proposal for a Plan amendment, NPS shall advise GSA and NCPC whether the proposed Plan amendment affects the Secretary of Interior's responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. If NPS determines that a proposed Plan amendment affects these responsibilities, NPS shall notify GSA and NCPC of its support of, recommended modifications to or opposition to the proposed Plan amendment from the standpoint of the compatibility of the Plan amendment with the Secretary's responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site. Unless otherwise agreed, GSA and NCPC may deem a failure of NPS to act within 30 calendar days as a determination that the proposal does not affect the Secretary of the Interior's responsibilities for the administration, protection, and development of the areas within the Pennsylvania Avenue National Historic Site.

2. Within 45 calendar days of receiving a proposal for a Plan amendment and after consideration by NCPC in public session, NCPC shall advise GSA of its views on the proposed Plan amendment. NCPC may support, recommend modification of or oppose the proposed amendment. Unless otherwise agreed, failure of NCPC to act within 45 calendar days shall be deemed acceptance of the proposed Plan amendment.

3. If NPS and NCPC support an amendment to the Plan or if GSA accepts the proposed modifications to the Plan amendment proposal, GSA shall transmit the proposed Plan amendment to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate. If after 60 legislative days, none of the committees has disapproved of the proposed amendment of the Plan, GSA shall amend the Plan, transmit a copy of the amendment to the Plan to NPS and NCPC, and award the contract.

4. If NPS and/or NCPC does not support amendment of the Plan or if GSA does not accept the proposed modifications to the Plan amendment proposal, GSA, NPS and NCPC will meet and attempt to reconcile their views. If no resolution can be reached, GSA may transmit the proposal for a Plan amendment to the Congressional committees named in paragraph I.C.3. In its submission to the Congressional committees, GSA shall include a written statement from NPS and/or NCPC explaining the reasons for opposing the proposal for Plan amendment and a written statement from GSA and, when appropriate, either NPS or NCPC explaining the reasons for supporting the Plan amendment. If after 60 legislative days, none of the committees has disapproved of the proposed amendment of the Plan, GSA shall amend the Plan, transmit a copy of the amendment to the Plan to NPS and NCPC, and award the contract.

D. If the proposal that GSA selects requires an amendment to the General and/or Square Guidelines, GSA shall transmit the selected offeror's proposal for amendment (along with all relevant documentation) to NCPC for review and comment. GSA's selection of a proposal that will require amendment of the General and/or Square Guidelines and referral to NCPC shall constitute GSA support for the proposed amendment. In considering amendments to the General and/or Square Guidelines, GSA and NCPC shall follow the same procedures and time frames that apply to proposals to amend the Plan (set forth above in I.C.) with the exception that proposed amendments to General and Square Guidelines need not be submitted either to NPS or to the Congressional committees named in paragraph I.C.3.

E. After a contract has been awarded, the selected developer shall work closely with GSA. All designs, drawings, schematics, legal documents or other documents associated with the project shall be submitted to GSA, unless otherwise specified in the contract.

II. Property Redevelopment (Major Modifications)—If a property owner wishes to redevelop property or make any renovations that will change the existing character or use of a building, structure, or site within the Plan area (including substantial remodeling, conversion, rebuilding, enlargement, extension, or major structural improvement of property, but not including ordinary maintenance or remodeling or changes necessary to continue occupancy):

A. The property owner shall submit its proposed redevelopment plan to GSA and NCPC in writing.

B. GSA shall make an initial determination of whether the proposal conforms to the Plan, the General and Square Guidelines.

1. If GSA believes that the proposal conforms to the Plan, the General and Square Guidelines, GSA shall notify NCPC of its determination. NCPC staff will have 10 calendar days to consider whether the proposal conforms to the Plan, the General and Square Guidelines. Unless otherwise agreed, failure of NCPC to act within 10 calendar days shall be considered agreement with GSA's view.

a. If within the 10 calendar day review period, NCPC staff informs GSA in writing that NCPC believes that the proposal will not require an amendment to the Plan, the General and/or Square Guidelines, GSA may approve the proposal.

b. If within the 10 calendar day review period, NCPC staff informs GSA that NCPC believes that the proposal will require amendment of the Plan, the General and/or Square Guidelines, NCPC shall provide GSA with a written statement explaining NCPC's reasons for concluding that an amendment is necessary. GSA, upon consideration of NCPC's written statement may, at its discretion, either:

(1) Accept NCPC's view and either reject the proposal or require the property owner to submit a proposed amendment to the Plan, the General and/or Square Guidelines (along with all relevant documentation) and follow the procedures set forth in paragraphs I.C. (Plan amendment) and I.D. (General and Square Guidelines amendment), or

(2) Work with NCPC staff to attempt to reconcile differences in view regarding the need for amendment of the Plan, the General and/or Square Guidelines. If, after good faith efforts, no resolution is reached, GSA may reject NCPC's view and approve the proposal. GSA shall provide to NCPC a written memorandum explaining its reasons for rejecting NCPC's view.

2. If GSA believes that the proposal will require amendment of the Plan, the General and/or Square Guidelines and GSA does not support the proposed amendment, the property owner may not proceed with the proposal. If GSA believes that the proposal will require an amendment of the Plan, the General

and/or Square Guidelines and GSA supports such an amendment, GSA shall transmit the proposal (along with all relevant documentation) to NCPC which shall follow the procedures described above in paragraphs I.C. (Plan amendment) and I.D. (General and Square Guidelines amendment), as appropriate. If GSA believes that the proposal will require an amendment of the Plan, GSA will also transmit the proposal (along with all relevant documentation) to NPS and follow the procedures described above in paragraph I.C. (Plan amendment).

III. Priority Redevelopment (Minor Modifications)—If a property owner wishes to make any modifications to a building, structure, or site within the Plan area that will not significantly change the existing character or use of the property (e.g., installation of awnings, outdoor cafe tables), the property owner shall notify GSA and NCPC in writing prior to applying for a D.C. building permit. If, within five calendar days after receiving notification from the property owner, NCPC staff does not notify GSA of its view that the proposed modification does not conform with the Plan, the General and/or Square Guidelines, GSA may proceed with its review of the proposal. If NCPC staff believes that the proposed modification will require an amendment to the Plan, the General and/or Square Guidelines, NCPC and GSA shall follow the procedures set forth in paragraph II.B.1.b. (Property Redevelopment—Major Modification). If GSA determines that the proposed change does not conform to the Plan, the General and/or Square Guidelines, GSA, NPS and NCPC shall follow the procedures set forth above in paragraphs I.C. (Plan amendment) and I.D. (General and Square Guidelines amendment), as appropriate.

IV. GSA Proposals for Plan, General and/or Square Guidelines Amendment—If GSA wishes to amend the Plan, the General and/or Square Guidelines:

A. GSA shall transmit a proposal to amend the Plan (along with all relevant documentation) to NPS and NCPC and follow the procedures set forth in paragraph I.C. Any proposals by GSA to amend the Plan shall be consistent with and respect the goals and objectives stated in Chapter 2 of the original 1974 Plan. These goals include, but are not limited to: Reinforcing Pennsylvania Avenue's role as the physical and symbolic link between the White House and the Capital; making Pennsylvania Avenue function as a bridge between the federal core and the city's downtown areas; encouraging residential as well as commercial occupancy of Pennsylvania Avenue; encouraging cultural activities along Pennsylvania Avenue; and maintaining a sense of historic continuity and evolution.

B. GSA shall transmit a proposal for an amendment to the General and/or Square Guidelines (along with all relevant documentation) to NCPC and follow the procedures set forth above in paragraph I.D.

V. NCPC Proposals for Plan, General and/or Square Guidelines Amendments—If NCPC wishes to amend the Plan, the General and/or Square Guidelines, NCPC shall transmit a proposal to NPS and GSA (along with all relevant documentation) for consideration. NPS and GSA shall have 45 calendar days to consider proposals for Plan amendment. GSA shall have 30 days to consider proposals for amendment of General and/or Square Guidelines.

A. If NPS and GSA accept NCPC's proposal for Plan amendment, GSA shall transmit the proposal to the Congressional committees named in paragraph I.C.3. If after 60 legislative days, none of the committees has disapproved of the proposed amendment of the Plan, GSA shall amend the Plan and transmit a copy of the amendment to the Plan to NPS and NCPC. If NPS and/or GSA does not accept NCPC's proposal for Plan amendment, NPS, GSA and NCPC shall work together to reconcile differences in view. If, after good faith efforts, no mutually acceptable resolution is reached, GSA may, at its discretion, take no further action with respect to the proposal or transmit the proposal for a Plan amendment to the Congressional committees named in paragraph I.C.3. along a written statement from NPS and/or GSA explaining the reasons for opposing NCPC's proposed Plan amendment and a written statement from NCPC explaining its reasons for supporting its proposed Plan amendment.

B. If GSA accepts NCPC's proposal for amendment of the General and/or Square Guidelines, GSA shall make the amendments and transmit a copy of the amendment to the General and/or Square Guidelines to NCPC. If GSA does not accept NCPC's proposal for amendment of the General and/or Square Guidelines, GSA shall work with NCPC staff to reconcile differences in view. If after good faith efforts, no resolution is reached, GSA may elect to take no further action with respect to the proposal.

VI. NPS Proposals for Plan Amendment—If NPS wishes to amend the Plan, it shall transmit a proposal to GSA and NCPC (along with all relevant documentation) for consideration. NCPC and GSA shall have 45 calendar days to consider NPS proposals for Plan amendment.

A. If NCPC and GSA accept NPS's proposal for Plan amendment, GSA shall transmit the proposal to the Congressional committees named in paragraph I.C.3. If after 60 legislative days, none of the committees has disapproved of the proposed amendment of the Plan, GSA shall amend the Plan and transmit a copy of the amendment to the Plan to NPS and NCPC. If NCPC and/or GSA does not accept NPS's proposal for Plan amendment, NPS, GSA and NCPC shall work together to reconcile differences in view. If, after good faith efforts, no mutually acceptable resolution is reached, GSA may, at its discretion, take no further action with respect to the proposal or transmit the proposal for a Plan amendment to the Congressional committees named in paragraph I.C.3. along with a written statement explaining NCPC and/or GSA's reasons for not supporting NPS's proposed Plan amendment and a written statement from NPS explaining its reasons for supporting its proposed Plan amendment.

VII. Review of Building Permits—NCPC staff shall review D.C. building permit applications for non-federal buildings and, where appropriate, certify to the D.C. government, prior to issuance of a building permit, that the work for which the building permit application has been made is not inconsistent with the Plan.

VIII. Savings Provision—Nothing in this agreement should be construed to alter or amend any of NCPC's previously existing responsibilities or authorities, including Section 5 of the National Capital Planning Act, 40 U.S.C. 71d or the Zoning Act, D.C. Code § 5–432, and all applicable NCPC submission requirements.

Dated: July 25, 1996.

General Services Administration.

William R. Lawson,

Assistant Regional Administrator, Public Buildings Service.

Dated: July 25, 1996.

National Capital Planning Commission.

Reginald W. Griffith,

Executive Director, National Capital Planning Commission.

Dated: July 24, 1996.

National Park Service, Department of the Interior.

Robert G. Stanton,

Field Director, National Capital Area, National Park Service, Department of Interior.

[FR Doc. 96–20454 Filed 8–9–96; 8:45 am]

BILLING CODE 6820–34–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 96N–0226]

Agency Information Collection Activities: Proposed Collection; Comment Request; Reinstatement

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995, Federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed reinstatement of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on requirements related to the recall of infant formula.

DATES: Submit written comments on the collection of information by October 11, 1996.

ADDRESSES: Submit written comments on the collection of information to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Charity B. Smith, Office of Information Resources Management (HFA–250), Food and Drug Administration, 5600 Fishers Lane, rm. 16B–19, Rockville, MD 20857, 301–827–1686.

SUPPLEMENTARY INFORMATION: Under the Paperwork Reduction Act of 1995 (the PRA), 44 U.S.C. 3501–3520, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. ''Collection of information'' is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the Federal Register concerning each proposed collection of information, including each proposed reinstatement of an existing collection of information before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information listed below.

With respect to the following collection of information, FDA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Infant Formula Recall Regulations—21 CFR 107.230, 107.240, 107.250, 107.260, 107.280 (OMB Control Number 0910–0188–Reinstatement)

Section 412(e) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 350a(e)) provides that if the manufacturer of an infant formula has knowledge that reasonably supports the conclusion that an infant formula processed by that manufacturer has left its control and may not provide the nutrients required in section 412(i) or is otherwise adulterated or misbranded, the manufacturer must promptly notify the Secretary of Health and Human Services (the Secretary). If the Secretary determines that the infant formula presents a risk to human health, the manufacturer must immediately take all actions necessary to recall shipments of such infant formula from all wholesale and retail establishments, consistent with recall regulations and guidelines issued by the Secretary. Section 412(f)(2) of the act states that the Secretary shall by regulation prescribe the scope and extent of recalls of infant formula necessary and appropriate for the degree of risk to human health presented by the formula subject to recall. FDA's infant formula recall regulations (part 107, subpart E (21 CFR part 107, subpart E)) implement these statutory provisions.

Section 107.230 requires each recalling firm to evaluate the hazard to human health, devise a written recall strategy, promptly notify each affected direct account (customer) about the recall, and furnish the appropriate FDA district office with copies of these documents. If the recalled formula presents a risk to human health, the recalling firm must also request that each establishment that sells the recalled formula post (at point of purchase) a notice of the recall and provide FDA with a copy of the notice. Section 107.240 requires the recalling firm to notify the appropriate FDA district office of the recall by telephone within 24 hours, to submit a written report to that office within 14 days, and to submit a written status report at least every 14 days until the recall is terminated. Before terminating a recall, the recalling firm is required to submit a recommendation for termination of the recall to the appropriate FDA district office and wait for written FDA concurrence (§ 107.250). Where the recall strategy or implementation is determined to be deficient, FDA may require the firm to change the extent of the recall, carry out additional effectiveness checks, and issue additional notifications (§ 107.260). In addition, to facilitate location of the product being recalled, the recalling firm is required to maintain distribution records for at least 1 year after the expiration of the shelf life of the infant formula (§ 107.280).

The reporting and recordkeeping requirements described above are designed to enable FDA to monitor the effectiveness of infant formula recalls in order to protect babies from infant formula that may be unsafe because of contamination or nutritional inadequacy or otherwise adulterated or misbranded. FDA uses the information collected under these regulations to help ensure that such products are quickly and efficiently removed from the market. If manufacturers were not required to provide this information to FDA, FDA's ability to ensure that recalls are conducted properly would be greatly impaired.

FDA estimates the burden of this collection of information as follows:

ESTIMATED ANNUAL REPORTING BURDEN

21 CFR Section	No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
107.230	.5	1	.5	4,500	2,250
107.240	.5	1	.5	1,482	741
107.250	.5	1	.5	120	60
107.260	.5	1	.5	650	325
Total				6,752	3,376

There are no capital costs or operating and maintenance costs associated with this collection.

No burden has been estimated for the recordkeeping requirement in § 107.280 because these records are maintained as a usual and customary part of normal business activities. Manufacturers keep infant formula distribution records for the prescribed period as a matter of routine business practice. Under 5 CFR 1320.3(b)(2), the time, effort, and financial resources necessary to comply with a collection of information are excluded from the burden estimate if the reporting, recordkeeping, or disclosure activities needed to comply are usual and customary because they would occur in the normal course of activities.

The reporting burden estimate is based on agency records, which show that there are five manufacturers of infant formula and that there have been three recalls in the last 6 years, or 0.5 recalls annually.

Dated: August 3, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96–20439 Filed 8–9–96; 8:45 am]

BILLING CODE 4160–01–F

[Docket No. 93F–0269]

Lonza, Inc.; Withdrawal of Food Additive Petition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the withdrawal, without prejudice to a future filing, of a food additive petition (FAP 3B4392) proposing that the food additive regulations be amended to provide for the safe use of didecyldimethylammonium chloride as a slimicide used in the manufacture of paper and paperboard intended to contact food.

FOR FURTHER INFORMATION CONTACT: Andrew J. Zajac, Center for Food Safety and Applied Nutrition (HFS–216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3095.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of August 24, 1993 (58 FR 44682), FDA announced that a food additive petition (FAP 3B4392) had been filed by Lonza, Inc., c/o Delta Analytical Corp., 7910 Woodmont Ave., suite 1000, Bethesda, MD 20814 (currently c/o Lewis & Harrison, 122 C St. NW., suite 740, Washington, DC 20001). The petition proposed to amend the food additive regulations in § 176.300 *Slimicides* (21 CFR 176.300) to provide for the safe use of didecyldimethylammonium chloride as a slimicide used in the manufacture of paper and paperboard intended to contact food. Lonza, Inc., has now withdrawn the petition without prejudice to a future filing (21 CFR 171.7).

Dated: July 19, 1996.

Alan M. Rulis,

Director, Office of Premarket Approval, Center for Food Safety and Applied Nutrition.

[FR Doc. 96–20437 Filed 8–9–96; 8:45 am]

BILLING CODE 4160–01–F

[Docket No. 96G–0264]

FMC Corp.; Filing of Petition for Affirmation of GRAS Status

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that FMC Corp. has filed a petition (GRASP 6G0418) proposing to affirm that the use of konjac flour is generally recognized as safe (GRAS) as an ingredient in human food.

DATES: Written comments by October 28, 1996.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Andrew D. Laumbach, Center for Food Safety and Applied Nutrition (HFS–217), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3071.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (secs. 201(s) and 409(b)(5) (21 U.S.C. 321(s) and 348(b)(5)) and the regulations for affirmation of GRAS status in § 170.35 (21 CFR 170.35), notice is given that FMC Corp., 1735 Market St., Philadelphia, PA 19103, has filed a petition (GRASP 6G0418) proposing that konjac flour be affirmed as GRAS for use as an ingredient in human food.

The petition has been placed on display at the Dockets Management Branch (address above).

Any petition that meets the requirements outlined in §§ 170.30 (21 CFR 170.30) and 170.35 is filed by the agency. There is no prefiling review of the adequacy of data to support a GRAS conclusion. Thus, the filing of a petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability for GRAS affirmation.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the Federal Register in accordance with 21 CFR 25.40(c).

Interested persons may, on or before October 28, 1996, review the petition and file comments with the Dockets Management Branch (address above). Two copies of any comments should be filed and should be identified with the docket number found in brackets in the heading of this document. Comments should include any available information that would be helpful in determining whether the substance is, or is not, GRAS for the proposed use. In addition, consistent with the regulations promulgated under the National Environmental Policy Act (40 CFR 1501.4(b)), the agency encourages public participation by review of and comment on the environmental assessment submitted with the petition that is the

subject of this notice. A copy of the petition (including the environmental assessment) and received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: July 9, 1996.

George H. Pauli,

Acting Director, Office of Premarket Approval, Center for Food Safety and Applied Nutrition.

[FR Doc. 96–20438 Filed 8–9–96; 8:45 am]

BILLING CODE 4160–01–F

Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). This notice also summarizes the procedures for the meeting and methods by which interested persons may participate in open public hearings before FDA's advisory committees.

FDA has established an Advisory Committee Information Hotline (the hotline) using a voice-mail telephone system. The hotline provides the public with access to the most current information on FDA advisory committee meetings. The advisory committee hotline, which will disseminate current information and information updates, can be accessed by dialing 1–800–741–8138 or 301–443–0572. Each advisory committee is assigned a 5-digit number. This 5-digit number will appear in each individual notice of meeting. The hotline will enable the public to obtain information about a particular advisory committee by using the committee's 5-digit number. Information in the hotline is preliminary and may change before a meeting is actually held. The hotline will be updated when such changes are made.

MEETING: The following advisory committee meeting is announced:

Food Advisory Committee

Date, time, and place. August 27 and 28, 1996, 8:15 a.m., Marriott Hotel–Metro Center, Grand Ballroom Salons A, B, and C, 775 12th St. NW., Washington, DC.

Type of meeting and contact person. Open committee discussion, August 27, 1996, 8:15 a.m. to 3 p.m.; open public hearing, 3 p.m. to 5 p.m., unless participation does not last that long; open committee discussion, August 28, 1996, 8:15 a.m. to 4 p.m.; Lynn A. Larsen, Center for Food Safety and Applied Nutrition (HFS–5), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4727, or Catherine M. DeRoever (address above), Advisory Committee Staff (HFS–22), 202–205–4251, FAX 202–205–4970, or FDA Advisory Committee Information Hotline, 1–800–741–8138 (301–443–0572 in the Washington, DC area), Food Advisory Committee, code 10564. Please call the hotline for information concerning any possible changes.

General function of the committee. The committee provides advice on emerging food safety, food science, and nutrition issues that FDA considers of primary importance in the next decade.

Agenda—Open public hearing. Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Those desiring to make formal presentations should notify the contact person by close of business August 21, 1996, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time required to make their comments. If necessary, comments may be limited to 5 minutes.

Open committee discussion. The Food Advisory Committee and the Ephedra Working Group will discuss the actions and recommendations made by the working group during its October 11 and 12, 1995, meeting. Additional information that has become available to FDA since that time will also be presented during the meeting. The committee will be asked to consider the original working group's recommendations in light of this new information.

Under 21 CFR 14.20 and 14.35, interested persons may submit written information or views on the matter(s) before the committee. Voluminous data are to be accompanied by a summary. Submissions must be made to the Executive Secretary and not directly to any committee members. Substantive submissions received at least 3 weeks prior to a meeting may be included in members' briefing materials; submissions received later will be distributed at the committee meeting. All submissions that include copyrighted materials must be accompanied by documented permission for duplication and distribution at no copyright expense to FDA.

At least 50 copies of each submission must be provided; sufficient additional copies may be requested by the agency for distribution to the public at a meeting. Fewer copies of voluminous submissions will be required; only summaries of such submissions will be provided to committee members, with complete copies of submissions being made available for circulation among committee members and for viewing by the public at a meeting.

More detailed information regarding the meeting agenda that may become available prior to the meeting will be provided to the public via the 800 number given above.

FDA public advisory committee meetings may have as many as four separable portions: (1) An open public hearing, (2) an open committee discussion, (3) a closed presentation of data, and (4) a closed committee deliberation. Every advisory committee meeting shall have an open public hearing portion. Whether or not it also includes any of the other three portions will depend upon the specific meeting involved. There are no closed portions for the meetings announced in this notice. The dates and times reserved for the open portions of each committee meeting are listed above.

The open public hearing portion of each meeting shall be at least 1 hour long unless public participation does not last that long. It is emphasized, however, that the 1 hour time limit for an open public hearing represents a minimum rather than a maximum time for public participation, and an open public hearing may last for whatever longer period the committee chairperson determines will facilitate the committee's work.

Public hearings are subject to FDA's guideline (subpart C of 21 CFR part 10) concerning the policy and procedures for electronic media coverage of FDA's public administrative proceedings, including hearings before public advisory committees under 21 CFR part 14. Under 21 CFR 10.205, representatives of the electronic media may be permitted, subject to certain limitations, to videotape, film, or otherwise record FDA's public administrative proceedings, including presentations by participants.

Meetings of advisory committees shall be conducted, insofar as is practical, in accordance with the agenda published in this Federal Register notice. Changes in the agenda will be announced at the beginning of the open portion of a meeting.

Any interested person who wishes to be assured of the right to make an oral presentation at the open public hearing portion of a meeting shall inform the contact person listed above, either orally or in writing, prior to the meeting. Any

person attending the hearing who does not in advance of the meeting request an opportunity to speak will be allowed to make an oral presentation at the hearing's conclusion, if time permits, at the chairperson's discretion.

The agenda, the questions to be addressed by the committee, and a current list of committee members will be available at the meeting location on the day of the meeting.

Transcripts of the open portion of the meeting may be requested in writing from the Freedom of Information Office (HFI–35), Food and Drug Administration, 5600 Fishers Lane, rm. 12A–16, Rockville, MD 20857, approximately 15 working days after the meeting, at a cost of 10 cents per page. The transcript may be viewed at the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857, approximately 15 working days after the meeting, between the hours of 9 a.m. and 4 p.m., Monday through Friday. Summary minutes of the open portion of the meeting may be requested in writing from the Freedom of Information Office (address above) beginning approximately 90 days after the meeting.

This notice is issued under section 10(a)(1) and (2) of the Federal Advisory Committee Act (5 U.S.C. app. 2), and FDA's regulations (21 CFR part 14) on advisory committees.

Dated: August 6, 1996.

David A. Kessler,

Commissioner of Food and Drugs.

[FR Doc. 96–20523 Filed 8–9–96; 8:45 am]

BILLING CODE 4160–01–F

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Closed Meeting

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following National Institute of Allergy and Infectious Diseases Special Emphasis Panel (SEP) meeting:

Name of SEP: Biostatistical Grant Application in Response to RFA 96–001, Pediatric AIDS Clinical Trails Group.
Date: September 9–11, 1996.
Time: 7:00 p.m.
Place: Hyatt Regency, Two Fountain Plaza, Buffalo, NY 14202, (716) 856–1234.
Contact Person: Dr. Madelon C. Halula, Scientific Review Adm., 6003 Executive Boulevard, Solar Bldg., Room 4C16, Bethesda, MD 20892, (301) 402–2636.
Purpose/Agenda: To evaluate scientific and technical merit of a grant application.

The meeting will be closed in accordance with the provisions set forth in Sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Programs Nos. 93.855, Immunology, Allergic and Immunologic Diseases Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health)

Dated: August 6, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–20392 Filed 8–9–96; 8:45 am]

BILLING CODE 4140–01–M

Division of Research Grants; Notice of Closed Meetings

Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following Division of Research Grants Special Emphasis Panel (SEP) meetings:

Purpose/Agenda: To review individual grant applications.
Name of SEP: Microbiological and Immunological and Sciences.
Date: August 13, 1996.
Time: 1:30 p.m.
Place: NIH, Rockledge 2, Room 4182, Telephone Conference.
Contact Person: Dr. William Branche, Jr., Scientific Review Administrator 6701 Rockledge Drive, Room 4182, Bethesda, Maryland 20892, (301) 435–1148.

Name of SEP: Biological and Physiological Sciences.
Date: August 16, 1996.
Time: 1:00 p.m.
Place: NIH, Rockledge 2, Room 4142, Telephone Conference.
Contact Person: Dr. Edmund Copeland, Scientific Review Administrator, 6701 Rockledge Drive, Room 4142, Bethesda, Maryland 20892, (301) 435–1715.

This notice is being published less than 15 days prior to the above meetings due to the urgent need to meet timing limitations imposed by the grant review and funding cycle.

Name of SEP: Clinical Sciences.
Date: November 4–6, 1996.
Time: 8:00 a.m.
Place: DoubleTree Hotel, Rockville, MD.
Contact Person: Dr. Gertrude McFarland, Scientific Review Administrator, 6701 Rockledge Drive, Room 4110, Bethesda, Maryland 20892, (301) 435–1284.

Name of SEP: Clinical Sciences.
Date: December 9, 1996.
Time: 8:00 a.m.
Place: DoubleTree Hotel, Rockville MD.
Contact Person: Dr. Gertrude McFarland, Scientific Review Administrator, 6701 Rockledge Drive, Room 4110, Bethesda, Maryland 20892, (301) 435–1284.

The meetings will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93,893, National Institutes of Health, HHS)

Date: August 6, 1996.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 96–20393 Filed 8–9–96; 8:45 am]

BILLING CODE 4140–01–M

Office of Research on Women's Health; Notice of Meeting—''Beyond Hunt Valley: Research on Women's Health for the 21st Century''

Notice is hereby given that the Office of Research on Women's Health, Office of the Director, National Institutes of Health, will convene a meeting on September 25, 26, and 27, 1996, at the DoubleTree Hotel Philadelphia, Broad Street at Locust, Philadelphia, Pennsylvania.

The purpose of the meeting is to update the current biomedical and behavioral research agenda for women's health, as presented in the Report of the National Institutes of Health: Opportunities for Research on Women's Health, a publication based on a conference held in Hunt Valley, Maryland, September, 1991.

The first day, September 25, from 1:00 to 6:00 p.m., will be devoted to receiving public testimony from individuals representing organizations interested in biomedical and behavioral research on women's health issues. On September 26 and 27, concurrent working groups will discuss areas of science particularly relevant to women's health with attention to research design, health impact of collaborative and multidisciplinary research efforts, and issues of importance to young investigators. The meeting of September 26 will be from 9:00 a.m. to 5:30 p.m., and that of September 27 from 9:30 a.m. to approximately 3:30 p.m. All sessions of the meeting are open to the public.

Experts in fields of basic and clinical science; practitioners interested in women's health; representatives of scientific, professional and women's health organizations; and women's

health advocates will be asked to assess the current status of research in women's health in several defined areas, to identify gaps in existing knowledge, and to recommend scientific approaches and strategies to take advantage of promising opportunities for research on women's health. The conference will focus on scientific issues such as cardiovascular biology/vascular biology, neuroscience, immunology, infectious diseases and emerging infections, mental and addictive disorders, population science and health outcomes, reproductive health, and cancer. Other topics will focus on the conduct of research on women's health, including design strategies, and methods, and special issues for young investigators.

In the opening portion of the meeting devoted to public testimony, the Office of Research on Women's Health is inviting individuals representing organizations with an interest in research areas related to women's health to provide written and oral testimony on these topics:

1. Continuing or Emerging Gaps in Knowledge About Women's Health
2. Successful Models for the Recruitment, Retention, Reentry, and/or Advancement of Women in Biomedical Careers

Due to time constraints, only one representative from each organization may present oral testimony, with presentations limited to 10 minutes. A letter of intent to present such testimony should be sent by interested individuals and organizations to Ms. Kim Zink, Houston Associates, 1010 Wayne Avenue, Suite 1200, Silver Spring, MD 20910. Date of receipt of the letter will establish the order of presentation at the September meeting.

Presenters should send three (3) written copies of their testimony, including a brief description of their organization, to the above address no later than September 9, 1996.

Individuals and organizations wishing to provide written statements only may send three (3) copies of their statements to the above address by September 9, 1996. All written testimony will be made available to the conferees prior to the September 26 meeting day. Comments and questions related to the September meeting should be addressed to Ms. Zink.

This meeting is the first of three regional public hearings and scientific workshops of similar design to be convened by the Office of Research on Women's Health. At the conclusion of this series of meetings, the Office of Research on Women's Health will convene a national meeting to address the deliberations and recommendations from the regional public hearings and scientific workshops for the purpose of developing a report on priorities for research on women's health for the 21st Century.

Dates and locations for future regional meetings will be announced.

Dated: August 3, 1996.

Ruth L. Kirschstein,

Deputy Director, NIH.

[FR Doc. 96–20394 Filed 8–9–96; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF THE INTERIOR

Office of the Assistant Secretary Water and Science

Central Utah Project Completion Act

Notice of Intent to Negotiate a Contract between the Central Utah Water Conservancy District and Department of the Interior for Implementation of the Wasatch County Water Efficiency Project and Daniel Replacement Project of the Central Utah Project, Utah.

AGENCY: Office of the Assistant Secretary—Water and Science, Department of the Interior.

ACTION: Notice of intent to negotiate a contract between the Central Utah Water Conservancy District (CUWCD) and Department of the Interior (DOI) for implementation of the Wasatch County Water Efficiency Project and Daniel Replacement Project (WCWEP/DRP) of the Central Utah Project, Utah.

SUMMARY: Public Law 102–575, Sections 202(a)(3), 207(e), and 303(b) authorize construction of WCWEP/DRP for the purposes of increasing irrigation efficiency in the Heber Valley, conserving water, and eliminating the diversion of water from the upper Strawberry tributaries to Heber Valley. Article V(A) of the August 11, 1993 Compliance Agreement (Compliance Agreement) between CUWCD and DOI states: ''The Secretary shall not provide funds for construction, nor shall the District commence construction on any feature authorized in Title II of the Act until the District and the Secretary have executed an agreement in accordance with the Drainage and Minor Construction Act for the purpose of establishing terms and conditions for the proper conduct and execution of construction of such feature by the District.'' A negotiated contract between CUWCD and DOI will comply with Public Law 102–575 and the Compliance Agreement.

DATES: Dates for public negotiation sessions will be announced in local newspapers.

FOR FURTHER INFORMATION: Additional information on matters related to this Federal Register notice can be obtained at the address and telephone number set forth below: Mr. Reed Murray, Program Coordinator, CUP Completion Act Office, Department of the Interior, 302 East 1860 South, Provo UT 84606–6154, Telephone: (801) 379–1237, Internet: rmurray@uc.usbr.gov.

Dated: August 6, 1996.

Ronald Johnston,

CUP Program Director, Department of the Interior.

[FR Doc. 96–20431 Filed 8–9–96; 8:45 am]

BILLING CODE 4310–RK–U

Fish and Wildlife Service

Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence at 9613 Bell Mountain Drive, Lot 1, Block L, Long Canyon Phase II–B, Austin, Travis County, Texas

SUMMARY: Jim Goulding (applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The applicant has been assigned permit number PRT–813478. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of one single family residence at 9613 Bell Mountain Drive, Lot 1, Block L, Long Canyon Phase II–B, Austin, Travis County, Texas.

The Service has prepared an Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of whether jeopardy to the species will occur or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments on the application should be received on or before September 11, 1996.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103.

Persons wishing to review the EA/HCP may obtain a copy by contacting Mary Orms, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490–0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the above Austin address. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Field Supervisor at the Austin Ecological Services Field Office at the address above. Please refer to permit number PRT–813478 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Mary Orms at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the ''taking'' of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species, when such taking is incidental to, and not the purpose of, otherwise lawful activities.

Regulations governing permits for endangered species are at 50 CFR 17.22.

APPLICANT: Jim Goulding plans to construct a single family residence at 9613 Bell Mountain Drive, Lot 1, Block L, Long Canyon Phase II–B, Austin, Travis County, Texas. This action will eliminate less than one-half acre of land and indirectly impact less than one-half additional acres of golden-cheeked warbler habitat. The applicant proposes to compensate for this loss of golden-cheeked warbler habitat by placing $1,500 into the City of Austin Balcones Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

Lynn B. Starnes,

Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 96–20483 Filed 8–9–96; 8:45 am]

BILLING CODE 4510–55–P

Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence at 1009 Weston Lane, Lot 27, Block A, Rob Roy on the Lake, Austin, Travis County, Texas

SUMMARY: Phillip & Beatriz Sanger (applicants) have applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The applicants have been assigned permit number PRT–813476. The requested permit, which is for a period of 20 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of one single family residence at 1009 Weston, Lot 27, Block A, Rob Roy on the Lake, Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take applications. A determination of whether jeopardy to the species will occur or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

DATES: Written comments on the application should be received on or before September 11, 1996.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Joseph E. Johnston or Mary Orms, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490–0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the address above. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Field Supervisor at the Austin Ecological Services Field Office at the address above. Please refer to permit number PRT–813476 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Joseph E. Johnston or Mary Orms at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the ''taking'' of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species, when such taking is incidental to, and not the purpose of, otherwise lawful activities.

Regulations governing permits for endangered species are at 50 CFR 17.22.

APPLICANT: Phillip & Beatriz Sanger plan to construct a single family residence at 1009 Weston Lane, Lot 27, Block A, Rob Roy on the Lake, Austin, Travis County, Texas. This action will eliminate less than one-half acre of land and indirectly impact less than one-half additional acre of golden-cheeked warbler habitat. The applicant proposes to compensate for this loss of golden-cheeked warbler habitat by placing $1,500 into the City of Austin Balcones Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

Lynn B. Starnes,

Acting Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 96–20484 Filed 8–9–96; 8:45 am]

BILLING CODE 4510–55–P

Bureau of Land Management

[CA–027–1430–01; CACA 36915]

Notice of Proposed Amendment; Alturas Resource Management Plan; California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management, Alturas Resource Area, proposes to amend the 1983 Alturas Resource Management Plan (RMP) to allow disposal of 488.22 acres, more or less, of public land in Modoc County, California. The affected public land is:

Mount Diablo Meridian

T. 45 N., R. 13 E.
Sec. 27: Lot 4, SE¼NW¼, SW¼, W½SE¼, SW¼NE¼
Sec. 34: SW¼NE¼, NE¼NW¼, NW¼SE¼

FOR FURTHER INFORMATION CONTACT: Richard C. Burns, Area Manager, Alturas Resource Area, Bureau of Land Management, 708 W. 12th St., Alturas, CA 96101. (916) 233–4666.

SUPPLEMENTARY INFORMATION: Disposal of the subject public land would enable acquisition, via exchange, of sensitive

resource values on the Pit River and Hat Creek in Shasta County, California. Although originally identified for disposal in the RMP, the public land was retained for its antelope, sage grouse and deer habitat.

DATES: Written comments on the proposed action must be received on or before September 11, 1996.

Dated: June 25, 1996.

Richard C. Burns,

Area Manager.

[FR Doc. 96–20509 Filed 8–9–96; 8:45 am]

BILLING CODE 4310–40–M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency For International Development

Board for International Food and Agricultural Development (BIFAD) One Hundred and Twenty-First Meeting; Notice of Meeting

Pursuant to the Federal Advisory Committee Act, Notice is hereby given of the one hundred and twenty-first meeting of the Board for International Food and Agricultural Development (BIFAD). The meeting will be held from 9:00 a.m. to 5:00 p.m. on September 9, and from 9:00 a.m. to 12:30 p.m. on September 10, 1996, both days, at the Pan-American Health Organization, located at 525 23rd Street N.W., Washington DC, 20523, in Conference Room C.

The Agenda will concentrate on agricultural research and include an update of preparations for the world food summit as well as an update of the higher education policy paper.

The meeting is open to the public. Any interested person may attend the meeting, may file written statements with the Committee before or after the meeting, or present any oral statements in accordance with procedures established by the Committee, to the extent that time available for the meeting permits.

Those wishing to attend the meeting should contact Dr. Shirley Pryor at Agency for International Development, Office of Agriculture and Food Security, SA–2, Room 401, Washington DC, 20523–0214, telephone (202) 663–2545, fax (202) 663–2552 or internet [spryor@usaid.gov] with your full name.

Anyone wishing to obtain additional information about BIFAD should contact Mr. Tracy Atwood the Designated Federal Officer for BIFAD at USAID. Write him in care of the Agency for International Development, Office of Agriculture and Food Security, SA–2, Room 401K, Washington DC, 20523–0214, telephone him at (202) 663–2536 or fax (202) 663–2552.

Dated: August 1, 1996.

Tracy Atwood,

AID Designated Federal Officer, (Chief, Food Policy Division, Office of Agriculture and Food Security, Economic Growth Center, Bureau for Global Programs).

[FR Doc. 96–20488 Filed 8–9–96; 8:45 am]

BILLING CODE 6116–01–M

DEPARTMENT OF JUSTICE

National Institute of Corrections

Meeting Announcement

A meeting of the Task Force on Prison Construction Standardization and Techniques will be held on August 17, 1996 at the Opryland Hotel, 2800 Opryland Drive, Nashville, TN 37214. The meeting will convene in the Johnson Room, parts A & B, at 9:00 am and adjourn at 4:00 pm. The purpose of the meeting will be to update members on the progress to date on the detention construction monogram development. No part of the meeting will be closed.

For more information contact Dee Halley, National Institute of Corrections, Academy Division, 1960 Industrial Circle, Suite A, Longmont, CO 80501; 1–800–995–6429 or fax 1–303–682–0469.

Larry Solomon,

Acting Director.

[FR Doc. 96–20174 Filed 8–9–96; 8:45 am]

BILLING CODE 4410–36–M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration, Office of Records Administration.

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Records schedules identify records of sufficient value to warrant preservation in the Nation Archives of the United States. Schedules also authorize agencies after a specified period to dispose of records lacking administrative, legal, research, or other value. Notice is published for records schedules that (1) propose the destruction of records not previously authorized for disposal, or (2) reduce the retention period for records already authorized for disposal. NARA invites public comments on such schedules, as required by 44 U.S.C. 3303a(a).

DATES: Request for copies must be received in writing on or before September 26, 1996. Once the appraisal of the records is completed, NARA will send a copy of the schedule. The requester will be given 30 days to submit comments.

ADDRESSES: Address requests for single copies of schedules identified in this notice to the Records Appraisal and Disposition Division (NIR), National Archives and Records Administration, College Park, MD 20740. Requesters must cite the control number assigned to each schedule when requesting a copy. The control number appears in the parentheses immediately after the name of the requesting agency.

SUPPLEMENTARY INFORMATION: Each year U.S. Government agencies create billions of records on paper, film, magnetic tape, and other media. In order to control this accumulation, agency records managers prepare records schedules specifying when the agency no longer needs the records and what happens to the records after this period. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. These comprehensive schedules provide for the eventual transfer to the National Archives of historically valuable records and authorize the disposal of all other records. Most schedules, however, cover records of only one office or program or a few series of records, and many are updates of previously approved schedules. Such schedules also may include records that are designated for permanent retention.

Destruction of records requires the approval of the Archivist of the United States. This approval is granted after a thorough study of the records that takes into account their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and historical or other value.

This public notice identifies the Federal agencies and their subdivisions requesting disposition authority, includes the control number assigned to each schedule, and briefly describes the records proposed for disposal. The records schedule contains additional information about the records and their disposition. Further information about the disposition process will be furnished to each requester.

Schedules Pending:

1. Department of Health and Human Services, Food and Drug Administration (N1–88–96–2). European drug export files.
2. Department of Health and Human Services (N1–468–96–3). Grant case files of the Office of Minority Health.
3. Department of the Interior, National Park Service (N1–79–96–1). Legislative case files and subject files of the Legislative and Congressional Affairs Office.
4. Department of State, U.S. Embassy Prague (N1–84–96–3). Routine and facilitative correspondence dealing with claims matters.
5. Department of the Treasury, Internal Revenue Service (N1–58–96–8). Request for IDRS-generated refund (IR Form 5792).
6. Office of Government Ethics (N1–522–96–3). Correspondence files.

Dated: August 2, 1996.

James W. Moore,

Assistant Archivist for Records Administration.

[FR Doc. 96–20412 Filed 8–9–96; 8:45 am]

BILLING CODE 7515–01–M

NATIONAL INSTITUTE FOR LITERACY

[CFDA No. 84.257M]

Application for Adult Learning System Reform and Improvement Grant: Stage II Collaborative Development of Equipped for the Future (EFF) Adult Literacy Standards Cooperative Agreements

AGENCY: The National Institute for Literacy.

ACTION: Notice.

SUMMARY: The National Institute for Literacy invites applications for grants to support the development of content standards through a consensus-building process. These grants are the third phase of a four-phased initiative whose ultimate goal is to reform and improve America's adult learning systems in order to enhance progress toward National Education Goal 6. This aim will be achieved through the development of voluntary content standards that communicate a clear vision for what adults need to know and be able to do in their roles as citizen, worker, and parent/family member and the building of consensus about these standards among key constituencies at the grassroots, state, and national levels.

DATE: Applications must be received at the NIFL office by 4:30 p.m. on September 12, 1996; items delivered after that date will not be accepted.

Note to Applicants: This notice is a complete application package, except for required forms. Together with the NIFL Equipped for the Future Orientation Package, and the statute authorizing the program and applicable regulations governing the program, including the Education Department General Administrative Regulations (EDGAR), this notice contains all the information, regulations and instructions needed to apply for a grant under this competition.

FOR FURTHER INFORMATION CONTACT: Sondra Stein, National Institute for Literacy, 800 Connecticut Avenue, NW., Suite 200, Washington, DC 20006, TEL: 202–632–1508; FAX 202–632–1512, e–mail sstein@nifl.gov.

SUPPLEMENTARY INFORMATION:

Definitions

For purposes of this notice, the following definitions apply:

''Literacy'' is an individual's ability to read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals and develop one's knowledge and potential (as stated in the National Literacy Act of 1991).

''Adult Literacy System'' means all individuals, programs, and organizations that are involved, directly and indirectly, in the delivery of literacy and basic skills services to adults. This includes, but is not limited to, people and groups involved in literacy policymaking, research and development, technical assistance, and service delivery.

''Adult Roles'' mean the following three major arenas of adult life and the obligations that pertain to each:

- Parent/family member
- Citizen
- Worker

''Constituencies'' are national, state or local organizations and individuals (in the public, nonprofit, and private sectors) that have a stake in developing content and performance standards for the relevant role because the quality of role performance impacts their organization's achievement of its goals/mission.

''Consensus-building'' includes the development of a convincing public argument for the use of ''Equipped for the Future'' standards by key constituencies and the conscious, ongoing effort to expand the number of individuals from key constituencies involved in standards development, use, marketing, and dissemination and to leverage the use of the standards at the national, state and local levels by key segments of the workforce development system.

''Content Standards'' are specific descriptions of what adults need to know and be able to do to perform the key activities identified in the standards framework.

''Generative skills'' are skills or knowledge that are core to the performance of a wide range of tasks found in multiple roles and that are durable over time in face of changes in technology, work processes, and occupational demand.

''National Policy Group'' is the body of nationally-recognized leaders in literacy and workforce development invited by the NIFL to provide policy guidance and consensus-building support to the EFF initiative.

''Performance Indicators'' are descriptions of how achievement of the content standards will be demonstrated. They reflect the consensus of key stakeholders identified for the role being addressed.

''Planning Grant Recipients'' are the eight projects that were funded to complete Phase 2 of the Equipped for the Future'' initiative. These grants end September 30, 1997.

''Purposes for Literacy,'' based on NIFL's survey of adult learners, mean the following four general purposes that literacy serves in helping adults fulfill their roles:

- Providing access to information so adults can orient themselves in the world.
- Enabling adults to give voice to their ideas and have an impact on the world around them.
- Enabling adults to make decisions and act independently, without needing to rely on others.
- Building a bridge to the future by laying a foundation for continued learning, so adults can keep up with the world as it changes.

The EFF ''Standards Framework'' describes the building blocks for EFF content and performance standards. It provides a consensus definition, for each adult role, of the broad areas of responsibility, key activities, and skills and knowledge adults require to fulfill these roles; articulates the core elements of a theory for adult learning based on the four learner-identified purposes for literacy; demonstrates how the four purposes enable us to identify the core skills and knowledge that form the basis for content standards; and identifies criteria for EFF consent and performance standards that communicate what customers, investors, and partners can expect from the adult literacy system. These elements link the framework explicitly to other standards development and implementation efforts.

''Validation'' demonstrates the degree to which the standards address the important aspects of role performance.

''Human Resource Development System'' is the sum of the myriad of public and private programs that are linked by their focus on building the skills and knowledge of youth and adults including: adult and family literacy programs, welfare-to-work programs, vocational education and training programs, school-to-work programs, industry-based skill standards programs, K–12 education programs, postsecondary education, Job Training Partnership Act programs, community college/postsecondary education programs, employer-sponsored training programs, apprenticeship programs, one-stop career centers, dislocated worker programs and related programs in the public, private, and nonprofit sectors.

Background

The National Institute for Literacy (NIFL), was created by the National Literacy Act of 1991 to provide a national focal point for literacy activities and to facilitate the pooling of ideas and expertise across a fragmented field. NIFL is authorized to carry out a wide range of activities that will improve and expand the system for delivery of adult literacy services nationwide.

In the first phase of this initiative, the NIFL identified a common framework of four fundamental purposes for literacy that emerge from the writings of 1,500 adults in literacy programs nationwide. As detailed in the NIFL report, Equipped for the Future: A Customer Driven Vision for Adult Literacy and Lifelong Learning, these four purposes are to—

- Gain access to information so adults can orient themselves in the world;
- Give voice to ideas, so that they will be heard and can have an impact on the world around them;
- Make decisions and act independently;
- Build a bridge to the future, by learning how to learn in order to keep up with the world as it changes.

In October, 1995 the NIFL awarded eight one-year planning grants as the second phase of this multi-year initiative to assure that adults are ''equipped for the future.'' These planning grants provided the NIFL with considerable information regarding how to structure and carry out a national standards development initiative aimed at broad-reaching system reform. The grantees, working collaboratively with each other, with NIFL and its National Policy Group, developed a set of Guiding Principles for the conduct and products of the Equipped for the Future initiative, and produced reports (due at NIFL July 15, 1996) that are currently being synthesized to produce a draft standards framework, defining what adults need to know and be able to do to be effective in their roles as parent/family member, worker, and citizen, that will be the basis for work in Phase 3 of EFF.

This solicitation of grant applications addresses the third project phase: standards development through consensus-building. This phase of the Equipped for the Future initiative will build on the results of Phases I and 2 of EFF to create a strong foundation for national reform of adult and family literacy and basic skills education as well as for an effective national system of workforce developed. To achieve this end, this phase of the Equipped for the Future initiative will be developed in partnership with the following Federal agencies: the U.S. Department of Labor, Employment and Training Administration, for the role of worker; the U.S. Department of Education, Office of Elementary and Secondary Education, for the role of parent/family member.

Eligible Applicants

Applications will be accepted from—

Consortia of public and private for-profit and not-for-profit organizations and agencies that meet the following criteria: (a) operate at a local, state, regional (multi-state) and national level; (b) include literacy consumer, practitioner, provider, administrator, and funder constituencies; and (c) include technical experts in standards development and assessment. While such consortia may include for-profit organizations, no grant will be made to a for-profit organization.

Deadline for Transmittal of Applications

Applications must be received at the NILF office by 4:30 pm on September 12, 1996; items delivered after that date will not be accepted.

Available Funds

$600,000.

Estimated Number of Awards

Three; one award for each of the three roles (citizen, parent/family member, worker).

Estimated Amount of Each Award

Up to $200,000.

Project Period

One year, with an option to renew for up to two additional project years. Funds awarded are for the first year only.

Description of Program

The overall purposes of the Equipped for the Future initiative are to:

- Develop a new customer-driven definition of adult literacy that demystifies the route to success in our society for adult learners and clarifies the contributions of adult literacy programs to building that success.
- Engage broad-based support among key constituencies for a system of human resource development that effectively links literacy with industry skill standards and K–12 academic standards as well as provides a common framework for skills development across myriad and diverse programs.
- Develop a set of voluntary national standards that show the portability of skills across the three adult roles and make clear the knowledge and skills adults need to be ''equipped for the future.''

The specific objectives for grantees funded for Phase 3 of the EFF initiative are to:

(1) Build consensus at the national, state, and local levels for the EFF vision, standards framework, and the standards relevant to the role addressed in the grantee's application;

(2) Develop and refine content standards and performance indicators for the role addressed by the grantee, and, working in collaboration with the National Institute for Literacy, its Federal partners in this initiative, and the other grantees, across all three roles; and

(3) Collaborate with the National Institute for Literacy, its Federal partners, and the other grantees to create a national framework for reform of the adult education and training delivery systems.

Consortia receiving a grant under this program shall launch a standards development and consensus-building initiative to provide a solid foundation for comprehensive, collaborative system reform and improvement. This program represents the third phase of a four-phase initiative.

- Phase 1: Survey of 1,500 adult learners to identify what they need to know and be able to do to be equipped for the future. This study, fully elaborated in the report Equipped for the Future: A Customer-Driven Vision for Adult Literacy and Lifelong Learning, identified four purposes for literacy that enable adults to fulfill their responsibilities as parents, citizens, and workers. These purposes are to:

—gain access to information so adults can orient themselves in the world;

—give voice to ideas, so that they will be heard and can have an impact on the world around them;
—make decisions and act independently;
—build a bridge to the future, by learning how to learn in order to keep up with the world as it changes.

• Phase 2: Planning grants to eight organizations and consortia of organizations to engage key literacy constituencies (learners, practitioners, and other stakeholders) in building a common understanding of the four adult learner-defined purposes for literacy as they relate to the adult roles of parent/family member, citizen, and worker. The result of this phase will be a common standards framework (completed October, 1996) defining what an adult needs to know and be able to do in each of the key roles, and a common vision of system reform.

• Phase 3: Further development and refinement of the Equipped for the Future standards framework, resulting in:

—a consensus map of the broad areas of responsibility, key activities and knowledge and skills for each role;
—development of content standards for each adult role and across all three adult roles;
—development of performance indicators for each standard;
—engaging key constituencies, including adult literacy programs, in developing and refining content standards and performance indicators in order to build support for the standards and their use;
—development of a strategy for validation of content standards and performance indicators through pilot implementation in adult education delivery systems.

• Phase 4: Implement system reform initiatives that are based on the Equipped for the Future Standards.

During the grant period—October 1, 1996 to September 30, 1997, grantees will engage in the following activities:

1. Establish a national project advisory group to provide broad guidance and assure that all key constituencies for the role addressed by the grant applicant have a meaningful role in the standards development process, leading to buy-in and formal approval of the draft standards. The advisory group shall include representatives of the key constituencies for the role addressed as well as technical expert(s) in standards development and assessment. The project advisory group shall meet no less than three times per year and be comprised of individuals who legitimately represent a key constituency whose buy-in is critical to achieving widespread acceptance of the standards. The project advisory group members shall represent national, state, and grassroots constituencies (both organizations and individuals) and be charged with ensuring buy-in and formal approval of the draft standards by the constituency they represent. While project advisory group membership will vary from role to role (see #3 below), all groups shall include representatives of adult learners and practitioners.

2. Work in collaboration with the other two grantees, the NIFL, its Federal partners, and the Equipped for the Future National Policy Group, to refine the common standards framework for Equipped for the Future starting with the draft framework developed in the second phase of the EFF initiative. The framework will ensure that:

• The standards for each role are based on a consensus map of the broad areas of responsibility for that role, key activities within those areas of responsibility, and what adults need to know and be able to do to perform those key activities;

• That skills and knowledge common to more than one role are clearly identified and result in the development of content standards across the three roles;

• The standards development process is based on common definitions and assumptions about the development and use of content standards and performance indicators;

• The standards share a common format and structure.

The standards framework and the resulting standards shall build upon a thorough familiarity with key documents and major initiatives supported by NIFL's Federal partners, including the U.S. Departments of Education, Labor, and Health and Human Services, as well as other local, state and national efforts including:

• The SCANS/NJAS (the Secretary's Commission on Achieving Necessary Skills/the National Job Analysis Study) and O*NET initiatives, U.S. Department of Labor;

• The work of the National Skill Standards Board and other national skill standards initiatives;

• The New Standards Project and related academic content standards; and

• Other efforts to identify appropriate performance results from learning, such as the NIFL Performance Measurement Reporting Improvement Systems (PMRIS) initiative and the work of the National Association of State Directors of Adult Education to identify performance outcomes for adult education.

This work will result in a fully elaborated consensus standards framework for EFF by March 1997.

3. Develop content standards and related performance indicators for what adults need to know and be able to do to fulfill their roles as parent/family member, citizen and worker. The content standards and performance indicators shall be developed within the common standards framework described above, jointly elaborated and refined by the three grantees and NIFL with the guidance of NIFL's Federal partners and its National Policy Group, and through ongoing collaboration with key constituencies (including adult learners and teachers) so they are grounded in the needs of these constituencies.

The content standards and performance indicators development process must demonstrate that key constituencies have participated and contributed to the standards development and that the grantee's advisory group has approved the standards developed as a basis for national validation.

The standards development process must incorporate significant collaboration with the key constituencies to assure that the standards are customer-driven (e.g., through group processes for standards refinement with key constituencies and other methods for constituency involvement and feedback throughout the developmental process). Group processes for standards development and refinement must include mechanisms for assuring on-going piloting of content standards in adult education and training classrooms in multiple locations across the country. Content standards with the performance indicators will be identified by July, 1997.

4. Actively engage key constituencies in the standards development process in order to build ownership and support of the standards and to assure they are truly ''customer-driven.'' (October, 1996 through September, 1997). Key constituencies/end users who are critical to assuring widespread use of the standards must be identified in the grant application. The key constituencies/end users identified should include but not be limited to teachers, learners, employers, parents, civic organizations, and other standards-setting initiatives related to the role being addressed by the grantee.

For the role of worker, these constituencies should include such groups as: employers and employer associations, unions, the National Skill

Standards Board, State Human Resource Investment Councils, State skill standards initiatives, local private industry councils and job training administrative organizations, apprenticeship or other training sponsored by organized labor, school-to-work, workplace literacy, and providers of other related programs.

For the role of parents, these constituencies should include such groups as the National Coalition for Parental Involvement in Education, the National Head Start Association, the National Coalition for Family Resources, the National Association of Child Care Resource and Referral Agencies, Even Start State Coordinators, The Center for Law and Education, the National Education Association, the American Federation of Teachers, Parent-Teacher Associations, and Even Start, Head Start and other family literacy providers.

For the role of citizens; these constituencies should include such groups as the Center for Civic Education, developers of the National Standards for Civics and Government (K–12 education), Kettering Foundation/National Issues Forum, American Bar Association, League of Women Voters, National League of Cities, VERA, The Center for Civic Literacy, the National Urban League, and other grassroots, state and national organizations and associations that focus on civil rights, neighborhood action, etc.

5. August 31, 1997, develop a plan for nationwide validation and implementation of the content standards and related performance indicators in adult education and job training delivery systems, in cooperation with NIFL, its Federal partners, the National Policy Group and the other grantees. These plans should reflect the use of the EFF standards in building linkages with other key components of the nation's workforce development system. Validation strategies may also include national surveys, constituency group review and analysis of the standards or similar strategies. The elements and criteria for the validation process will be developed jointly with NIFL and the other grantees.

6. Identify technical assistance needed to assure the success of steps 1–5 above of the EFF initiative. Technical assistance requirements are expected to include the unique needs of the applicant as well as needs that are common to all grantees. The NIFL will engage technical assistance services to support the work of the EFF projects under this grant.

7. Participate in three, two-day project meetings in November 1996, March 1997, and July 1997 in Washington, DC. The November meeting is scheduled for November 14–16, 1996.

8. Participate in monthly project conference calls of two hours duration.

9. Maintain regular e-mail and other contact with other grantees throughout the grant period, in order to maximize sharing of information and assure the development of standards within a common framework.

10. Cooperate with a third-party evaluation of the standards development and constituency-building process, lessons learned and outcomes, providing project reports and other project documentation to the evaluation team, participating in interviews, and assisting in collecting evaluation data, and in other ways cooperating with the project evaluation.

Proposal Narrative

The applicant's proposal narrative must be organized and contain the information as described in the following sections.

(1) Approach to Standards Development for System Reform describes the applicant's view of why standards development is important in the adult literacy and human resource development field and how the applicant envisions standards being used to improve the quality of the service delivery system. This section also includes the applicant's criteria for effective standards, philosophy of standards development and consensus-building, and an overview of the key features of the applicant's approach for supporting the purposes of the EFF initiative and achieving the project objectives described above.

In particular, the applicant should describe its approach to effectively building on the work accomplished in Phases 1 and 2 of the Equipped for the Future Initiative and related work appropriate to each role. This work is particularly substantial for the role of worker, including the U.S. Department of Labor's work on SCANS, the National Job Analysis Study which builds on SCANS to identify the work activities that the critical in the most competitive business environments, the O*NET to replace the DOT with a relational database that contains comprehensive information about worker requirements and characteristics, experience requirements and occupational requirements and characteristics useful to students, educators, employers and workers (further information in EFF Orientation Packet).

Using the draft material from Phase 2 provided in the EFF Orientation Packet, the applicant should demonstrate its technical approach to standards development, including the specific standards development issues to be addressed in moving to a common standards framework that embraces all three adult roles.

(2) Plan of Operation includes the project goal and objectives, work plan, timeline, and project management plan. The applicant's plan of operation should include: (a) what techniques the applicant will use for refining the standards framework, development content standards, and identifying performance indicators; (b) how the applicant will involve key constituencies in project decisionmaking and standards development, implementation, marketing/dissemination, and validation tasks; (c) how the applicant will work with the two other grantees to assure that the standards share a common format, structure, and language and that this initiative results in a unified standards framework and consistency in the standards across the three grantees; and (d) how the applicant will document and monitor project processes and results.

(3) Organizational Capability demonstrates the ability and experience of the applicant and the members of its consortium to perform the tasks required in this project and its skills, technical expertise and knowledge in standards development, adult literacy instruction, and consensus-building among diverse constituencies at the national, state, and local levels.

(4) Qualifications of Key Personnel describes the qualifications of each staff person for the project position to which they have been assigned, identifies his/her employment organization, and provides an overview of his/her experience, knowledge, and capability to perform the work described as demonstrated by the conduct of similar work in related settings.

(5) Demonstrated Commitment of Partners and Key Constituencies provides evidence (e.g., letters of commitment) that show that (a) project advisory board members and other partners in the consortia understand their roles and are prepared to fulfill them at the level described in the proposal; and (b) key constituencies significant to the relevant role are supportive of the applicant's grant applications.

Selection Criteria

In evaluating applications for a grant under this competition, the Director uses the following selection criteria (Total 105 points):

(1) Approach to Standards Development (30 points): the Director

reviews each application to determine the extent to which the applicant's approach to standards development and consensus-building is appropriate to achieving goals of Equipped for the Future, including:

(a) the extent to which the applicant's proposed approach to standards development:

(i) demonstrates knowledge and understanding of the Equipped for the Future Initiative, its products to date and long term goals;

(ii) demonstrates knowledge of and understanding of key documents and initiatives related to the role it proposes to develop standards for; including the research literature;

(iii) builds on the first two project phases and other related initiatives rather than ''reinventing'' that work; and

(iv) demonstrates a philosophy of collaborative standards development that is consistent with the EFF approach and philosophy;

(b) the extent to which the applicant's proposed approach leverages standards development tasks to build consensus among key constituencies and effect system reform;

(c) the quality of the technical approach demonstrated in the applicant's evaluation of the draft standards in the EFF Orientation Packet, including the identification of specific issues and challenges to be addressed in moving to a common standards framework that embraces all three adult roles.

(2) Plan of Operation (30 points): The Director reviews each application to determine the quality of the plan for developing standards and building consensus among key constituencies, including:

(a) the extent to which the applicant states clear and measurable goals and objectives for the project;

(b) the extent to which the applicant provides a fully detailed plan and timeline for achieving these goals which

(i) includes specific strategies and techniques for refining the standards framework, developing and refining content standards, and identifying performance indicators on a national basis;

(ii) identifies specific mechanisms for involving adult learners and practitioners as well as other key constituencies in these activities; and

(iii) addresses the 10 key project activities and dates described in the Description of Program above;

(c) the quality of the applicant's plan for working with the two other grantees to assure that the standards share a common format, structure, and language, including strategies recommended to assure this initiative results in a unified standards framework and consistency in the standards across the three grantees;

(d) the quality of the applicant's plan to involve key constituencies in project decisionmaking and standards development, implementation, marketing/dissemination, and validation tasks;

(e) the soundness of the plan for documenting and monitoring the project processes and results.

(3) Organizational Capability and Qualifications of Key Personnel (25 points): The Director reviews each application to determine the capability of the applicant to achieve the goals of the project including:

(a) the extent to which the applicant provides a full description of each of the organizations that make up the consortium, including how that organization contributes to the consortium's experience and capability to:

(i) lead a broad-based collaborative national process for adult learning systems reform and improvement that is standards-driven;

(ii) develop technically defensible customer-driven content standards of what adults need to know and be able to do, related performance indicators and validate them on a national basis; and

(iii) leverage the commitment and involvement of key constituencies at the national, state, and local levels;

(b) the soundness of the staffing and organization plan for the consortium, including

(i) how roles and responsibilities will be assigned among the organizations within the consortium to assure clear lines of decisionmaking and effective use of each organization's strengths;

(ii) a statement of clear performance objectives for key staff;

(iii) the scope and nature of their responsibilities;

(iv) the level of effort they will devote to this project; and

(v) the inclusion of a project organization chart;

(c) the extent to which staff assigned to key positions include appropriate qualifications, in terms of knowledge, experience and proven capability to perform the work described;

(d) the inclusion among the staff of individuals with specific expertise, including

(i) individuals with demonstrated experience in related standards development efforts;

(ii) individuals with direct experience in adult literacy instruction and/or curriculum development; and

(iii) individuals with a broad understanding of the workforce development system and the ability to leverage the involvement of influential representatives from other program areas that constitute this system.

(4) Commitment of Partners and Key Constituencies (15 points): The Director reviews each application to determine the quality of the plan for engaging partners and key constituencies, including:

(a) the extent to which the applicant has

(i) assembled a national advisory group that represents key constituencies for their role; and

(ii) secured written documentation of each member's ability to represent that constituency on the advisory group;

(b) the extent to which the applicant has identified other appropriate constituencies to participate in the project;

(c) the quality of the applicant's plan for assuring that each constituency has the opportunity for appropriate and meaningful involvement in project activities;

(d) the explicit and documented commitment of each constituency to participate in the project.

(5) Budget and Cost Effectiveness (5 points): The Director reviews each application to determine the extent to which:

(a) The budget is adequate to support grant activities;

(b) The costs are reasonable in relation to the objectives of the project;

(c) The budgets for any subcontracts are detailed and appropriate; and

(d) The budget details any resources, cash or in-kind, that the applicant will provide or seek in order to supplement grant funds.

Other Application Requirements

The application shall include the following:

Project Summary: The proposal must contain a one page summary of the proposed project suitable for publication. It should not be an abstract of the application, but rather a self-contained description of the project's goals, approach and the activities proposed. The summary must include the following information:

a. Name of applicant organization.

b. Description of the consortium proposing the project and the key constituencies represented.

c. Adult role to be addressed in the plan: parent/family member, citizen or worker.

Proposal Narrative: This narrative should not exceed twenty (20) single-spaced pages, or forty (40) double-

spaced pages. The narrative may be amplified by material in attachments and appendices, but the body should stand alone to give a complete picture of the project. Applications which exceed 20 single-spaced pages or 40 double-spaced pages will not be reviewed.

Summary Proposal Budget: The proposal must contain a budget for support requested. The budget format may be reproduced as needed. Facsimiles may be used, but do not make substitutions in prescribed budget categories. Additional pages for budget explanation and amplification should be attached and must be consistent with the data and categories on the form. All budget requests must be documented and justified.

The Institute is reviewing the possibility of restricting indirect costs to 8% for this grant.

Budget Proposal: The budget proposal should be A SEPARATE DOCUMENT. Personnel items should include the names (or position titles) of key staff, number of hours, and applicable hourly rates. Discussion of equipment, supplies, and travel should include both the cost and the purpose and justification. Budgets should include all applicant's costs and should identify contributed costs, and support from other sources, if any. Sources of support should be clearly identified in all instances. The financial aspects of any cost sharing and joint or cooperative funding by members of a consortium formed for purposes of the applications should be shown in a detailed budget for each party. These budgets should reflect the arrangements among the parties, and should show exactly what cost-sharing is proposed for each budget item.

Disclosure of Prior Institute Support: If any subcontractor, partner, consortium member, or organization has received Institute funding in the past two years, the following information on the prior awards is required:

- Institute award number, amount and period of support;
- A summary of the results of the completed work; and
- A brief description of available materials and other related research products not described elsewhere.

If the applicant has received a prior award, the reviewers will be asked to comment on the quality of the prior work described in this section of the application.

Current and Pending Support: All current project support from whatever source (such as Federal, State, or local government agencies, private foundations, commercial organizations) must be listed. The list must include the proposed project and all other projects requiring a portion of time of the Project Director and other project personnel, even if they receive no salary support from the project(s). The number of person-months or percentage of effort to be devoted to the projects must be stated, regardless of source of support. Similar information must be provided for all proposals that are being considered by or will be submitted soon to other sponsors.

If the project now being submitted has been funded previously by another source, the information requested in the paragraph above should be furnished for the immediately preceding funding period. If the proposal is being submitted to other possible sponsors, all of them must be listed. Concurrent submission of a proposal to other organizations will not prejudice its review by the Institute.

Any fee proposed to be paid to a collaborating or ''partner'' for-profit entity should be indicated. (Fees will be negotiated by the Grants Officer.) Any copyright, patent or royalty agreements (proposed or in effect) must be described in detail, so that the rights and responsibilities of each party are made clear. If any part of the project is to be subcontracted, a budget and work plan prepared and duly signed by the subcontractor must be submitted as part of the overall application and addressed in the narrative.

Instructions for Transmittal of Applications

(1) The original and two (2) copies of the application must be received by September 12, 1996, at the address below. Applicants are encouraged, but not required, to submit three (3) additional copies of the application, but will not be penalized if additional copies are not received: National Institute for Literacy, 800 Connecticut Avenue, NW, Suite 200, Washington, DC 20006, Attention: (CFDA #84.257M).

(2) The National Institute for Literacy will mail a Grant Applicant Receipt Acknowledgment to each applicant. If an applicant fails to receive the notification of application receipt within 15 days from the date of mailing the application, the applicant should call the National Institute for Literacy at (202) 632–1500.

(3) The applicant must indicate on the envelope and in Item 10 of the Application for Federal Assistance (ED Form 424 [Revised 4/94]) the X257M number of the competition under which the application is being submitted.

Application Forms

The appendix to this announcement is divided into three parts plus a statement regarding estimated public reporting burden and various assurances and certifications. These parts and additional materials are organized in the same manner that the submitted application should be organized. The parts and additional materials are as follows:

Part I: Application for Federal Assistance (ED Form 424, Rev. 4–94) and instructions

Part II: Budget Information—Non-Construction Programs (ED Form 524) and instructions

Part III: Application Narrative

Additional Materials:

- Estimated Public Reporting Burden
- Assurances—Non-Construction Programs (Standard Form 424B)
- Certification Regarding Lobbying; Debasement, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements (ED 90–0013)
- Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion: Lower Tier Covered Transactions (ED 80–0014, 9/90) and instructions
- Disclosure of Lobbying Activities (Standard Form LLL) (if applicable) and instructions

Note: ED 80–0014 is intended for the use of recipients and should not be transmitted to the National Institute for Literacy.

An applicant may submit information on a photostat copy of the application and budget forms, the assurances and the certifications. However, the application form, the assurances, and certifications must each have original certifications and must each have an original signature. No award can be made unless a completed application has been received.

Grant Administration

The administration of the grant is governed by the conditions of the award letter. The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 4, 75, 77, 79, 80, 81, 82, 85 and 86 (July 1, 1993), set forth administrative and other requirements. This document is available through your public library and the National Institute for Literacy. It is recommended that appropriate administrative officials become familiar with the policies and procedures in the EDGAR which are applicable to this award. If a proposal is recommended for an award, the Grants Officer will request certain organizational, management, and financial information.

The following information on grant administration dealing with questions such as General Requirements, Prior Approval Requirements, Transfer of Project Director, and Suspension or termination of Award, should be referred to the Grants Officer.

Reporting: In addition to working closely with the Institute, the applicant will be required to submit an annual report of activities, and other products as described in the DESCRIPTION OF PROGRAM above and in the cooperative agreement between the applicant and the NIFL.

Acknowledgment of Support and Disclaimer: An acknowledgment of Institute support and a disclaimer must appear in publications of any material, whether copyrighted or not, based on or developed under NIFL-supported projects:

''This material is based upon work supported by the National Institute for Literacy under Grant No. (Grantee should enter NIFL grant number).''

Except for articles of papers published in professional journals, the following disclaimer should be included:

''Any opinion, findings, and conclusions or recommendations expressed in this material are those of the authors) and do not necessarily reflect the views of the National Institute for Literacy.''

Instructions for Estimated Public Reporting Burden: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid control number for this information collection is 3200–0033, Expiration date August 1999. The time required to complete this information collection is estimated to average 80 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

Carolyn Staley,

Deputy Director, National Institute for Literacy.

[FR Doc. 96–20489 Filed 8–9–96; 8:45 am]

BILLING CODE 6055–01–M

[CFDA No. 84–257F]

Application for Technology Grant Awards to Governor's State Literacy Resource Centers to Build a National Electronic Information and Communication Network for Literacy by Establishing a Regional Hub on the Internet in Region I Designated by the U.S. Department of Education's Office of Vocational and Adult Education

AGENCY: The National Institute for Literacy.

ACTION: Notice.

DATE: Applications must be received at the NIFL office by 4:30 pm on September 12, 1996; items delivered after that date will not be accepted.

NOTE TO APPLICANTS: This notice is a complete application package, except for required forms. Together with the statute authorizing the program and applicable regulations governing the program, including the Education Department General Administrative Regulations (EDGAR), the notice contains all the information, regulations, and instructions needed to apply for a grant under this competition.

FOR FURTHER INFORMATION CONTACT: Jaleh Behroozi Soroui, NIFL, 800 Connecticut Avenue, NW, Suite 200, Washington, DC 20006. Telephone: 202–632–1506. FAX: 202–632–1512. E-mail: jaleh@literacy.nifl.gov.

Information about the Institute's funding opportunities, including the application notices can be viewed on the LINCS WWW server (under Current Events, under grants). LINCS URL: http://novel.nifl.gov.

SUPPLEMENTARY INFORMATION:

Definitions

For purposes of this announcement the following definitions apply:

''Literacy.'' An individual's ability read, write, and speak in English, and compute and solve problems at levels of proficiency necessary to function on the job and in society, to achieve one's goals and develop one's knowledge and potential (as stated in the National Literacy Act of 1991).

''State Literacy Resource Centers (SLRCs)'' State or regional organizations supported through any combination of federal, state, or private funds that has the purpose of coordinating the delivery and improvement of literacy services across agencies and organizations in the state or region, enhancing the capability of state and local organizations to provide literacy services, building a database of literacy related information, and working closely with the National Institute for Literacy and other national literacy organizations to enhance the national literacy infrastructure.

''Literacy Community.'' Individuals and groups at all levels nationwide that are actively involved with adult literacy and basic skills instruction, including individuals such as researchers, practitioners, policymakers, adult learners, and administrators, and groups such as state and local departments of education, human services, and labor; libraries; community-based organizations; businesses and labor unions; and volunteer and civic groups.

''OVAE regions.'' The four regions of the United States designated by the U.S. Department of Education's Office of Vocational and Adult Education (OVAE):

Area I: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands.

Area II: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia.

Area III: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin.

Area IV: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Federal States of Micronesia, Guam, Marshall Islands, No. Mariana Islands.

''Regional Hub'' an Internet-based electronic information retrieval and communication site, operating through an SLRC, that acts as the focal point for LINCS activity, including training and technical assistance, for a particular OVAE region.

Background

The National Institute For Literacy (NIFL), as authorized by the National Literacy Act of 1991, has the legislative mandate to develop a national literacy data base. The intent of this mandate was to consolidate scattered and inaccessible information resources for literacy.

As a first step toward carrying out this change, and in keeping with the Administration's ''information superhighway'' initiative, NIFL conducted a study in 1992 of the literacy community's information needs by type of users, quality and format of existing literacy sources and data bases. Following up on the results of this survey in 1993, NIFL formed eight work groups of representatives from the

literacy community to develop a vision and work plan for establishing its information and communication system, which is now called LINCS (the Literacy Information and Communication System). The work groups used a consensus-building process to produce a framework, standards, and guidelines for LINCS, which are presented in NIFL's ''Starting Point'' manual.

In order to implement the work groups' vision and plans, NIFL developed the LINCS on-line prototype to examine and demonstrate the potential and capabilities of an Internet-based national literacy information and communication network.

The LINCS prototype has been developed as a World Wide Web system on the Internet, accessible by Mosaic or Netscape, and Lynx. It is designed to access literacy data available in multiple locations, and features searchable literacy holdings (including SLRC holdings) and other literacy resources. It also provides access to the databases of ERIC, OTAN (Outreach and Technical Assistance Network), TTRC (Training Technology Resource Center) NCAL (National Center on Adult Literacy), the National Adult Literacy and Learning Disability Center, and the Library of Congress. In addition, the prototype includes E-mail, an event calendar, funding announcements, and information on legislation.

NIFL's plan for the next two years is to establish the LINCS prototype as the foundation for a national electronic literacy network by upgrading the technological capabilities of the field. Major components of the plan are:

(1) To broaden the literacy community's access to literacy resources,

(2) To develop policies and procedures for information sharing throughout the literacy community,

(3) To enhance awareness throughout the literacy community about the potential of a state-of-the-art information and communications technology for the field of adult education,

(4) To ensure that LINCS keeps pace with the state-of-the-art technology and becomes increasingly more capable of enriching literacy services through the provision of comprehensive information resources to the literacy community.

Overview of the Technology Project

To build an infrastructure that can support electronic communications and information exchange for literacy, NIFL currently supports SLRCs in Regions II, III and IV. These hubs create a base for expansion of LINCS into a national network. Using state-of-the-art technology, the regional hubs facilitate access to information and resource sharing within and among the regional literacy communities and encourage the collection of information that is increasing the literacy knowledge base.

The three regional electronic information and communication hubs are:

- California State Literacy Resource Center & Outreach Technical Assistance Network (OTAN), at Sacramento County Office of Education.
- Ohio State Literacy Resource Center, at Kent State University.
- Texas State Literacy Resource Center, at Texas A&M Research Foundation, and Tennessee State Literacy Resource Center.

The NIFL will award one additional grant to a SLRC in Region I for the creation of a hub. The grant, as with the three existing grants, will be used as seed money to attract ongoing support from other sources. Only one grant will be made within OVAE Region I.

Purpose: The purpose of the technology grant program is to create regional electronic information and communication hubs for literacy that will—

1. Build the technological capacity for electronic information exchange among SLRCs within each OVAE region through a consortia of states that cooperate in sharing resources and expertise.

2. Enable individual SLRCs to share data with the literacy community and with major national adult literacy holdings by linking them with each other and the LINCS prototype.

3. Demonstrate the use of the LINCS prototype by other state agencies and local adult literacy service providers in efforts to improve program and professional development.

4. Increase the literacy field's knowledge base by using the ''Starting Point'' manual standards to develop a systematic procedure for collecting new literacy information resources, specially unpublished materials.

NIFL intends the value of this technology project to extend beyond the SLRCs to the literacy community as a whole. The larger goals of LINCS are to bring the community together—literacy researchers, practitioners, administrators, students, and policymakers—and to close the gap between information ''haves'' and ''have nots.'' These goals can only be met by expanding the network to increasingly greater numbers of individuals and groups in the literacy field.

Eligible Applicants: SLRCs within Region I are eligible to apply for an award under this program.

Deadline for Transmittal of Applications: Applications must be received at the NIFL office by 4:30 pm on September 12, 1996; items delivered after that date will not be accepted.

Available Funds: This announcement envisions a two year cooperative agreement. In the first year a total of $150,000 is available for the grant. Year 2 funding is subject to program authorization and availability of appropriations, and contingent upon satisfactory completion of the first year plan of action.

Estimated Number of Awards: No more than 1 award in Region I.

Estimated Award Amount: $150,000.

Project Period: Up to 24 months.

Selection Criteria: (a)(1) In evaluating applications for a grant under this competition, the Director uses the following selection criteria.

(2) The maximum score for all of the criteria in this section is 100 points.

(3) The maximum score for each criterion is indicated in parentheses with the criterion.

(b) The Criteria—(1) Mission and Strategy. (10 points) The Director reviews each application to determine how well the applicant has related the mission and strategy of the project to NIFL's overall goals and priorities, including:

(i) The degree to which the plan for creating a regional hub reflects an understanding of the major tasks necessary to achieve NIFL's goals for building regional capacity;

(ii) The quality of the plans for developing an appropriate, coherent, and effective program to achieve the project's goals;

(iii) The effectiveness of proposed strategies for providing regional leadership to consortium members and other partners; and

(iv) The quality of plans to establish effective working relationships with other organizations in the region as required for effective development of the project.

(2) Institutional Capability. (15 points) The Director reviews each application to determine the capabilities of the organization to sustain a long-term, high quality, and coherent program, including:

(i) The applicant's experience in establishing and carrying out collaborative working relationships with other states, other state agencies, and other public and private groups;

(ii) The applicant's experience in developing materials and methods for training and technical assistance to adult literacy providers.

(iii) The ability of the applicant to carry on the project when NIFL funding has ended.

(3) Plan of Operation. (30 points) The Director reviews each application to determine the quality of the plan of operation for the project, including:

(i) The quality of the design of the project;

(ii) The extent to which the plan of management is effective and ensures proper and efficient administration of the project;

(iii) How well the objectives of the project relate to the purpose of the LINCS;

(iv) The extent to which the applicant provides for effective collaboration between SLRCs and other agencies;

(v) The quality of the applicant's plan to use its resources and personnel to achieve each objective; and

(vi) The extent to which the applicant's plan for year 1 provides for achieving the minimum project outcomes listed under *Program Narrative*.

(4) Technical Soundness. (20 points) The Director reviews each application to determine the technical soundness of the proposed project, including:

(i) The extent to which the applicant demonstrates a thorough knowledge of literacy data collections, dissemination and applying the required Institute's guidelines and standards.

(ii) The extent to which the applicant demonstrates knowledge of current databases, telecommunications practices, equipment configurations and maintenance.

(iii) Evidence of the commitment of the applicant to provide technical support and equipment to the members of consortium;

(iv) Evidence that the applicant will consider the perspectives of a variety of service providers in carrying out the work of the consortium;

(v) The extent to which the training content is comprehensive and at an appropriate level; and

(vi) The extent to which training methods are likely to be effective.

(5) Budget and Cost Effectiveness. (10 points) The Director reviews each application to determine the extent to which:

(i) The budget is adequate to support consortium activities;

(ii) Costs are reasonable in relation to the objectives of the consortium;

(iii) The budgets for any subcontracts are detailed and appropriate; and

(iv) The budget details resources, cash and in-kind, that the applicant and others, particularly other consortium members, will provide to the project in addition to grant funds.

(6) Evaluation Plan. (10 points) The Director reviews each application to determine the quality of the evaluation plan for the consortium, including the adequacy of:

(i) The methods and mechanism which will be used to document the consortium's progress in relation to its mission and goals; and

(ii) The methods which will be used to document the impact of the consortium's program on its target audiences.

Applications should describe and justify the methods used to ensure that the consortium's work is of high quality as evaluated by the above procedures.

(7) Quality of Key Personnel. (5 points) The Director reviews each application to determine the quality of key personnel for the project, including:

(i) The qualifications of the project director for each project activity;

(ii) The qualifications of key personnel in each consortium member state for each project activity;

(iii) The extent to which key personnel have experience and training in fields related to the objectives of the project; and

(iv) The applicant's policy, as part of its nondiscriminatory employment practices, to ensure that its personnel are selected for employment without regard to race, color, national origin, religion, gender, age, or disability.

Application Requirements

Project Narrative

The project narrative is critical and must thoroughly reflect the capabilities of the applicant, as well as the degree and level of cooperation with other SLRCs in the region, and the three existing recipients, related to implementing this technology project.

The narrative should not exceed twenty (20) single-spaced pages, or forty (40) double-spaced pages. The narrative may be amplified by material in attachments and appendices, but the body should stand alone to give a complete picture of the project. Proposals which exceed 20 single-spaced pages or 40 double-spaced pages will not be reviewed.

The narrative must encompass the full two years of project activities and must cover the following areas:

1. Mission and Strategy

a. State the goals and objectives of the two-year project. Explain how they relate to overall NIFL goals and contribute to the development of LINCS.

b. Describe how the project will build regional technological capacity.

c. Describe the services that will be provided to other SLRCs in the region.

d. Explain how the project will serve the broader literacy community.

e. State the overall expected project achievements for the end of the two-year grant period.

2. Institutional Capabilities

a. State the applicant's qualifications to act as lead site of a regional consortium of all other SLRCs in the region. Describe the applicant's ability to carry out the proposed project and to deliver the proposed services.

b. Describe the applicant's staff and organizational capacity to play a leadership role in mobilizing a consortium of the region's SLRCs to carry out the work of this grant, including the applicant's willingness and ability to—

(1) Serve as the lead resource for sharing literacy data collections among states and for developing its own and other states collections on a local, statewide and regional basis. The applicant should have its own sizeable literacy collection (or a clear plan for acquiring such a collection), especially of unpublished material, and the capacity to make it electronically available to other SLRCs and state agencies.

(2) Organize its information holdings and those of other SLRCs by applying NIFL standards and guidelines as presented in the ''Starting Point'' manual, as well as the literacy thesaurus being developed by the NIFL work group.

(3) Provide the necessary technical support and expertise, especially in telecommunications, to less technologically advanced SLRCs. This includes: ensuring continuing on-line access among members, coordinating the installation of equipment and software, and providing technical assistance and training as appropriate.

(4) Provide the necessary support and expertise, as described in b(3) above, to other state agencies and selected local literacy service providers.

(5) Develop a plan for continuing the project after the end of the two-year project period, including prospective sources of support.

(6) Collaborate with NIFL throughout the process of creating the regional hub in order to assure the uniform presentation of information across the LINCS.

(7) Share project experience with other regions' SLRCs and the NIFL through quarterly performance reports.

c. Describe the applicant's ability to secure support from other agencies and groups in sustaining the project at the end of the two-year grant.

3. Plan of Operation

The applicant must develop a two-year plan that is both ambitious and realistic. While aiming high, the applicant must demonstrate an awareness of the constraints inherent in each particular situation. The plan must address both the immediate needs and the future vision and direction of the regional technology project.

The Director is particularly interested in applicants whose plans include provisions for—

- Forming a consortium with all other SLRC's in the region and securing the explicit commitment of each to participate in the project through the development of formal agreements delineating the roles and responsibilities of all members and a regional plan of action with timeliness of tasks achieved, including input from interested public and private organizations;
- Increasing adult literacy holdings and access of the literacy community to these holdings as LINCS expands;
- Developing partnerships with other state agencies and public and private entities, including business and industry, that can further project objectives and provide ongoing support to the project after the grant has ended;
- Building upon the efforts of the three existing hubs in implementing the technology project;
- Collaborating with other related electronic information exchange efforts, such as those run through libraries and universities, to widen usage of LINCS in the field; and
- Extending usage of the regional hub and the LINCS to local programs and practitioners.

Also, innovative local programs with a strong leaner centered orientation, as well as coalitions of literacy providers.

Accordingly, applicant's plan must address the following:

a. Regional Hub: Describe how the applicant will establish a regional hub on the Internet that will provide a seamless interface between SLRCs in the region and LINCS, including:

(1) How the applicant will establish and maintain a regional hub that mirrors the LINCS's information structure and the system architecture, as described in Technical Soundness section a and b.

(2) What hardware, software, and networking system will be used to develop the hub and why they were chosen.

(2) How the equipment meets NIFL requirements.

(4) How the applicant will develop a collection of unpublished literacy materials.

(5) How the applicant will collect and organize program data.

(6) How the applicant will ensure adoption of ''Starting Point'' standards and work with other SLRCs in the areas of collection of data, organization and information dissemination.

(7) How and to what extent the applicant will involve other agencies and organizations, especially state departments of education, human services, and labor, in the design and implementation of the regional hub.

(8) How the applicant will achieve, at a minimum, the following outcomes in year 1:

(a) The establishment of a regional hub for LINCS on the Internet.

(b) An on-line database of unpublished materials using ''Starting Point'' standards.

(c) An on-line directory of the regional consortium's literacy programs using ''Starting Point'' standards.

(d) A bulletin board function.

(e) Link-up with a least two major educational/workforce or legislative databases in the region.

(f) Link-up with a minimum of 10 local service provider or local literacy coalition level sites.

(g) Promotion of widespread access to, and use of, the regional hub.

b. Connectivity. Describe the level at which consortium members will be connected to the regional hub and to each other, including how the applicant will achieve, at a minimum, the following outcome in year 1: All consortium members and at least 10 local literacy service providers in one or more of the member states will be linked up with the regional hub and able to—

(1) Retrieve information provided by the hub,

(2) Transfer files,

(3) Engage in on-line discussion groups,

(4) Access the LINCS prototype.

c. Organization and Management: Describe the ways in which the applicant will ensure appropriate organization and management of project activities, including:

(1) How the applicant will involve an advisory group including representatives from all regional consortium member states in overseeing project implementation and evaluating progress.

(2) How the applicant will provide for developing a formal agreement with all consortium member SLRCs that clearly identifies the rights, roles, and responsibilities of each state with regard to spending plan, technical assistance, training, timeline, developing criteria to select local service providers, evaluation and design of the hub.

(3) How the applicant will provide for the management of any other partnership, consultant or subcontract arrangement with the rights and responsibilities of each party set forth clearly.

(4) The identification of key staff members, their specific roles, and the number of hours required to carry out their tasks.

(5) A description of any cost-sharing, cooperative funding, or other special financial arrangements.

d. Access: Describe how the applicant will extend LINCS access to other state agencies and local literacy service providers, including:

(1) How the applicant will promote widespread access to and use of the regional hub.

(2) How the applicant will work with regional consortium members to select local sites to participate in the project.

(3) How the applicant will support LINCS use by other agencies and at the local level, including—

(a) The kind of hardware and software to be used.

(b) The training and technical assistance to be provided.

(c) The focus to be taken by an agency or local site in using LINCS (i.e., a site could focus on using the system in information retrievel, or exploring on-line communication between practitioners and adult learners, or exchanging teaching tools and curricula).

(4) How the applicant will solicit and use feedback from other agencies and local providers in assessing the network's potential and refining the work of the regional hub.

(5) How the applicant will achieve, at a minimum, the following outcome in year 1: At least 10 local literacy service providers in one or more of the member states will have the capability to use the services of the regional hub.

e. Collaboration: Describe how the applicant will assure collobration with other related agencies, organizations, and projects in the region, including how the applicant will work with other regional consortium member states to—

(1) Secure the active cooperation and partnership of appropriate state agencies, including education, labor, and human services.

(2) Identify and connect with other projects in the region that use technology in the areas of telecommunications, on-line services, networking and multi-media.

4. Technical Soundness

a. Describe how the applicant will install an electronic system for the regional hub that mirrors the LINCS

structure, which consists of the following: a UNIX-based work station, connected to the Internet via the NIFL LAN, with information maintained in both HTML documents and WAIS databases. This work station is the World Wide Web (WWW) server, and also provides access to the Lynx WWW client for those users unable to use graphical clients, such as Mosaic. The software developed for the NIFL home page by the Logistics Management Institute is freely available for re-use.

b. Describe how the applicant will create a home page design that is similar to the LINCS home page, so that the same ''look and feel'' can be achieved throughout the network. (For example, a proposal for a World Wide Web server providing Mosaic- and Lynx-based access to a region's literacy resources and linkage to the NIFL home page would receive greater consideration than a proposal for information maintained on one or multiple WAIS database servers).

c. Describe how the applicant will, at a minimum—

(1) Acquire a 56kbps or faster direct Internet connection.

(2) Develop a WAIS database server or servers on the Internet.

(3) Populate the WAIS database(s) with literacy collections and program data, using ''Starting Point'' record structures and standards.

(4) Provide technical assistance, funding and resources to assure that all consortium members are connected to the Internet and are contributing and sharing adult literacy data.

d. Describe the applicant's provisions for equipment, including—

(1) What equipment will be used to establish the regional literacy hub or hubs.

(2) How the applicant will assess the equipment needs for each consortium member.

(3) What equipment will be used to link each consortium member to the regional hub and to LINCS.

(4) The reason for purchasing or upgrading equipment, as well as software and networking systems, for each member.

(5) How the equipment funded by this grant will be maintained.

(6) How issues of technology refreshment and obsolescence will be addressed.

(7) How the applicant will achieve, at a minimum, the following outcome for year 1: The lead site and consortium members will all have the equipment necessary to perform functions described in the plan of operation.

e. Describe the applicant's provisions for training and technical assistance, including—

(1) How the applicant will assess the relevant skills and knowledge of each consortium member SLRC and pool this expertise for the benefit of all consortium members.

(2) How the applicant will assist all consortium member SLRCs in selection and installation of hardware and software within the proposed timeline.

(3) A commitment to regional training and staff development for consortium members.

(4) How provisions will be made for well-organized and ongoing training that addresses a full range of needs.

(5) How administrators in each consortium member SLRC and local site will learn about the potential of LINCS and the regional hub, the pros and cons of various applications, how to connect to the system and benefit from it, and how to help their own clients tap into the national bank of resources available through LINCS.

(6) How the applicant will teach specific skills as well as an understanding of the power of the new technology and a desire for acquiring it and making it accessible to local literacy practitioners throughout the region, and ways of exploring the impact that it will have on teaching and learning methods.

(7) How the applicant will determine the type and the level of the training, and designate adequate funding.

(8) How the applicant will select training models (such as training trainers or workshops supplemented by peer coaching or modeling) that meet the needs of geographically dispersed staff at various levels of knowledge and skills, especially given rapid changes in technology.

(9) How the applicant will achieve, at a minimum, the following outcomes in year 1:

(a) Consortium member SLRC's hardware and software are installed and functional.

(b) A measurable training plan, which includes training staff of consortium member states, local sites, and other involved agencies in the use of the Regional hub, will be developed and implemented.

5. Efficiency and Economy

a. Cost Effectiveness: The applicant must demonstrate how it will ensure—

(1) the most efficient and cost-effective use of the funding,

(2) continuation of the project at end of the grant through securing additional funds to continue and expand the project.

b. Time Line: The applicant's plan must contain a table or diagram with major tasks or milestones, including estimates of funds, time, training schedules, personnel, facilities and equipment allocated to each program area. The timing of progress and other reports, meetings, and similar events should be included.

6. Monitoring and Evaluation

The applicant must provide a detailed monitoring and evaluation plan that will demonstrate the effectiveness of the project in achieving the objectives of the grant, including—

a. A process for ongoing evaluation and acquiring on-line and off-line input from users.

b. How the applicant will measure and evaluate the impact of the project on—

(1) the members of the consortium (their connectivity, access, data collection and organization),

(2) the broader literacy community, especially other state agencies and local literacy service providers;

c. How results of the evaluation will be confirmed and reported.

Other Application Requirements

The application shall include the following:

Project Summary: The proposal must contain a 200-word summary of the proposed project suitable for publication. It should not be an abstract of the proposal, but rather a self-contained description of the activities that would explain the proposal. The summary should be free of jargon and technical terminology, and should be understandable by an intelligent but non-specialist reader.

Budget Proposal: ED Form 524 must be completed and submitted with each application. The form consists of Sections A, B, and C. on the back of the form are general instructions for completion of the budget. All applicants must complete Sections A and C. If Section B is completed, include the nature and source of non-federal funds. Attach as Section C a detailed explanation and amplification of each budget category. Included in the explanation should be a complete justification of costs in each category. Additional instructions include:

- Prepare a separate itemization and narrative for each of the SLRCs in the region in addition to submitting an itemized budget narrative for the project as a whole.
- Personnel items should include names (titles or position) of key staff, number of hours proposed and applicable hourly rates.
- Include the cost, purpose, and justification for travel, equipment,

supplies, contractual and other. Training stipends are not authorized under this program.

- Clearly identify in all instances contributed costs and support from other sources, if any.
- Show budget detail for financial aspects of any cost sharing, joint or cooperative funding.

Disclosure of Prior Institute Support: If any consortium member state has received Institute funding in the past 2 years, the following information on the prior awards is required:

- Institute award number, amount and period of support,
- A summary of the results of the completed work; and
- A brief description of available materials and other related research products not described elsewhere.

If the applicant has received a prior award, the reviewers will be asked to comment on the quality of the prior work describe in this section of the proposal.

Current and Pending Support: All current project support from whatever source (such as Federal, State, or local government agencies, private foundations, commercial organizations) must be listed. The list must include the proposed project and all other projects requiring a portion of time of the Project Director and other project personnel, even if they receive no salary support from the project(s). The number of person-months or percentage of effort to be devoted to the projects must be stated, regardless of source of support. Similar information must be provided for all proposals that are being considered by or will be submitted soon to other sponsors.

If the project now being submitted has been funded previously by another source, the information requested in the paragraph above should be furnished for the immediately preceding funding period. If the proposal is being submitted to other possible sponsors, all of them must be listed. Concurrent submission of a proposal to other organizations will not prejudice its review by the Institute.i

Any fee proposed to be paid to a collaborating or ''partner'' for-profit entity should be indicated. (Fees will be negotiated by the Grants Officer.) Any copyright, patent or royalty agreements (proposed or in effect) must be described in detail, so that the rights and responsibilities of each party are made clear. If any part of the project is to be subcontracted, a budget and work plan prepared and duly signed by the subcontractor must be submitted as part of the overall proposal and addressed in the narrative.

Instructions for Transmittal of Applications

(1) The original and two (2) copies of the application must be received by September 12, 1996, at the address below. Applicants are encouraged, but not required, to submit three (3) additional copies of the application, but will not be penalized if additional copies are not received.

National Institute for Literacy, 800 Connecticut Avenue, NW, Suite 200, Washington, DC 20006, Attention: (CFDA #84.257F)

(1) The NIFL will mail a Grant Applicant Receipt Acknowledgment to each applicant. If an applicant fails to receive the notification of application receipt within 15 days from the date of mailing the application, the applicant should call the NIFL at (202) 632–1525.

(2) The applicant must indicate on the envelope and in Item 10 of the application for Federal Assistance (Standard Form 424) the CFDA number of the competition under which the application is being submitted.

(3) All applications mailed to the NIFL must be received by September 12; applications received after that date will not be accepted. Thus, applicants must allow enough time for the U.S. Postal Service to make delivery by the deadline.

Application Forms: The append to this announcement is divided into three parts plus a statement regarding estimated public reporting burden and various assurances and certifications. These parts and additional materials are organized in the same manner that the submitted application should be organized. The parts and additional materials are as follows:

Part I: Application for Federal Assistance (ED Form 424 (Rev. 4–94)) and instructions.

Part II: Budget Information—Non-Construction Programs (ED Form 524) and instructions.

Part III. Application Narrative.

Additional Materials:

Estimated Public Reporting Burden.

Assurances—Non-Construction Programs (Standard Form 424B).

Certification Regarding Lobbying; Debarment, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements (ED 80–0013).

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion: Lower Tier Covered Transactions (ED 80–0014, 9/90) and instructions.

Note: ED 80–0014 is intended for the use of recipients and should not be transmitted to the NIFL.

Disclosure of Lobbying Activities (Standard Form LLL) (if applicable) and instructions.

An applicant may submit information on a photostatic copy of the application and budget forms, the assurances and the certifications. However, the application form, the assurances, and certifications must each have an original signature. No award can be made unless a completed application has been received.

Applicable Regulations: The National Institute for Literacy is subject to the rulemaking requirements of the Administrative Procedures Act (APA). Under the APA, as now codified in Title 5 of the United States Code, section 553, matters relating to public property, loans, grants, benefits, or contracts are not subject to the rulemaking requirement of that section. The National Institute for Literacy is now in the initial stages of establishing a new program recently authorized by Congress and must obligate funds under this authority by September 30, 1996. The NIFL considered waiving this exemption to rulemaking requirements but determined that there was too little time to propose rules and offer applicants a reasonable amount of time to prepare applications for the award announced in this notice. Therefore, the National Institute for Literacy has adopted the following rules for the conduct of this competition and the resulting award.

The following regulations of the Department of Education apply:

34 CFR part 74, Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations. The following provisions of 34 CFR part 75: §§ 75.50, 75.51, 75.102–75.104, 75.109, 75.117, 75.190–75.192, 75.200, 75.201, 75.215.

34 CFR part 77, Definitions.

34 CFR part 80, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

34 CFR part 82, New restrictions on Lobbying.

34 CFR part 85, Government wide Debarment and Suspension (Non procurement) and Government wide Requirements for Drug-Free Workplace (Grants).

The selection criteria used for this competition are set out in this Notice. While the criteria are patterned on those used generally by the Department of Education, they have been adapted by the NIFL to meet the needs of this program.

While the National Institute for Literacy is associated with the Departments of Education, Labor, and

Health and Human Services, the policies and procedures regarding rulemaking and administration of grants are not adopted by the NIFL except as expressly stated in this Notice.

Selection of Applications: The Director uses 34 CFR 75.217 in selecting an application for award.

Grant Administration: The administration of the grant to the consortium is governed by the conditions of the award letter. The Education Department General Administrative Regulations, (EDGAR) 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85 and 86 (January 1, 1995), set forth administrative and other requirements. This document is available through your public library and the NIFL. It is recommended that appropriate administrative officials become familiar with the policies and procedures in the EDGAR which are applicable to this award. If a proposal is recommended for an award, the Grants official will request certain organizational, management, and financial information.

The following information on grant administration dealing with questions such as General Requirement, Prior Approval Requirements, Transfer of Project Director, and Suspension or termination of Award, are available in EDGAR.

Reporting: In addition to working closely with the Institute, the applicant will be required to submit quarterly and an annual report of activities. This annual report will be presented to the Institute staff, the National Institute Advisory Board and Interagency Group. Detailed specifications for the annual report will be provided to the consortium within 3 months after the award. For planning purposes, the applicant may assume that the following information will be provided:

- Project(s) Title.
- Project Abstract.

A concise narrative describing in layman's language the subject purposes, methods, expected outcomes (including products), and significance of the project.

- Significant Products.

A list of significant holdings available for access associated with the consortium.

- Significant Accomplishments.

A past-tense abstract that describes the consortium's accomplishments, known uses of the holdings and evidence of positive impact.

The grantee must also submit the following reports:

- Quarterly Performance.

A brief 2–3 page report of progress—

Due: Within 20 days of the end of each quarter.

- Final Report.

Due: 90 days after the expiration of or termination of support.

Acknowledgment of Support and Disclaimer: An acknowledgment of Institute support and a disclaimer must appear in publications of any material, whether copyrighted or not, based on or developed under Institute-supported projects:

This material is based upon work supported by the National Institute for Literacy under Grant No. (grantee should enter Institute grant number).

Except for articles or papers published in professional journals, the following disclaimer should be included: Any opinion, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the NIFL.

Instructions for Estimated Public Reporting Burden: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid control number for this information collection is 3200–0029, Expiration date August 1999. The time required to complete this information collection is estimated to average 80 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.

Carolyn Staley,

Deputy Director, NIFL.

[FR Doc. 96–20490 Filed 8–9–96; 8:45 am]

BILLING CODE 6055–01–M

NUCLEAR REGULATORY COMMISSION

Documents Containing Reporting or Recordkeeping Requirements: Office of Management and Budget Review

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the Office of Management and Budget review of information collection and solicitation of public comment.

SUMMARY: The Nuclear Regulatory Commission (NRC) has recently submitted to the Office of Management and Budget (OMB) for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

1. Type of submission, new, revision, or extension: Revision.

2. Title of the information collection: 10 CFR 25 and 95, Access to and Protection of Classified Information.

3. The form number if applicable: Not applicable.

4. How often the collection is required: On occasion.

5. Who will be required or asked to report: NRC regulated facilities and other organizations requiring access to NRC classified information.

6. An estimate of the number of responses:

10 CFR Part 25—291
10 CFR Part 95—181
NRC Form 237—(20)

7. The estimated number of annual respondents:

10 CFR Part 25—20
10 CFR Part 95—10
NRC Form 237—(2)

8. An estimate of the total number of hours needed to complete the requirement or request:

10 CFR Part 25—20.75
10 CFR Part 95—201.5
NRC Form 237—(4)

9. An indication of whether Section 3507(d), Pub. L. 104–13 applies: Applicable

10. Abstract:—The Nuclear Regulatory Commission is amending 10 CFR Parts 25 and 95 to conform the requirements for the protection of and access to classified information to new national security policy documents. These proposed mandatory requirements are necessary to ensure that classified information in the possession of NRC licensees and others under the NRC's regulatory requirements is protected in accordance with current national policies.

Submit, by September 11, 1996, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the submittal may be viewed free of charge at the NRC Public Document Room, 2120 L Street NW. (lower level), Washington, DC. Members of the public who are in the Washington, DC area can access this document via modem on the Public Document Room Bulletin Board (NRC's

Advanced Copy Document Library), NRC subsystem at FedWorld, 703–321–3339. Members of the public who are located outside of the Washington, DC area can dial FedWorld, 1–800–303–9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703–487–4608. Additional assistance in locating the document is available from the NRC Public Document Room, nationally at 1–800–397–4209, or within the Washington, DC area at 202–634–3273.

Comments and questions should be directed to the OMB reviewer by September 11, 1996.

Peter Francis, Office of Information and Regulatory Affairs, (3150–0046, 3150–0047, and 3150–0050), NEOB–10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395–3084. The NRC Clearance Officer is Brenda Jo Shelton, (301) 415–7233.

Dated at Rockville, Maryland, this 1st day of August 1996.

For the Nuclear Regulatory Commission.

Gerald F. Cranford,

Designated Senior Official for Information Resources Management.

[FR Doc. 96–20494 Filed 8–9–96; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Proposed Collection; Comment Request for a Revised Information Collection

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, May 22, 1995), this notice announces that the Office of Personnel Management intends to submit to the Office of Management and Budget a request for reclearance of a revised information collection. Application to Participate as a Carrier Under 5 U.S.C. 8903(4), is used by OPM to determine if Comprehensive Medical Plans applying for participation in the Federal Employees Health Benefits Program meet the requirements for participation. The revised application considerably lessens the information collection burden of the current application. This revision needs to be in place by the end of 1996 so plans can use it during the next application cycle.

The total annual reporting burden is estimated to be 4,500 hours based on 50 applications at an average time burden of 90 hours per plan.

For copies of this proposal, contact Jim Farron on (202) 418–3208, or E–Mail to jmfarron@mail.opm.gov

DATES: Comments on this proposal should be received on or before October 11, 1996.

ADDRESSES: Send or deliver comments to—Abby L. Block, Chief, Insurance Policy and Information Division, Retirement and Insurance Service, 1900 E Street, NW, Room 3451, Washington, DC 20415–0001.

FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION–CONTACT: Mary Beth Smith-Toomey, Team Leader, Management Services Division, (202) 606–0623.

U.S. Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 96–20444 Filed 8–9–96; 8:45 am]

BILLING CODE 6325–01–M

PRESIDENTIAL ADVISORY COMMITTEE ON GULF WAR VETERANS' ILLNESSES

Meeting

AGENCY: Presidential Advisory Committee on Gulf War Veterans' Illnesses.

ACTION: Notice of open meeting.

SUMMARY: Under the provisions of the Federal Advisory Committee Act, this notice is hereby given to announce an open meeting concerning the Presidential Advisory Committee on Gulf War Veterans' Illnesses.

DATES: September 4, 1996, 9:00 a.m.–4:45 p.m.; September 5, 1996, 9:00 a.m.–4:30 p.m.

PLACE: Loews L'Enfant Plaza Hotel, 480 L'Enfant Plaza, SW, Washington, DC 20024.

SUPPLEMENTARY INFORMATION: The President established the Presidential Advisory Committee on Gulf War Veterans' Illnesses by Executive Order 12961, May 26, 1995. The purpose of this committee is to review and provide recommendations on the full range of government activities associated with Gulf War veterans' illnesses. The committee reports to the President through the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs. The committee members have expertise relevant to the functions of the committee and are appointed by the President from non-Federal sectors.

Tentative Agenda

Wednesday, September 4, 1996

9:00 a.m.—Call to order and opening remarks
9:05 a.m.—Public comment
10:00 a.m.—Committee discussion and staff briefings on charter and final report
11:00 a.m.—Break
11:15 a.m.—Committee discussion and staff briefings on charter and final report
12:15 p.m.—Lunch
1:30 p.m.—Committee discussion and staff briefings on charter and final report
3:00 p.m.—Break
3:15 p.m.—Briefings: What's new for Bosnia
4:45 p.m.—Meeting recessed

Thursday, September 5, 1996

9:00 a.m.—Briefings: Risk communication
10:30 a.m.—Break
10:45 a.m.—Briefings: Risk communication (cont.)
12:15 p.m.—Lunch
1:30 p.m.—Followup on Persian Gulf Investigation Team/risk factors panel meeting
1:45 p.m.—Committee discussion and staff briefings on charter and final report
3:00 p.m.—Briefings: Department of Defense, Department of Health and Human Services, and Department of Veterans Affairs
4:15 p.m.—Committee and staff discussion: Next steps
4:30 p.m.—Meeting adjourned

A final agenda will be available at the meeting.

Public Participation

The meeting is open to the public. Members of the public who wish to make oral statements should contact the Advisory Committee at the address or telephone number listed below at least five business days prior to the meeting. Reasonable provisions will be made to include on the agenda presentations from individuals who have not yet had an opportunity to address the Advisory Committee. The Advisory Committee Chair is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. People who wish to file written statements with the Advisory Committee may do so at any time.

FOR FURTHER INFORMATION CONTACT:

John D. Longbrake, Presidential Advisory Committee on Gulf War Veterans' Illnesses, 1411 K Street, N.W., suite 1000, Washington, DC 20005, Telephone: (202) 761–0066, Fax: (202) 761–0310.

Dated: August 1, 1996.

C.A. Bock,

Federal Register Liaison Officer, Presidential Advisory Committee on Gulf War Veterans' Illnesses.

[FR Doc. 96–20485 Filed 8–9–96; 8:45 am]

BILLING CODE 3610–76–M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC–22116; 812–10232]

Driehaus International Large Cap Fund, L.P. et al.; Notice of Application

August 5, 1996.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of Application for Exemption Under the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: Driehaus International Large Cap Fund, L.P. (the ''Partnership''), Driehaus Mutual Funds (the ''Trust''), Driehaus Capital Management, Inc. (the ''Adviser'') and Richard H. Driehaus.

RELEVANT ACT SECTION: Order requested under section 17(b) of the Act for an exemption from section 17(a) of the Act.

SUMMARY OF APPLICATION: Applicants request an order that would permit the Partnership to transfer substantially all of its assets and liabilities to the Trust in exchange for shares of beneficial interest of the Trust, which then would be distributed *pro rata* to the partners of the Partnership.

FILING DATES: The application was filed on July 2, 1996.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on August 30, 1996, and should be accompanied by proof of service on applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street, N.W., Washington, DC 20549. Applicant, 25 East Erie Street, Chicago, IL 60611.

FOR FURTHER INFORMATION CONTACT: Suzanne Krudys, Senior Counsel, at (202) 942–0641, or Alison E. Baur, Branch Chief, (202) 942–0564 (Office of Investment Company Regulation, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representation

1. The Partnership was organized as a Delaware limited partnership on July 1, 1990. The Partnership's investment objective is to seek capital appreciation by investing in equity securities of foreign companies with a market capitalization of more than $300 million using growth style investment criteria. The Partnership is organized as an investment partnership allowing investors to purchase limited partnership interests (''Interests'') or have them redeemed at net asset value on a monthly basis. The offering of the Interests was structured as a private placement under section 4(2) of the Securities Act of 1933 and Regulation D promulgated thereunder. The Partnership is not registered under the Act in reliance on section 3(c)(1) of the Act. Interests are sold to institutional investors and high net worth individuals. The Partnership has a minimum initial purchase requirement of $500,000.

2. Richard H. Driehaus serves as the sole general partner of the Partnership and has exclusive responsibility for its overall management, control and administration. The Adviser, which is wholly owned by Mr. Driehaus, serves as investment adviser with respect to Partnership assets. SEC records indicate that the adviser is registered under the Advisers Act.

3. The trust was organized as a Delaware business trust on June 3, 1996. The Trust is a registered no-load, open-end management investment company. The Trust currently has a single series, the Driehaus International Growth Fund (the ''Fund'') with an investment objective and policies similar to those of the Partnership. The Trust is managed by a board of trustees (the ''Board''), which will include as a majority of its members persons who are not ''interested persons'' (as defined in the Act) of the Trust (the ''Independent Trustees'').

4. The Fund proposes to acquire assets and liabilities from the Partnership in exchange for series of beneficial interests of the Trust relating to the Fund (the ''Fund Shares'') (the ''Exchange''). The Exchange will be effected pursuant to an Agreement and Plan of Exchange (the ''Plan''). Prior to effecting the Exchange, a memorandum will be distributed to each limited partner in the Partnership which will describe the nature and reasons for the Exchange.

5. The shares delivered to the Partnership in the Exchange will have an aggregate net asset value equivalent to the net asset value of the assets transferred by the Partnership to the Trust (except for the effect of certain organizational expenses paid by the Fund). Upon consummation of the Exchange, the shares received by the Partnership will be distributed by the Partnership to its partners, with each partner receiving shares having an aggregate net asset value equivalent to the net asset value of the Interests in the Partnership held by such partner prior to the Exchange. The Partnership may retain sufficient assets to pay any Partnership-accrued expenses that are not transferred to the Fund and retain any assets that the Fund is not permitted to purchase or that are reasonably determined to be unsuitable for it. Assets retained by the Partnership that are not needed to pay accrued expenses will be distributed *pro rata* to the partners of the Partnership. The Partnership will be liquidated and dissolved following the distribution.

6. The Partnership Agreement provides that the General Partners, upon 60 days advance notice to the Limited Partners, may terminate the Partnership. Limited Partners who do not wish to participate in the Exchange will have adequate opportunity to redeem their Partnership Interests before the Exchange and receive cash.

7. The expenses of the Exchange will be borne by the Adviser. Trust organizational expenses will be paid by the Fund and amortized over five years. Any unamortized organizational expenses associated with the organization of the Fund at a time Mr. Driehaus withdraws his initial investment in the Trust will be borne by Mr. Driehaus and/or the Adviser and not the Fund.

8. The Trust will enter into an advisory agreement with the Adviser (the ''Advisory Agreement''), pursuant to which the Adviser will render advisory services to the Fund substantially the same as those the

Adviser currently renders to the Partnership. In return for the Adviser's services, the Fund will pay a management fee to the Adviser, on a monthly basis, not to exceed 1.5% per annum of the Fund's net asset value.

9. The management fees for the Fund will not exceed the maximum fees currently paid by the limited partners in the Partnership. Applicants expect that other Fund expenses will generally be higher as a percentage of net asset value than the expenses of the Partnership. This is primarily because of the increased costs of operating a registered investment company and complying with various additional regulatory requirements and industry practices. The Adviser will, however, place a limit on the annual expenses of the Fund through the end of the first year of operation at 2.25%. In addition, the Fund, unlike the Partnership, imposes a 1% withdrawal fee upon redemptions.

10. The effect of the Exchange will be to establish the Trust as a successor investment vehicle to the Partnership. The Exchange will permit partners to pursue, as shareholders of the Trust, substantially the same investment objective and policies they were expecting from the partnership without sacrificing the pass-through tax features of the Partnership. In addition, shareholders of the Trust will be able to purchase and redeem shares on each business day, as opposed to only once per month as is currently provided under the Partnership Agreement.

11. The Board of Trustees and Mr. Driehaus as General Partner of the Partnership have considered the desirability of the Exchange from the respective points of view of the Trust and the Partnership, have approved the Exchange, and concluded that: (i) The terms of the Exchange meet the criteria contained in section 17(b) of the Act; (ii) the Exchange is desirable as a business matter from the respective points of view of the Trust and the Partnership; (iii) the Exchange is in the best interests of the Trust and the Partnership; (iv) the Exchange is reasonable and fair, does not involve overreaching, and is consistent with the policies of the Act; (v) the Exchange is consistent with the policies of the Trust and the Partnership; and (vi) the interests of existing partners of the Partnership will not be diluted as a result of the Exchange. Currently, the Board has only one member, and this person is an ''interested person'' (as defined in the Act) of the Trust. As a condition of the Exchange, the Agreement and Plan of Exchange must be approved by the Board, including a majority of the independent trustees, at such time as it has a majority of independent trustees. The Exchange will not be effected until the Trust and the Partnership have received a favorable opinion of counsel with respect to the tax consequences of the Exchange and the SEC has issued the requested order.

Applicants' Legal Analysis

1. Section 17(a) prohibits affiliated persons of a registered investment company, or affiliated persons of such persons, from selling to or purchasing from such company any security or other property. Section 2(a)(3) of the Act defines an ''affiliated person'' as, among other things, any person directly or indirectly controlling, controlled by, or under common control with, such other person. The partnership is an affiliated person of an affiliated person of the Trust because Mr. Driehaus is the owner of the adviser to the Trust, Mr. Driehaus is the general partner of the Partnership, and Mr. Driehaus will provide the initial ''seed'' capital investment in the Trust. As a result, the proposed Exchange may be deemed to be prohibited under section 17(a) of the Act.

2. Section 17(b) of the Act authorizes the Commission to exempt any person from one or more of the provisions of Section 17(a) if evidence establishes that (1) the terms of the transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; (2) the proposed transaction is consistent with the policy of each registered investment company concerned; and (3) the proposed transaction is consistent with the general purposes of the Act.

3. The terms of the Exchange should be considered reasonable and fair to the Partnership, to the Trust, and to the limited partners who, with Mr. Driehaus, will be the initial shareholders of the Fund, and should not be considered to involve overreaching on the part of any applicant for the following reasons:

(a) The investment objective and policies of the Fund are substantially similar to that of the Partnership.

(b) No brokerage commission, fee or other enumeration will be paid in connection with the Exchange.

(c) The Exchange will result in no gain or loss being recognized by partners of the Partnership. The partners of the Partnership will become investors in an entity that offers greater liquidity and other advantages, without immediate tax consequences and without having incurred transaction and brokerage charges in order to do so.

(d) A majority of the members of the Board, including a majority of the independent trustees, and the general partner of the Partnership will have approved the Exchange.

4. Applicants believe that the terms of the proposed Exchange are consistent with the provisions, policies and purposes of the Act in that they are reasonable and fair to all parties, do not involve overreaching, and are consistent with the investment policies of each of the applicants. Accordingly, the applicants submit that the terms of the Exchange are consistent with the requirements of section 17(b) of the Act.

For the Commission, by the Division of Investment Management, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 96–20455 Filed 8–9–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37529; File No. SR–Amex–96–30]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the American Stock Exchange, Inc., Relating to a One-Year Extension of the Exchange's Pilot Program for Specialists in Portfolio Depositary Receipts and Investment Trust Securities to Participate in the After-Hours Trading Facility and to Extend the Pilot Program to Index Fund Shares

August 6, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on July 31, 1996, the American Stock Exchange, Inc. (''Amex'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The text of the proposed rule change is available at the Amex and at the Commission.

[1] 15 U.S.C. 78s(b)(1).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange seeks a one year extension of the pilot program permitting specialists in Portfolio Depositary Receipts (''PDRs'') and investment trust securities listed pursuant to Section 118B of the Exchange's Company Guide [2] to participate in the After-Hours Trading (''AHT'') facility to ''clean-up'' order imbalances and to effect closing price coupled orders.[3] The Exchange also seeks to extend the pilot program to Index Fund Shares.[4]

The Exchange believes that extension of the Exchange's pilot program to permit specialists in PDRs, investment trust securities and Index Fund Shares to participate in the AHT facility in order to ''clean-up'' order imbalances and effect closing price coupled orders would benefit investors by providing additional liquidity to the listed cash market for derivative securities based upon well known market indexes. The market price of these securities is based upon transactions largely effected in markets other than the Amex. (In the case of Index Fund Shares, the market price of these securities is based exclusively on transactions occurring outside the Amex.) The specialist in the Amex listed derivatives has no unique access to market sensitive information regarding the market for the underlying securities or closing index values. The Exchange, therefore, believes that specialist participation in the AHT facility in PDRs, investment trust securities and Index Fund Shares in the manner previously approved by the Commission does not raise any market integrity issues.[5] In addition, should a customer not care for an execution at the closing price, the rules of the Exchange's AHT facility permit cancellation of an order up to the close of the AHT session at 5:00 p.m. (Orders in the AHT facility are not executed until the 5:00 p.m. close of the After-Hours session.) A customer, therefore, has approximately 40 minutes to determine if an execution at the closing price suits its needs, and may cancel its order if it believes that the closing price does not suit it objectives.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act in general and furthers the objectives of Section 6(b) in particular in that it is designed to prevent fraudulent manipulative acts and practices, promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change: (1) Does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; (3) does not become operative for 30 days from July 31, 1996, the date on which it was filed, and the Exchange provided the Commission with written notice of its intent to file the proposed rule change at least five business days prior to the filing date, it has become effective pursuant to Section 19(b)(3)(A) of the Act [6] and Rule 19b–4(e)(6) thereunder.[7] Therefore, the pilot program will be extended until August 29, 1997.

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

[2] The Exchange currently lists two Portfolio Depositary Receipts, *viz.*, Standard and Poor's Depositary Receipts on the S&P 500 and MidCap Indexes (''SPDRs''); and two investment trust securities pursuant to Section 118B of the Exchange's Listing Guidelines: LOR Index Trust SuperUnits and LOR Money Market SuperUnits.

[3] According to the Exchange, there was no trading volume in the AHT for SPDRs and investment trust securities from June 1995 to June 1996. The Exchange, nevertheless, is optimistic that there could be after hours trading in these securities (particularly if SPDRs could be used as the cash component of an exchange for physical transaction). The Commission notes that in the last approval order extending the pilot, the Commission requested that the Exchange submit a report describing its experience with the pilot program. See Securities Exchange Act Release No. 36123 (Aug. 18, 1995), 60 FR 44519 (Aug. 28, 1995) (extending Amex's pilot program permitting specialists to participate in the After-Hours Trading Facility in PDRs and investment trust securities until August 29, 1996). According to the Exchange, it has not submitted such a report because there has been no trading in the AHT for SPDRs and investment trust securities.

[4] The Exchange currently lists 16 Index Fund Shares, which are commonly referred to as WEBS[sm]. WEBS are shares issued by an open-end management investment company that seek to provide investment results that correspond generally to the price and yield performance of a specified foreign or domestic equity market index. The Exchange currently lists WEBS based on the following Morgan Stanley Capital International (''MSCI'') indices: MSCI Australia Index; MSCI Austria Index; MSCI Belgium Index; MSCI Canda Index; MSCI France Index; MSCI Germany Index; MSCI Hong Kong Index; MSCI Italy Index; MSCI Japan Index; MSCI Malaysia Index; MSCI Mexico Index; MSCI Netherlands Index; MSCI Singapore (Free) Index; MSCI Spain Index; MSCI Sweden Index; MSCI Switzerland Index; and MSCI United Kingdom Index. (See SR–AMEX–95–43.)

[5] The Commission notes that as in the original pilot program, specialists in PDRs, investment trust securities, and Index Fund Shares may participate in a coupled closing price order as long as the other side of the order is not for an account in which a member or member organization has a direct or indirect interest. Moreover, as with the original pilot program, the limit orders for PDRs, investment trust securities, and Index Fund Shares may not migrate from the specialist's limit order book to the AHT facility in order to help prevent manipulation or misuse of specialists' information regarding which limit orders are eligible for execution in the AHT facility. See Securities Exchange Act Release No,. 36123, *supra* note 3.

[6] 15 U.S.C. 78s(b)(3)(A).

[7] 17 CFR 240.19b–4(e)(6).

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR–Amex–96–30 and should be submitted by September 3, 1996.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–20456 Filed 8–9–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37528; File No. SR–NASD–95–61]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Notice of Extension of Public Comment Period for Proposed Rule Change

August 5, 1996.

On December 22, 1995,[1] the National Association of Securities Dealers, Inc. (''NASD'' or ''Association'') filed a proposed rule change with the Securities and Exchange Commission (''SEC'' or ''Commission''). The NASD proposes to amend NASD Rules 2820 and 2830 to revise existing rules applicable to the sale of investment company securities and establish new rules applicable to the sale of variable contracts.

Notice of the proposed rule change was provided by the issuance of a Commission release (Securities Exchange Act Release No. 37374, June 26, 1996) and by publication in the Federal Register (61 FR 35822, July 8, 1996).

The Commission has been requested to extend the time period for public comment on the proposed rule change.[2] The Commission hereby extends the period for public comment on the proposed rule change until August 19, 1996.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[3]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–20457 Filed 8–9–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37523; File No. SR–PTC–96–04]

Self-Regulatory Organizations; The Participants Trust Company; Notice of Filing of Proposed Rule Change Relating to the Elimination of Prefunding Requirements for Intraday Free Retransfers

August 5, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on July 2, 1996, the Participants Trust Company (''PTC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–PTC–96–04) as described in Items I, II, and III below, which Items have been prepared primarily by PTC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change will amend PTC's rules to eliminate the requirement that participants prefund free redeliveries (''free redeliveries'') involving securities that were received by a participant versus payment that same day.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, PTC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. PTC has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of such statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to amend PTC's rules to eliminate the requirement that participants must have cash on deposit (''optional deposits'') with PTC equal to the original contract value for securities that are received the same day versus payment prior to making an intraday free redelivery of such securities. These optional deposits are commonly referred to as ''prefundings.''

The requirement that participants prefund intraday free redeliveries was added to PTC's rules by MBS Clearing Corporation (''MBSCC''), predecessor to PTC.[3] The purpose of the prefunding requirement was to support the original deliverer's security interest (''DSI'') and the default provisions which permitted PTC to reverse (*i.e.*, unwind) securities deliveries to achieve settlement, both of which were added to PTC's rules at the same time.[4] Both the DSI and the unwind procedures subsequently have been eliminated from the PTC rules and have been replaced with the participant's intraday collateral lien (''PICL'').[5]

The PICL, which can be exercised only if PTC is insolvent and fails to achieve settlement, is granted to those participants with a net credit balance

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[8] 17 CFR 200.30–3(a)(12).

[1] On June 14, 1996, the NASD filed Amendment No. 1 with the Commission. Amendment No. 1 addresses the relationship of the proposed rule change to industry initiatives concerning compensation practices, expands the scope of the proposed rule change to govern all sales targets, whether or not previously specified and replaces the term ''variable contract securities'' with the term ''variable contract.'' See Letter from John M. Ramsay, Deputy General Counsel, NASD to Katherine A. England, Assistant Director, Division of Market Regulation, SEC (June 14, 1996).

[2] By letter dated August 5, 1996 the NASD has consented to an extension of the comment period.

See letter from John M. Ramsay, Deputy General Counsel, NASD Regulation, Inc. to Katherine A. England, Assistant Director, Division of Market Regulation, Commission.

[3] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] The Commission has modified the text of the summaries prepared by PTC.

[3] In 1988, MBSCC proposed a rule change to require its participants to prefund intraday free transfers. Securities Exchange Act Release No. 26101 (September 22, 1988), 53 FR 37895 [File No. SR–MBS–88–14] (notice of filing of proposed rule change). Subsequently, the order granting PTC's registration as a clearing agency incorporated the proposed rule change stating that PTC's rules were essentially identical to MBSCC's rules including the most recently proposed rule changes. Securities Exchange Act Release No. 26671 (March 31, 1989), 54 FR 13266, [File No. 600–25] (order granting registration as a clearing agency and statement of reasons).

[4] PTC's rules originally provided that securities delivered versus payment (*i.e.*, held in a participant's transfer account) were held by PTC pending settlement subject to the DSI granted to the original delivering participant. If securities were thereafter redelivered free from a transfer account, the secured party would lose its collateral unless prefunding served as proceeds of that collateral. Accordingly, participants that made a free delivery of securities subject to a DSI were required to have cash at least equal to the original contract value of the securities in the form of an optional deposit to the participants fund.

[5] For a more complete discussion of PTC's reasons for removing the DSI and the unwind procedures, refer to Securities Exchange Act Release No. 34701 (September 22, 1994), 59 FR 49730 [File No. SR–PTC–94–03] (order approving proposed rule change).

owed to them by PTC. Participants with a net credit balance have a pro rata interest in a common pool of collateral that consists of securities held in transfer accounts (*i.e.*, intraday deliveries versus payment) for which settlement has not yet occurred, payments made by participants to satisfy net debit balances owed to PTC, and prefunding payments made to support intraday free redeliveries of securities from transfer accounts.

Prefunding intraday free redeliveries imposes a substantial burden on participants. For example, if a participant receives a security in a transaction versus payment through PTC and thereafter redelivers it free, such participant usually will be receiving payment for the free redelivery outside of PTC. Although the participant must have sufficient Net Free Equity (''NFE'')[6] for PTC to process the transaction, the participant may not have the cash available until after the funds are received from the party receiving the free redelivery outside of PTC. In addition, the participant may be in a net credit position at PTC when cash prefunding is required as a result of other transactions which are processed through its account.

PTC believes that the NFE controls applicable to participants will adequately protect PTC and the settlement of its transactions if the prefunding of intraday free redeliveries is eliminated. Every transaction processed through the PTC system, including both deliveries versus payment and free redeliveries, is tested to ensure that both the delivering and receiving participant's accounts will not have negative NFE after giving effect to the transaction.

PTC believes the NFE computation ensures that sufficient value is available to PTC to collateralize a settlement advance if a participant defaults on the payment of its debit balance. Under the proposed rule change, a free redelivery will not require prefunding although the NFE control will block any free redelivery where the deduction of the securities from the account of the delivering participant will cause its NFE to be negative. Accordingly, the elimination of cash prefunding will not diminish this NFE control, which assures that the amount of collateral available with respect to a participant's account is sufficient to cover the participant's debit balance. Although elimination of the prefunding requirement for intraday retransfers may result in some reduction in the aggregate collateral pool available to the PICL holders, PTC believes the magnitude of such reduction will not be material.

PTC believes that the proposed rule change is consistent with Section 17A of the Act[7] and the rules and regulations thereunder because it will facilitate the prompt and accurate clearance and settlement of securities transactions and will provide for the safeguarding of securities and funds in PTC's custody or control or for which PTC is responsible.

(B) Self-Regulatory Organization's Statement on Burden on Competition

PTC does not believe that the proposed rule change imposes any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

PTC has not solicited nor has received any written comments on the proposed rule change. PTC has discussed the proposed rule change with its participants informally and at meeting of PTC's Operations Committee which is composed of participant representatives. In the course of these discussions, participants have indicated a particular difficulty in complying with the prefunding requirement for free redeliveries of securities that support the issuance of collateralized mortgage obligation (''CMO'') securities. In these instances, a participant, usually the underwriter, will incur a debit balance in its PTC account as a result of the purchase of the securities while subsequent redelivery of the securities to a PTC limited purpose account is sent free pending issuance of the CMO. The primary source of the cash necessary to comply with the prefunding requirement would be the proceeds of the to be issued CMO.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to ninety days of such date if it finding such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which PTC consents, the Commission will:

(A) By order approve such proposed rule change or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submission should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington D.C. 20549. Copies of the submissions, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filings will also be available for inspection and copying at the principal office of PTC. All submissions should refer to the file number SR–PTC–96–04 and should be submitted by September 3, 1996.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[8]

Jonathan G. Katz,

Secretary.

[FR Doc. 96–20399 Filed 8–9–96; 8:45 am]

BILLING CODE 8010–01–M

[6] NFE for a participant's account consists of, among other things, the cash balances in the participant's account, the market value of securities, net of applicable margin in the participant's account or associated transfer account, a portion of the participant's mandatory deposit to the participants fund, and the participant's optional deposits to the participants fund including prefunding. Additional components of NFE not relevant to this analysis include reserve on gain, which operates to reduce NFE in certain transactions, and excess proprietary NFE, a component of supplemental processing collateral.

[7] 15 U.S.C. 78q–1 (1988).

[8] 17 CFR 200.30–3(a)(12) (1995).

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Request

The Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with P.L. 104–13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on August 2, 1996, the information collection listed below will require extension of the current OMB approval.

(Call the SSA Reports Clearance Officer on (410) 965–4125 for a copy of the form(s) or package(s), or write to her at the address listed below the information collection(s).)

Black Lung Student's Statement Regarding Resumption of School Attendance and Report of Black Lung Student Beneficiary at End of School Year—0960–0314. The information on forms SSA–2602 and SSA–2613 is used by the Social Security Administration to determine whether or not a student beneficiary will resume (or has resumed) full-time school attendance at an approved educational institution. If so, he or she will be continuously entitled to benefits. The respondents are children of disabled or deceased coal miners and officials of schools they attend.

Number of Respondents: SSA–2602—8,000; SSA–2613—8,000.

Frequency of Response: 1.

Average Burden Per Response: SSA–2602—5 minutes; SSA–2613—7.5 minutes.

Estimated Annual Burden: 1,667 hours.

Written comments and recommendations regarding this information collection should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Judith T. Hasche, 6401 Security Blvd., 1–A–21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

Dated: August 5, 1996.

Judith T. Hasche,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 96–20353 Filed 8–9–96; 8:45 am]

BILLING CODE 4190–29–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Revisions of the San Diego Class B Airspace Area, CA; Public Meetings

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting.

SUMMARY: This notice announces two fact-finding informal airspace meetings to solicit information from airspace users, and others, concerning a proposal to revise the Class B airspace at San Diego, CA. The purpose of these meetings is to provide interested parties the opportunity to present views, recommendations, and comments on this proposal. All comments received during the meetings will be considered prior to issuance of a notice of proposed rulemaking.

TIME AND DATE: The informal airspace meetings will be held on Wednesday, October 2 and Wednesday, October 16, 1996, starting at 7:00 p.m. Comments must be received on or before December 16, 1996.

PLACE: On October 2, 1996, the meeting will be at National University, Chamberlain Hall, 4085 Camino Del Rio South, San Diego, CA. On October 16, 1996, the meeting will be at San Marcos Community Center, Community Hall, 3 Civic Center Drive, San Marcos, CA.

COMMENTS: Send or deliver comments on the proposal in triplicate to: Manager, Air Traffic Division, AWP–500, Federal Aviation Administration, P.O. Box 92007, World Postal Center, Los Angeles, CA 90009.

FOR FURTHER INFORMATION CONTACT: William Buck, Air Traffic Division, AWP–530, FAA, Western-Pacific Regional Office, telephone (310) 725–6556.

SUPPLEMENTARY INFORMATION:

Meeting Procedures

The following procedures will be used to facilitate the meetings:

(a) The meetings will be informal in nature and will be conducted by a representative of the FAA Western-Pacific Region. Representatives from the FAA will present a formal briefing on the proposed revisions of the Class B airspace area. Each participant will be given an opportunity to deliver comments or make a presentation.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee or other charge to attend and participate.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter.

(d) The meetings will not be adjourned until everyone on the list has had an opportunity to address the panel. The meeting may be adjourned at any time if all persons present have had the opportunity to speak.

(e) Position papers or other handout material relating to the substance of the meetings will be accepted. Participants wishing to submit handout material should present *three* copies to the presiding officer. There should be additional copies of each handout available for other attendees.

(f) The meetings will not be formally recorded. However, a summary of the comments made at the meetings will be filed in the docket.

Agenda for the Meetings

Opening Remarks and Discussion of Meeting Procedures
Briefing on Background for Proposals
Public Presentations
Closing Comments

Issued in Washington, DC, on August 6, 1996.

Jeff Griffith,

Program Director for Air Traffic Airspace Management.

[FR Doc. 96–20512 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

Notice of Availability of the Record of Decision for the Proposed Development of the Monorail-Northeast Corridor Connection Project at Newark International Airport, Newark, New Jersey

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of the Record of Decision (ROD).

SUMMARY: The FAA is making available the Record of Decision for the proposed Development of the Monorail-Northeast Corridor Connection Project at Newark International Airport, Newark, New Jersey.

FOR FURTHER INFORMATION CONTACT: Mr. Laurence Schaefer, FAA, John F. Kennedy Int'l Airport, AEA–620, Jamaica, NY 11430, fax: (718) 995–9219.

SUPPLEMENTARY INFORMATION: Any person may obtain a copy of the ROD by submitting a request to the FAA contact identified above. The Federal Aviation Administration (FAA) is Lead Agency for purposes of implementing the procedures required by the National Environmental Policy Act of 1969 (NEPA), as amended, on a proposed transportation system access improvement project sponsored by the Port Authority of New York and New Jersey (Port Authority), operator of the airport. The purpose of this notice is to inform the public that the Record of Decision (ROD) is available to anyone upon request.

The FAA considered potential environmental impacts and other factors

resulting from the construction of the Monorail-Northeast Corridor Connection Project (the Project) at Newark International Airport (EWR). The ROD presents:

—alternatives considered for the project;
—the basis/justification for selecting the Preferred Alternative;
—summary of impacts; and
—mitigation measures for the Preferred Alternative.

The project proposed by the Port Authority is the development of an extension to the Monorail, currently operating at EWR, connecting it to a new Rail Station on the Northeast Corridor (NEC) that will then provide connection to the other rail services operated by the New Jersey Transit. Construction of the Monorail extension requires the incorporation of the system right-of-way in the ALP. The FAA conditionally approved an amendment to the ALP on November 9, 1995. This approval was made subject to an acceptable environmental review.

The FAA, as the Lead Agency, has determined that the requirements of the NEPA have been satisfied for the construction of the proposed project in Newark, New Jersey. This decision is based upon the FAA's close monitoring of the process and consideration of the effects of the project, all of which are documented in the Draft and Final Environmental Impact Statements (DEIS and FEIS). The FAA's determinations are outlined in the ROD. The FEIS was approved on January 23, 1996. The ROD was concurred in on July 18, 1996.

The Monorail-NEC Connection project is part of the Port Authority's overall effort to address land side capacity constraints at EWR. The major objective of the project is to provide an alternative means of access to EWR. The project will increase overall access capacity to the airport and will provide passengers with a fast, reliable and cost effective mode of access. The Monorail-NEC Connection project will also ease the current and anticipated congestion on the roadways at the airport's entrances and exits. Implementation of the Monorail-NEC project from the Airport's Parking Lot E Monorail Station to the new Rail Station on the NEC will reduce the amount of vehicular traffic destined for the airport and will assist the airport in matching its airside capacity with its landside capacity.

By notice in the Federal Register dated July 26, 1996, the U.S. Environmental Protection Agency (EPA) stated that its previous concerns have been addressed and that EPA therefore, has no objection to the proposed project.

Issued in Washington, DC, on August 7, 1996.

William DeGraaff,

Acting Manager, Airports Division.

[FR Doc. 96–20515 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

[Summary Notice No. PE–96–38]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before September 3, 1996.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, D.C. 20591.

Comments may also be sent electronically to the following internet address: nprmcmts@mail.hq.faa.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 267–3132.

FOR FURTHER INFORMATION CONTACT: Mr. D. Michael Smith, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–7470.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on August 7, 1996.

Donald P. Byrne,

Assistant Chief Counsel for Regulations.

Petitions for Exemption

Docket No.: 27227.

Petitioner: World Airways, Inc.

Sections of the FAR Affected: 14 CFR 121.434(e).

Description of Relief Sought: To extend and amend Exemption No. 5640, as amended, which permits World Airways, Inc., (World) to use Garuda Indonesian Airlines' and Malaysian Airlines' flight attendants as required flight attendants on certain flight operations in connection with the Hadj without each of those flight attendants having received 5 hours of supervised operating experiences as required by § 121.434(e). The amendment, if granted, would permit World to use Philippine Airlines, Inc., flight attendants who have not completed the operating experience requirements of § 121.434(e) on Hadj-related and non-Hadj-related flights, including flights to Los Angeles and San Francisco, California, and Honolulu, Hawaii.

[FR Doc. 96–20514 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

Maritime Administration

[Docket No. M–020]

Information Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

DATES: Comments should be submitted on or before October 11, 1996.

FOR FURTHER INFORMATION CONTACT: Taylor E. Jones, Jr., Director, Maritime Administration, MAR–250, Room 7302, 400 Seventh Street, S.W., Washington, D.C. 20590. Telephone 202–366–5755 or fax 202–366–3889. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Service Obligation Compliance Report.

Type of Request: Extension of currently approved information collection.

OMB Control Number: 2133–0509.

Form Number: MA–930.

Expiration Date of Approval: December 31, 1996.

Summary of Collection of Information: Every student and graduate of the USMMA and subsidized State maritime academy student and graduate incurs a mandatory service obligation in the U.S. merchant marine.

Need and Use of the Information: Information collection is necessary to determine if a graduate of the USMMA or subsidized State maritime academy graduate is complying with the requirement to submit annually a Service Obligation Compliance Report form to the Maritime Administration (MARAD). This form is used to determine if a graduate has complied with the terms of the service obligation for that year.

Description of Respondents: Every student and graduate of the USMMA and subsidized State maritime academy student incurs a mandatory service obligation in the U.S. merchant marine.

Annual Responses: 3000.

Annual Burden: 30 minutes.

Comments: Send all comments regarding this information collection to Joel C. Richard, Department of Transportation, Maritime Administration, MAR–120, Room 7210, 400 Seventh Street, S.W., Washington, D.C. 20590. Send comments regarding whether this information collection is necessary for proper performance of the function of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance quality, utility, and clarity of the information to be collected.

By Order of the Maritime Administrator.

Date: August 7, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96–20506 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–81–P

[Docket No. M–021]

Information Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Maritime Administration's (MARAD's) intentions to request extension of approval for three years of a currently approved information collection.

DATES: Comments should be submitted on or before October 11, 1996.

FOR FURTHER INFORMATION CONTACT: Taylor E. Jones, Jr., Director, Maritime Administration, MAR–250, Room 7302, 400 Seventh Street, S.W., Washington, D.C. 20590. Telephone 202–366–5755 or fax 202–366–3889. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title of Collection: Request for Waiver of Service Obligation; Request for Deferment of Service Obligation; Request for Review of Waiver/Deferment Decisions.

Type of Request: Extension of currently approved information collection.

OMB Control Number: 2133–0510

Form Number: MA–935, MA–936, MA–937.

Expiration Date of Approval: December 31, 1996.

Summary of Collection of Information: Every student and graduate of the USMMA and subsidized State maritime academy student and graduate incurs a mandatory service obligation in the U.S. merchant marine.

Need and Use of the Information: Information collection is necessary to determine if a graduate of the USMMA or subsidized State maritime academy student or graduate has a waiverable situation that prevents them from fulfilling the requirements of their service obligation contract. It also permits MARAD to determine if a graduate, who wishes to defer the service obligation to attend graduate school, may receive a deferment.

Description of Respondents: Every student and graduate of the USMMA and subsidized State maritime academy student incurs a mandatory service obligation in the U.S. merchant marine.

Annual Responses: 100.

Annual Burden: 20 minutes.

Comments: Send all comments regarding this information collection to Joel C. Richard, Department of Transportation, Maritime Administration, MAR–120, Room 7210, 400 Seventh Street, S.W., Washington, D.C. 20590. Send comments regarding whether this information collection is necessary for proper performance of the function of the agency and will have practical utility, accuracy of the burden estimates, ways to minimize this burden, and ways to enhance quality, utility, and clarity of the information to be collected.

By Order of the Maritime Administrator.

Dated: August 7, 1996.

Joel C. Richard,

Secretary.

[FR Doc. 96–20507 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–81–P

Research and Special Programs Administration

Notice of Proposed Collection; Comment Request

AGENCY: Research and Special Programs Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Research and Special Programs Administration's (RSPA) intention to request extension of an existing information collection in support of the Office of Pipeline Safety's (OPS) Alcohol Misuse Prevention Program for Pipeline Operators.

DATES: Comments on this notice must be received on or before October 11, 1996 to be assured of consideration.

FOR FURTHER INFORMATION CONTACT: Marvin Fell, Office of Pipeline Safety, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 366–1640.

SUPPLEMENTARY INFORMATION: Copies of this information collection can be reviewed at the Dockets Unit, Room 8421, Research and Special Programs Administration, Department of Transportation, 400 Seventh St., S.W., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Marvin Fell, Office of Pipeline Safety, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590, (202) 366–1640.

Comments are invited on: (a) The need for the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other

technological collection techniques. Send comments to Dockets Unit, Room 8421, Research and Special Programs Administration, Department of Transportation, 400 Seventh St., S.W., Washington, D.C. 20590.

Title: Alcohol Misuse Prevention Program.

OMB Number: 2137–0587.

Expiration Date of Approval: 2/28/00.

Type of Request: Extension of an existing information collection.

Abstract: Alcohol misuse has been identified by the Federal Government as a significant danger to safety in the United States today and it is reasonable to assume that the problem exists in the pipeline industry. The potential harmful effect of alcohol misuse on safe pipeline operations warrants the comprehensive alcohol misuse testing regulation imposed on the pipeline industry. These rules (49 CFR 199) require information collection in the form of an alcohol misuse prevention plan and record keeping.

Respondents: Pipeline Operators.

Estimate of Burden: 6 hours per operator.

Estimated Number of Responses per Respondent: 1.

Estimated Total Burden: 10,278 hours.

Estimated Number of Respondents: 1,713.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also be a matter of public record.

Issued in Washington, DC on August 7, 1996.

Cesar DeLeon,

Deputy Associate Administrator for Pipeline Safety.

[FR Doc. 96–20516 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–60–P

Office of Hazardous Materials Safety; Notice of Delays in Processing of Exemption Applications

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of Applications Delayed more than 180 days.

SUMMARY: In accordance with the requirements of 49 U.S.C. 5117(c), RSPA is publishing the following list of exemption applications that have been in process for 180 days or more. The reason(s) for delay and the expected completion date for action on each application is provided in association with each identified application.

FOR FURTHER INFORMATION CONTACT: J. Suzanne Hedgepeth, Director, Office of Hazardous Materials, Exemptions and Approvals, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590–0001, (202) 366–4535.

Key to ''Reasons for Delay''

1. Awaiting additional information from applicant
2. Extensive public comment under review
3. Application is technically very complex and is of significant impact or precedent-setting and requires extensive analysis
4. Staff review delayed by other priority issues or volume of exemption applications

Meaning of Application Number Suffixes

N—New application
M—Modification request
PM—Party to application with modification request

Issued in Washington, DC, on August 5, 1996.

J. Suzanne Hedgepeth,

Director, Office of Hazardous Materials, Exemptions and Approvals.

NEW EXEMPTION APPLICATIONS

Application No.	Applicant	Reason for delay	Estimated date of completion
10581–N	Luxfer UK Limited, Nottingham, England	4	10/31/1996
10664–N	EFIC Corporation, San Jose, CA	3	09/30/1996
10915–N	Luxfer USA Limited, Riverside, CA	3	09/30/1996
10945–N	Structural Composites Industries, Pomona, CA	3	06/30/1996
10997–N	HR Textron, Inc., Pacoima, CA	4	08/30/1996
11098–N	Alcan Smelters and Chemicals Ltd., Montreal, CN	4	09/15/1996
11157–N	Northwest Ohio Towing & Recovery, Beaverdam, OH	1, 4	05/30/1996
11193–N	U.S. Department of Defense, Falls Church, VA	4	08/30/1996
11194–N	Pressure Technology, Inc., Hanover, MD	3	09/30/1996
11302–N	Stolt Tank Containers Limited, Hull, North Humberside, EN	1	08/30/1996
11322–N	Hydra Rig, Inc., Ft. Worth, TX	1	09/30/1996
11375–N	Oceaneering Space Systems, Houston, TX	4	09/30/1996
11396–N	Laidlaw Environmental Services, LaPorte, TX	4	09/30/1996
11409–N	Pure Solve, Inc., Irving, TX	4	09/30/1996
11411–N	National Propane Gas Association, Arlington, VA	1, 3	08/30/1996
11424–N	Midwest Corporate Air, Inc., Bellefontaine, OH	4	08/30/1996
11442–N	Union Tank Car Co., East Chicago, IN	4	09/30/1996
11443–N	Hercules Inc., Wilmington, DE	4	08/30/1996
11450–N	Coast Gas Inc., Bakersfield, CA	4	08/30/1996
11465–N	Monsanto Co., St. Louis, MO	4	09/30/1996
11466–N	Monsanto Co., St. Louis, MO	4	08/30/1996
11470–N	North East Chemical Corp., Cleveland OH	4	09/30/1996
11491–N	P.M. Industrial Gas Ltd., Georgetown	1	08/30/1996
11505–N	Manchester Tank, Brentwood, TN	4	08/30/1996
11511–N	Brenner Tank Inc., Fond du Lac, WI	4	09/30/1996
11523–N	Bio-Lab, Inc., Conyers, GA	4	09/30/1996
11526–N	Boc Gases, Murray Hill, NJ	1, 4	08/15/1996
11527–N	Technical Service Co., Long Beach, CA	4	09/30/1996
11537–N	Babson Bros. Co., Romeoville, IL	4	08/30/1996
11538–N	Process Engineering, Plaistow, NH	4	09/30/1996
11540–N	Convenience Products, Fenton, MO	1	09/30/1996
11541–N	Kaiser Compositek, Brea, CA	3	09/30/1996

NEW EXEMPTION APPLICATIONS—Continued

Application No.	Applicant	Reason for delay	Estimated date of completion
11542–N	Sunrise Supply Enterprises, Ltd., Albuquerque, NM	4	09/30/1996
11551–N	The Fertilizer Institute, Washington, DC		08/30/1996
11557–N	Westvaco, Richmond, VA	4	09/30/1996
11559–N	Japan Oxygen, Inc., Long Beach, CA	4	09/30/1996
11561–N	Solkatronic Chemicals, Fairfield, NJ	4	10/30/1996
11565–N	C.P.F. Dualam Inc., Gatesville, TX	4	09/30/1996
11572–N	North American Biologicals, Inc., Miami, FL	4	09/30/1996
11578–N	General Alum & Chemical Co., Searsport, MA	4	10/15/1996
11583–N	Alaska Railroad Corp., Anchorage, AK	4	11/15/1996
11584–N	Monsanto Co., St. Louis, MO	1	09/30/1996
11586–N	Chem Coast Inc., La Porte, TX	4	10/15/1996
11591–N	Clearwater Distributors, Inc., Woodridge, NY	4	09/30/1996
11592–N	Amtrol Inc., West Warwick, RI	4	09/30/1996
11593–N	Johnson & Johnson, Skillman, NJ	4	09/30/1996
11597–N	Zeneca, Inc., Wilmington, DE	4	10/30/1996
11598–N	Metalcraft Inc., Baltimore, MD	4	09/30/1996
11599–N	Haviland Products Co., Grand Rapids, MI	1	10/30/1996
11606–N	Safety-Kleen Corp., Elgin, IL	4	10/30/1996
11609–N	Rubbermaid Commercial Products Inc., Winchester, VA	4	10/31/1996
11615–N	Allied-Signal Aerospace Co., Kansas City, MO	4	08/30/1996
11620–N	Advanced Monobloc Corp., Hermitage, PA	4	10/30/1996
11621–N	Aerojet Industrial Products, North Las Vegas, NV	4	10/30/1996
11622–N	Monsanto Co., St. Louis, MO	4	10/30/1996
11625–N	Exxon Chemical Co., Baytown, TX	4	10/30/1996
11626–N	DeVilbiss Health Care, Inc., Ft. Pierce, FL	4	09/30/1996
11627–N	Cabot Corporation, Revere, PA	4	11/30/1996
11631–N	Health Care Incinerators, Fargo, ND	4	10/31/1996

MODIFICATIONS TO EXEMPTIONS

Application No.	Applicant	Reason for delay	Estimated date of completion
4354–M	PPG Industries, Inc., Pittsburgh, PA	4	09/30/1996
5493–M	Montana Sulphur & Chemical Co., Billings, MT	4	09/30/1996
6117–M	Montanta Sulphur & Chemical Co., Billings, MT	4	10/15/1996
8556–M	Air Products & Chemicals, Inc., Allentown, PA	4	10/31/1996
8710–M	Akzo Nobel, Chicago, IL	4	08/30/1996
9001–M	Chesterfield Cylinders Limited, Chesterfield, Derbyshire, EN	4	08/15/1996
9184–M	The Carbide/Graphite Group, Inc., Louisville, KY	4	08/30/1996
9778–M	Western Atlas International, Houston, TX	4	09/30/1996
9909–M	Taylor-Wharton, Harrisburg, PA	4	09/30/1996
10511–M	Schlumberger Technology Corporation, Houston, TX	4	10/31/1996
10517–M	Nalco Chemical Co., Naperville, IL	4	11/30/1996
10962–M	International Compliance Center Ltd., Niagara Falls, NY	4	08/30/1996
10997–M	HR Textron Inc., Pacoima, CA	3, 4	08/30/1996
11055–M	Rollis Chempak Inc., Wilmington, DE	4	09/30/1996
11215–M	Orbital Sciences Corp., Dulles, VA	4	10/30/1996
11260–M	Texas Instruments Inc., Attleboro, MA	1	08/31/1996
11321–M	E.I. du Pont de Nemours & Company, Inc., Wilmington, DE	4	09/30/1996.

[FR Doc. 96–20443 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–60–M

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 131)]

Missouri Pacific Railroad Company—Abandonment—Hope-Bridgeport Line in Dickinson and Saline Counties, KS

[Docket No. AB–8 (Sub-No. 37)] [2]

The Denver and Rio Grande Western Railroad Company—Discontinuance of Trackage Rights—Hope-Bridgeport Line in Dickinson and Saline Counties, KS

AGENCY: Surface Transportation Board.

ACTION: Notice of findings.

SUMMARY: The Board has found that the public convenience and necessity permit the Missouri Pacific Railroad Company (MPRR) to abandon, and The Denver and Rio Grande Western Railroad Company to discontinue its trackage rights on, a line of railroad extending from milepost 459.20 near Hope to milepost 491.20 near Bridgeport, a distance of approximately 31.24 miles (milepost 478.05 = milepost 478.81) in Dickinson and Saline Counties, KS, subject to standard employee protective conditions, environmental conditions, and a 180-day trail use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: The Board's decision will be effective on September 11, 1996. Any financial assistance offer must be filed with the Board and the railroads no later than August 22, 1996. Any offer previously made must be remade by the due date. A certificate will be issued unless the Board also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to continue; and (2) it is likely that the assistance would fully compensate the railroad.

ADDRESSES: Send offers referring to Docket Nos. AB–3 (Sub-No. 131) and AB–8 (Sub-No. 37) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal, 1416 Dodge Street, Room #830, Omaha, NE 68179; and Gary A. Laakso, The Denver and Rio Grande Western Railroad Company, One Market Plaza, Room 846, San Francisco, CA 94105. The following notation must be typed in bold face on the lower left-hand corner of the envelope containing the offer: ''Office of Proceedings, AB-OFA.''

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20466 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

[2] These proceedings are embraced in Finance Docket No. 32760, Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 130)]

Missouri Pacific Railroad Company—Abandonment—Towner-NA Junction Line in Kiowa, Crowley, and Pueblo Counties, CO

[Docket No. AB–8 (Sub-No. 38)] [2]

AGENCY: Surface Transportation Board.

The Denver and Rio Grande Western Railroad Company—Discontinuance of Trackage Rights—Towner-NA Junction Line in Kiowa, Crowley, and Pueblo Counties, CO

ACTION: Notice of findings.

SUMMARY: The Board has found that the public convenience and necessity permit the Missouri Pacific Railroad Company (MPRR) to abandon, and The Denver and Rio Grande Western Railroad Company to discontinue its overhead trackage rights operations over, MPRR's Towner-NA Junction Line, which extends between MP 869.4 near NA (North Avondale) Junction, CO, and MP 747.0 near Towner, CO, a distance of approximately 122.4 miles in Pueblo, Crowley, and Kiowa Counties, CO, subject to standard employee protective conditions, environmental conditions, and a 180-day trail use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: The Board's decision will be effective on September 11, 1996. Any financial assistance offer must be filed with the Board and the railroads no later than August 22, 1996. Any offer previously made must be remade by the due date. A certificate will be issued unless the Board also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to continue; and (2) it is likely that the assistance would fully compensate the railroad.

ADDRESSES: Send offers referring to Docket Nos. AB–3 (Sub-No. 130) and AB–8 (Sub-No. 38) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179; and Gary A. Laakso, The Denver and Rio Grande Western Railroad Company, One Market Plaza, Room 846, San Francisco, CA 94105. The following notation must be typed in

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

[2] These proceedings are embraced in Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

bold face on the lower left-hand corner of the envelope containing the offer: ''Office of Proceedings, AB-OFA.''

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20467 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 133X)] [2]

Missouri Pacific Railroad Company—Abandonment Exemption—Iowa Junction Line-Manchester Line in Jefferson Davis and Calcasieu Parishes, LA

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903–04 the abandonment by Missouri Pacific Railroad Company of its approximately 8.5-mile rail line between milepost 680.0 near Iowa Junction and milepost 688.5 near Manchester in Jefferson Davis and Calcasieu Parishes, LA, subject to standard labor protective conditions, environmental conditions, a 180-day trail use condition, and a 180-day public use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2) [3] and additional requests for trail use/rail banking under 49 CFR 1152.29 must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; and petitions to reopen must be filed by September 3, 1996. Because the Board is imposing a 180-day public use condition in this proceeding, it is unnecessary to request this condition.

ADDRESSES: Send pleadings referring to Docket No. AB–3 (Sub-No. 133X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal 1416 Dodge Street, Room 830, Omaha, NE 68179–0830.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20470 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

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[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 129X)] [2]

Missouri Pacific Railroad Company—Abandonment Exemption—Gurdon-Camden Line in Clark, Nevada, and Ouachita Counties, AR

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903–04 the abandonment by Missouri Pacific Railroad Company of its 28.7-mile rail line between milepost 428.3 near Gurdon and milepost 457.0 near Camden in Clark, Nevada, and Ouachita Counties, AR, subject to standard labor protective conditions, and environmental and historic preservation conditions as set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2) [3] and requests for trail use/rail banking under 49 CFR 1152.29 must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; requests for a public use condition must be filed by September 3, 1996; and petitions to reopen must be filed by September 3, 1996.

ADDRESSES: Send pleadings referring to Docket No. AB–3 (Sub-No. 129X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch,

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[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] *See Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179–0830.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20471 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 134X)] [2]

Missouri Pacific Railroad Company—Abandonment Exemption—Troup-Whitehouse Line in Smith County, TX

Missouri Pacific Railroad Company (MPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 7.5 miles of the Troup-Whitehouse line (portion of the Tyler Industrial Lead) extending from milepost 0.50 near Troup to milepost 8.0 near Whitehouse, in Smith County, TX.[3]

MPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 90-day public use condition. Trail use/rail banking conditions or additional public use conditions will be imposed, where necessary, in a subsequent decision.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[4] and trail use/rail banking requests under 49 CFR 1152.29 [5] must be filed by August 22, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20478 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

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[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] MPRR states that the abandonment does not include active industries at Troup or Whitehouse, TX. MPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

[4] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[5] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Surface Transportation Board [1]

[Docket No. AB–3 (Sub-No. 132X)] [2]

Missouri Pacific Railroad Company—Abandonment Exemption—Whitewater-Newton Line in Butler and Harvey Counties, KS

Missouri Pacific Railroad Company (MPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon a 9.0-mile portion of the Newton-Whitewater line (portion of McPherson Branch) from milepost 476.0 near Whitewater to milepost 485.0 near Newton, in Butler and Harvey Counties, KS.[3]

MPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic can be rerouted over other rail lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] MPRR states that the abandonment does not include active industries at Whitewater or Newton, KS. MPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket 32760.

over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[4] and trail use/rail banking requests under 49 CFR 1152.29[5] must be filed by August 22, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Public use or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20479 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[4] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

[5] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Surface Transportation Board [1]

[Docket No. AB–12 (Sub-No. 184X)] [2]

Southern Pacific Transportation Company—Abandonment Exemption—Wendel-Alturas Line in Modoc and Lassen Counties, CA

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903–04 the abandonment by Southern Pacific Transportation Company of its 85.5-mile rail line between milepost 360.1 near Wendel and milepost 445.6, near Alturas, in Modoc and Lassen Counties, CA, subject to standard labor protective conditions, environmental and historic preservation conditions, a 180-day trail use condition, and a 180-day public use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)[3] and additional requests for trail use/rail banking under 49 U.S.C. 1152.29 must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; and petitions to reopen must be filed by September 3, 1996. Because the Board is imposing a 180-day public use condition in this proceeding, it is unnecessary to request this condition.

ADDRESSES: Send pleadings referring to Docket No. AB–12 (Sub-No. 184X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Gary A. Laakso, General Attorney, Southern Pacific Building, One Market Plaza, Room 846, San Francisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20472 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

Surface Transportation Board [1]

[Docket No. AB–12 (Sub-No. 185X)]

Southern Pacific Transportation Company—Abandonment Exemption—Suman-Bryan Line in Brazos and Robertson Counties, TX [2]

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval

[1] The ICC Termination Act of 1995, Pub. L. No. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] Southern Pacific Transportation Company (SPT) originally petitioned to abandon the entire 16.2-mile Suman-Bryan Line in Brazos and Robertson Counties, TX. SPT later modified the petition by excluding the rail segment between milepost 105.7 and milepost 101.4 near Bryan, TX. Now, the line sought to be abandoned lies solely in Robertson County, TX. We are, however, for administrative convenience retaining the original title of this proceeding.

requirements of 49 U.S.C. 10903–04 the abandonment by Southern Pacific Transportation Company of its 12.53-mile rail line between milepost 117.6 near Suman and milepost 105.7 near Benchley in Robertson County, TX, subject to standard labor protective conditions, environmental and historic preservation conditions, and a 90-day public use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)[3] and requests for trail use/rail banking must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; requests for a public use condition must be filed by September 3, 1996, and petitions to reopen must be filed by September 3, 1996.

ADDRESSES: Send pleadings referring to Docket No. AB–12 (Sub-No. 185X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Gary A. Laakso, General Attorney, Southern Pacific Building, One Market Plaza, Room 846, San Francisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20473 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[3] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C. 2d 164 (1987).

Surface Transportation Board[1]

[Docket No. AB–12 (Sub-No. 187X)][2]

Southern Pacific Transportation Company—Abandonment Exemption—Seabrook-San Leon Line in Galveston and Harris Counties, TX

Southern Pacific Transportation Company (SPT) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 10.5 miles of its Seabrook-San Leon Line from milepost 30.0 near Seabrook, to milepost 40.5 near San Leon, in Galveston and Harris Counties, TX.[3]

SPT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental and historic preservation conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 90-day public use condition. Trail use/rail banking conditions and additional public use conditions will be imposed, where appropriate, in a subsequent decision.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[4] and trail use/rail banking requests under 49 CFR 1152.29[5] must be filed by August 22, 1996. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Gary A. Laakso, General Attorney, Southern Pacific Building, One Market Plaza, Room 846, San Francisco, CA 94105.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] SPT indicates that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

[4] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.*, 4 I.C.C. 2d 164 (1987).

[5] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20482 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

Surface Transportation Board [1]

[Docket No. AB–8 (Sub-No. 39)]

The Denver and Rio Grande Western Railroad Company— Discontinuance—Malta-Cañon City Line in Lake, Chaffee, and Fremont Counties, CO

[Docket No. AB–12 (Sub-No. 188)] [2]

Southern Pacific Transportation Company—Abandonment— Malta-Cañon City Line in Lake, Chaffee, and Fremont Counties, CO

AGENCY: Surface Transportation Board.

ACTION: Notice of findings.

SUMMARY: The Board has found that the public convenience and necessity permit the Southern Pacific Transportation Company and The Denver and Rio Grande Western Railroad Company to discontinue operations on a line of railroad extending from milepost 271.0 near Malta to milepost 162.0 near Cañon City, a distance of 109 miles in Lake, Chaffee, and Fremont Counties, CO, subject to standard employee protective conditions and environmental conditions set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Accordingly, the application of the Southern Pacific Transportation Company to abandon and discontinue service over this line is granted in part (discontinuance authority is granted) and denied in part (abandonment authority is denied).

DATES: The Board's decision will be effective on September 11, 1996. Any financial assistance offer must be filed with the Board and the railroad(s) no later than August 22, 1996. Any offer previously made must be remade by the due date. A certificate will be issued unless the Board also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to continue; and (2) it is likely that the assistance would fully compensate the railroad.

ADDRESSES: Send offers referring to Docket Nos. AB–8 (Sub-No. 39) and AB–12 (Sub-No. 188) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Gary A. Laakso, Southern Pacific Building, One Market Plaza, Room 846, San Francisco, CA 94105. The following notation must be typed in bold face on the lower left-hand corner of the envelope containing the offer: ''Office of Proceedings, AB-OFA.''

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20468 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

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[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

[2] These proceedings are embraced in Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

Surface Transportation Board [1]

[Docket No. AB–8 (Sub-No. 36X)] [2]

The Denver and Rio Grande Western Railroad Company—Discontinuance Exemption—Sage-Malta-Leadville Line in Eagle and Lake Counties, CO

[Docket No. AB–12 (Sub-No. 189X)]

Southern Pacific Transportation Company—Abandonment Exemption—Sage-Malta-Leadville Line in Eagle and Lake Counties, CO

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 10903–04 the discontinuance of operations by the Denver and Rio Grande Western Railroad Company and by the Southern Pacific Transportation Company over a 69.1-mile line of railroad between milepost 335.0 near Sage and milepost 270.0 near Malta, and between milepost 271.0 near Malta and milepost 276.1 near Leadville, in Eagle and Lake Counties, CO, subject to standard labor protective conditions and continued access for Viacom International, Inc. to the Eagle Mine site to facilitate ongoing remediation activities, as set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. In Decision No. 44, the Board is granting the petition in Docket No. AB–12 (Sub-No. 187X), in part (discontinuance authority is being granted) and denying it in part (abandonment authority is being denied). No trail use or public use conditions can be imposed because only authority for discontinuances is being granted.

DATES: Provided no formal expression of intent to file an offer of financial

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[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)[3] must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; and petitions to reopen must be filed by September 3, 1996.

ADDRESSES: Send pleadings referring to Docket Nos. AB–8 (Sub-No. 36X) and AB–12 (Sub-No. 189X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Gary A. Laakso, General Attorney, Southern Pacific Building, One Market Plaza, Room 846, San Francisco, CA 94105.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services: (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20474 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[3] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C. 2d 164 (1987).

Surface Transportation Board[1]

[Docket No. AB–33 (Sub-No. 96)][2]

Union Pacific Railroad Company—Abandonment—Barr-Girard Line in Menard, Sangamon and Macoupin Counties, IL

AGENCY: Surface Transportation Board.
ACTION: Notice of findings.

SUMMARY: The Board has found that the public convenience and necessity permit the Union Pacific Railroad Company to abandon approximately 38.4 miles of rail line extending near milepost 51.0 near Barr to milepost 89.4 near Girard in Menard, Sangamon, and Macoupin Counties, IL, subject to standard employee protective conditions, environmental and historic preservation conditions, a 180-day public use condition, and a 180-day trail use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: The Board's decision will be effective on September 11, 1996. Any financial assistance offer must be filed with the Board and the railroad no later than August 22, 1996. Any offer previously made must be remade by the due date. A certificate will be issued unless the Board also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to continue; and (2) it is likely that the assistance would fully compensate the railroad.

ADDRESSES: Send offers referring to Docket No. AB–33 (Sub-No. 96) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179. The following notation must be typed in bold face on the lower left-hand corner of the envelope containing the offer: ''Office of Proceedings, AB-OFA.''

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1152.27.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20469 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former section of the statute, unless otherwise indicated.

[2] This proceeding is embraced in Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

Surface Transportation Board[1]

[Docket No. AB–33 (Sub-No. 98X)][2]

Union Pacific Railroad Company—Abandonment Exemption—Edwardsville-Madison Line In Madison County, IL

AGENCY: Surface Transportation Board.
ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10505, exempts from the prior approval

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to section 10903. Therefore, this notice applies the law in effect prior to the Act, and citations are to the former sections of the statute, unless otherwise indicated.

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

requirements of 49 U.S.C. 10903–04 the abandonment by Union Pacific Railroad Company of its 14.98-mile rail line from milepost 133.8 near Edwardsville to milepost 148.78 near Madison in Madison County, IL, subject to standard labor protective conditions, environmental conditions, a 180-day trail use condition, and a 180-day public use condition, all of which are set forth in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

DATES: Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on September 11, 1996. Formal expressions of intent to file an offer of financial assistance under 49 CFR 1152.27(c)(2)[3] and additional requests for trail use/rail banking under 49 CFR 1152.29 must be filed by August 22, 1996; petitions to stay must be filed by August 22, 1996; and petitions to reopen must be filed by September 3, 1996. Because the Board is imposing a 180-day public use condition in this proceeding, it is unnecessary to request this condition.

ADDRESSES: Send pleadings referring to Docket No. AB–33 (Sub-No. 98X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Robert T. Opal 1416 Dodge Street, Room 830, Omaha, NE 68179–0830.

FOR FURTHER INFORMATION CONTACT: Julia M. Farr, (202) 927–5352. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's Decision No. 44 in Finance Docket No. 32760. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927–5721.]

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20475 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[3] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

Surface Transportation Board[1]

[Docket No. AB–33 (Sub-No. 99X)][2]

Union Pacific Railroad Company—Abandonment Exemption—Little Mountain Junction—Little Mountain Line in Box Elder and Weber Counties, UT

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 12.0 miles of the Little Mountain Junction-Little Mountain line (portion of the Little Mountain Branch) from milepost 0.0 near Little Mountain Junction to milepost 12.0 near Little Mountain in Box Elder and Weber Counties, UT.[3]

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 180-day trial use condition and a 180-day public use condition.[4]

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[5] and trail use/rail banking requests under 49 CFR 1152.29[6] must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20476 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] UP states that the abandonment does not include active industries at Little Mountain Junction or Little Mountain, UT. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

[4] Accordingly, it is unnecessary to request a public use condition.

[5] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[6] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Surface Transportation Board [1]

[Docket No. AB–33 (Sub-No. 94X)] [2]

Union Pacific Railroad Company—Abandonment Exemption—Magnolia Tower-Melrose Line in Alameda County, CA

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 4.9 miles of the Magnolia Tower-Melrose line (portion of the Canyon Subdivision) from milepost 5.8 near Magnolia Tower to milepost 10.7 near Melrose, in Alameda County, CA.[3]

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental and historic preservation conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also in Decision No. 44, the Board has imposed a 180-day public use condition.[4] Trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[5] and trail use/rail banking requests under 49 CFR 1152.29 [6] must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20477 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act) which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] UPRR states that the abandonment does not include active industries at Magnolia Tower or Melrose, CA. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

[4] Accordingly, it is unnecessary to request a public use condition.

[5] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[6] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Surface Transportation Board [1]

[Docket No. AB–33 (Sub-No. 97X)] [2]

Union Pacific Railroad Company—Abandonment Exemption—in DeCamp-Edwardsville Line in Madison County, IL

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 14.6 miles of the De Camp-Edwardsville line (portion of the Madison Subdivision) [3] from milepost 119.2 near De Camp to milepost 133.8 near Edwardsville, in Madison County, IL.[4]

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] This line was formerly part of the St. Louis Subdivision of the Chicago and NorthWestern Railway Company (CNW). *See Union Pacific Corporation, Union Pacific Railroad Company and Missouri Pacific Railroad Company—Control—Chicago and North Western Holdings Corp. and Chicago and North Western Transportation Company,* Finance Docket No. 32133 (ICC served Oct. 1, 1995).

[4] UPRR states that the abandonment does not include active industries at De Camp or Edwardsville. The Edwardsville industries are included in the abandonment petition filed simultaneously in Docket No. AB–33 (Sub-No. 98X), *Union Pacific Railroad Company—Abandonment Exemption—in Madison County, IL.* UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The notice is subject to environmental and historic preservation conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760. Also, in Decision No. 44, the Board has imposed a 180-day public use condition [5] and a 180-day trail use condition.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[6] and trail use/rail banking requests under 49 CFR 1152.29 [7] must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20480 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[5] Accordingly, it is unnecessary to request a public use condition.

[6] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C. 2d 164 (1987).

[7] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

Surface Transportation Board [1]

[Docket No. AB–33 (Sub-No. 93X)] [2]

Union Pacific Railroad Company—Abandonment Exemption—Whittier Junction-Colima Junction Line in Los Angeles County, CA

Union Pacific Railroad Company (UPRR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments and Discontinuances* to abandon approximately 5.18 miles of the Whittier Junction-Colima Junction line (portion of the Anaheim Branch) from milepost 0.0 near Whittier Junction to milepost 5.18 near Colima Junction, in Los Angeles County, CA.[3]

UPRR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) overhead traffic will be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. The Board is also imposing environmental conditions as set forth in Appendix G in Decision No. 44, served on August 12, 1996, in Finance Docket No. 32760.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on September 11, 1996, unless stayed pending reconsideration. Petitions to stay, formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[4] and trail use/rail banking requests under 49 CFR 1152.29 [5] must be filed by August 22, 1996. Petitions to reopen must be filed by September 3, 1996, with: Office of the Secretary, Case Control Branch, Surface Transportation Board, 1201 Constitution Avenue, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Robert T. Opal, General Attorney, 1416 Dodge Street, Room 830, Omaha, NE 68179.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

Public use or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: August 6, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96–20481 Filed 8–9–96; 8:45 am]

BILLING CODE 4915–00–P

[1] The ICC Termination Act of 1995, Pub. L. 104–88, 109 Stat. 803 (the Act), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions to the Surface Transportation Board (Board). Section 204(b)(1) of the Act provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the Act. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to the Board's jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this notice applies the law in effect prior to the Act, except that petitions to revoke would be filed under the new law at 49 U.S.C. 10502(d).

[2] This exemption is related to Finance Docket No. 32760, *Union Pacific Corporation, Union Pacific Railroad Company, and Missouri Pacific Railroad Company—Control and Merger—Southern Pacific Rail Corporation, Southern Pacific Transportation Company, St. Louis Southwestern Railway Company, SPCSL Corp., and The Denver and Rio Grande Western Railroad Company.*

[3] UPRR states that the abandonment does not include active industries at Whittier Junction or Colima Junction, CA. UPRR also states that it intends to consummate the abandonment on or after the effective date of the Board's approval in Finance Docket No. 32760.

[4] See *Exempt. of Rail Abandonment—Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

[5] The Board will accept late-filed trail use requests so long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

DEPARTMENT OF THE TREASURY

Proposed Collection; Comment Request

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice.

SUMMARY: In order to comply with the requirements of the Paperwork Reduction Act of 1995 concerning proposed extensions of information collection requirements, the Financial Crimes Enforcement Network (''FinCEN'') is soliciting comments on

the information collected on currency transactions involving financial institutions under the Bank Secrecy Act regulations on Internal Revenue Service Form 4789, *Currency Transaction Report* (''CTR'').

DATES: Submit written comments by October 11, 1996.

ADDRESSES: Direct all written comments to the Financial Crimes Enforcement Network, Office of Regulatory Policy and Enforcement, Attn.: CTR Comments, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182–2536.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or for a copy of the form should be directed to Charles D. Klingman, Office of Financial Institutions Policy, at (703) 905–3920; Cynthia A. Langwiser, Attorney-Advisor, Office of Legal Counsel, at (703) 905–3590. A copy of the CTR form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at http://www.irs.ustreas.gov/prod/forms__pubs/forms.html.

SUPPLEMENTARY INFORMATION: The Bank Secrecy Act, Titles I and II of Pub. L. 91–508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314, 5316–5330, authorizes the Secretary of the Treasury, *inter alia,* to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311–5314, 5316–5330) appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically provides the Secretary the authority to issue regulations that require a report when ''a domestic financial institution is involved in a transaction for the payment, receipt, or transfer of United States coins or currency (or other monetary instruments the Secretary of the Treasury prescribes), in an amount, denomination, or amount and denomination, or under circumstances the Secretary prescribes . . . .'' 31 U.S.C. 5313(a). The authority of 31 U.S.C. 5313(a) has been implemented through regulations promulgated at 31 CFR 103.22 and through the instructions to the *Currency Transaction Report, Internal Revenue Service Form 4789.*

Information collected on the CTR is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of their duties. The information contained is of use in investigations involving international and domestic money laundering, tax evasion, fraud, and other financial crimes.

This notice does not propose any change to the current text of the *Currency Transaction Report* or to its instructions. However, FinCEN intends to replace the current OMB Control Number for this collection requirement (1545–0183) with a new OMB Control Number, 1506–0004. FinCEN believes that by centralizing responsibility for Bank Secrecy Act information collection requirements, it will be easier to maintain oversight over the collection requirement. Accordingly, this collection requirement notice is in the form of an extension, and if approved, the existing OMB Control Number 1545–0183 for this collection requirement will be withdrawn, so as to avoid duplication.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on Form 4789 is presented to assist those persons wishing to comment on the information collection. (The number of respondents has significantly varied each year; the estimates below are based on an average.)

Title: Currency Transaction Report

Form Number: IRS Form 4789

OMB Number: 1506–0004.

Description of Respondents: All United States financial institutions, other than casinos.

Estimated Number of Respondents: 10,000,000.

Frequency: As required.

Estimate of Burden: Reporting average of 19 minutes per response; recordkeeping average of 5 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate = 3,166,667 hours; recordkeeping burden estimate = 833,333 hours. Estimated combined total of 4,000,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on $20 per hour, the total cost to the public is estimated to be $80,000,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Request: Extension.

FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: August 6, 1966.

Stanley E. Morris,

Director. Financial Crimes Enforcement Network.

[FR Doc. 96–20495 Filed 8–9–96; 8:45 am]

BILLING CODE 4820–03–P

Proposed Collection; Comment Request

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice.

SUMMARY: In order to comply with the requirements of the Paperwork Reduction Act of 1995 concerning proposed extensions of information collection requirements, the Financial Crimes Enforcement Network (''FinCEN'') is soliciting public comments on the information collected on currency and monetary instrument transportation involving individuals under the Bank Secrecy Act regulations on U.S. Customs Service Form 4790, *Report of International Transportation of Currency or Monetary Instruments* (''CMIR'').

DATES: Submit written comments by October 11, 1996.

ADDRESSES: Direct all written comments to the Financial Crimes Enforcement Network, Office of Regulatory Policy and Enforcement, Attn.: CMIR Comments, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182–2536.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or for a copy of the form should be directed to Charles D. Klingman, Office of Financial Institutions Policy, at (703) 905–3920; or Cynthia A. Langwiser, Attorney-Advisor, Office of Legal Counsel, at (703) 905–3590. A copy of the CMIR form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at http://www.irs.ustreas.gov/prod/forms__pubs/forms.html.

SUPPLEMENTARY INFORMATION: The Bank Secrecy Act, Titles I and II of Pub. L. 91–508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314, 5316–5330, authorizes the Secretary of the Treasury, *inter alia,* to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311–5314, 5316–5330) appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically states that ''a person or an agent or bailee of the person shall file a report * * * when the person, agent, or bailee knowingly—(1) Transports, is about to transport, or has transported, monetary instruments of more than $10,000 at one time—(A) from a place in the United States to or through a place outside the United States; or (B) to a place in the United States from or through a place outside the United States; or (2) receives monetary instruments of more than $10,000 at one time transported into the United States from or through a place outside the United States.'' 31 U.S.C. 5316(a). The requirement of 31 U.S.C. 5316(a) has been implemented through regulations promulgated at 31 CFR 103.23 and through the instructions to the *Report of International Transportation of Currency or Monetary Instruments,* U.S. Customs Service Form 4790.

Information collected on the CMIR is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of their duties. The information contained is of use in investigations involving international and domestic money laundering, tax evasion, fraud, and other financial crimes.

This notice does not propose any change to the current text of the *Report of International Transportation of Currency or Monetary Instruments* or to its instructions. However, FinCEN intends to replace the current OMB Control Number for this collection requirement (1515–0079) with a new OMB Control Number, 1506–0005. FinCEN believes that by centralizing responsibility for Bank Secrecy Act information collection requirements, it will be easier to maintain oversight over the collection requirement. Accordingly, this collection requirement notice is in the form of an extension, and if approved, the existing OMB Control Number 1515–0079 for this collection requirement will be withdrawn, so as to avoid duplication.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on U.S. Customs Service Form 4790 is presented to assist those persons wishing to comment on the information collection. (The number of respondents has significantly varied each year; the estimates below are based on an average.)

Title: Report of International Transportation of Currency or Monetary Instruments.

Form Number: U.S. Customs Service Form 4790.

OMB Number: 1506–0005.

Description of Respondents: All persons.

Estimated Number of Respondents: 200,000.

Frequency: As required.

Estimate of Burden: Reporting average of 13 minutes per response; recordkeeping average of 2 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate = 43,333 hours; recordkeeping burden estimate = 6,667 hours. Estimated combined total of 50,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on $20 per hour, the total cost to the public is estimated to be $1,000,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Review: Extension.

FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) Any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to this notice will be summarized and included in FinCEN's request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: August 6, 1996.

Stanley E. Morris,

Director, Financial Crimes Enforcement Network.

[FR Doc. 96–20496 Filed 8–9–96; 8:45 am]

BILLING CODE 4820–03–P

Proposed Collection; Comment Request

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice.

SUMMARY: In order to comply with the requirements of the Paperwork Reduction Act of 1995 concerning proposed extensions of information collection requirements, the Financial Crimes Enforcement Network (''FinCEN'') is soliciting comments on the information collected on currency transactions involving casinos under the Bank Secrecy Act regulations on Internal Revenue Service Form 8362, *Currency Transaction Report by Casinos* (''CTR–C'').

DATES: Submit written comments by October 11, 1996.

ADDRESSES: Direct all written comments to the Financial Crimes Enforcement Network, Office of Regulatory Policy and Enforcement, Attn.: CTR–C Comments, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182–2536.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or for a copy of the form should be directed to Leonard Senia, Office of Financial Institutions Policy, at (703) 905–3931; Charles D. Klingman, Office of Financial Institutions Policy, at (703) 905–3920; or Cynthia A. Langwiser,

Attorney-Advisor, Office of Legal Counsel, at (703) 905–3590. A copy of the CTR–C form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at http://www.irs.ustreas.gov/prod/forms__pubs/forms.html.

SUPPLEMENTARY INFORMATION: The Bank Secrecy Act, Titles I and II of Pub. L. 91–508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314, 5316–5330, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (codified at 31 U.S.C. 5311–5314, 5316–5330) appear at 31 CFR Part 103. The authority of the Secretary to administer the Bank Secrecy Act regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically provides the Secretary the authority to issue regulations that require a report when ''a domestic financial institution is involved in a transaction for the payment, receipt, or transfer of United States coins or currency (or other monetary instruments the Secretary of the Treasury prescribes), in an amount, denomination, or amount and denomination, or under circumstances the Secretary prescribes * * *.'' 31 U.S.C. 5313(a). The Bank Secrecy Act also provides the Secretary with the explicit authority to define casinos as financial institutions. 31 U.S.C. 5312(a)(2)(X). *See* 31 CFR 103.11(n)(7)(i). The authority of 31 U.S.C. 5313(a) has been implemented through regulations promulgated at 31 CFR 103.22 and through the instructions to the *Currency Transaction Report by Casinos*, Internal Revenue Service Form 8362.

Information collected on the CTR–C is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of their duties. The information contained is of use in investigations involving international and domestic money laundering, tax evasion, fraud, and other financial crimes.

This notice does not propose any change to the current text of the *Currency Transaction Report by Casinos* or to its instructions. However, FinCEN intends to replace the current OMB Control Number for this collection requirement (1545–0906) with a new OMB Control Number, 1506–0003. FinCEN believes that by centralizing responsibility for Bank Secrecy Act information collection requirements, it will be easier to maintain oversight over the collection requirement. Accordingly, this collection requirement notice is in the form of an extension, and if approved, the existing OMB Control Number 1545–0906 for this collection requirement will be withdrawn, so as to avoid duplication.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on Form 8362 is presented to assist those persons wishing to comment on the information collection. (The number of respondents has significantly varied each year; the estimates below are based on an average.)

Title: Currency Transaction Report by Casinos.

Form Number: IRS Form 8362.

OMB Number: 1506–0003.

Description of Respondents: All United States casinos.

Estimated Number of Respondents: 125,000.

Frequency: As required.

Estimate of Burden: Reporting average of 19 minutes per response; recordkeeping average of 5 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate = 39,583 hours; recordkeeping burden estimate = 10,417 hours. Estimated combined total of 50,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on $20 per hour, the total cost to the public is estimated to be $1,000,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Request: Extension.

FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: August 6, 1996.

Stanley E. Morris,

Director, Financial Crimes Enforcement Network.

[FR Doc. 96–20497 Filed 8–9–96; 8:45 am]

BILLING CODE 4820–03–P

Corrections

Federal Register
Vol. 61, No. 156
Monday, August 12, 1996

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF JUSTICE

Drug Enforcement Agency

21 CFR Parts 1309, 1310 and 1313

[DEA-138F]

RIN 1117-AA32

Removal of Exemption for Certain Pseudoephedrine Products Marketed Under the Federal Food, Drug, and Cosmetic Act (FD&C Act)

Correction

In rule document 96–19846 beginning on page 40981 in the issue of Wednesday, August 7, 1996 make the following correction:

§1309.02 [Corrected]

On page 40989, in the 2d column, in §1309.02, under instruction 2, in the 2nd line ''paragraph (g)'' should read ''paragraph (f)''.

BILLING CODE 1505–01–D

federal register

Monday
August 12, 1996

Part II

Environmental Protection Agency

40 CFR Parts 51 and 52

Requirements for Preparation, Adoption, and Submittal of Implementation Plans; Final Rule

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51 and 52

[AH–FRL–5531–6]

RIN 2060–AS01

Requirements for Preparation, Adoption, and Submittal of Implementation Plans

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: Though codified as appendix W in July 1993, the *Guideline on Air Quality Models* (''*Guideline*'') had never been properly organized to conform with the CFR format (which features sequentially numbered paragraphs) imposed by the Office of the Federal Register. Thus, this direct final rule republishes the *Guideline* to reflect the format appropriate for appendix W. In addition, reference lists are alphabetized and updated, technical contacts and availability for models are updated, and typographical errors are corrected. Two new models presented at the 6th Conference on Air Quality Modeling (August 1995) are added to *Guideline* appendix B for case-by-case use; several outdated models are removed from appendix B. Appendix A models considered to be ''obsolete'' (i.e., CRSTER & MPTER, replaced by ISC3) are removed, as is Table 4–1. In addition, minor amendments to 40 CFR 51.112, 51.160. 51.166, and 52.21 are necessary to bring respective references to appendix W up to date.

DATES: This rule is effective October 11, 1996 unless notice is received by September 11, 1996 that adverse or critical comments will be submitted or that an opportunity to submit such comments at a public hearing is requested. If such comments or a request for a public hearing are received by the Agency, EPA will then publish a subsequent Federal Register document withdrawing from this action only those amendments which are specifically listed in those comments or in the request for a public hearing.

ADDRESSES: Substantial adverse or critical comments may be sent to Docket No. A–96–39 at the following address: Air Docket (6102), Room M–1500, Waterside Mall, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460. This docket is available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the address above. Please furnish duplicate comments to Tom Coulter, Air Quality Modeling Group, U.S. Environmental Protection Agency (MD–14), Research Triangle Park, NC 27711.

FOR FURTHER INFORMATION CONTACT: Joseph A. Tikvart, Leader, Air Quality Modeling Group (MD–14), Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711; telephone (919) 541–5561 or C. Thomas Coulter, telephone (919) 541–0832.

SUPPLEMENTARY INFORMATION:

Background [1]

The purpose of the *Guideline* is to promote consistency in the use of modeling within the air management process. The *Guideline* provides model users with a common basis for estimating pollution concentrations, assessing control strategies and specifying emission limits; these activities are regulated at 40 CFR 51.112, 51.117, 51.150, 51.160, 51.166, and 51.21. The *Guideline* was originally published in April 1978. It was incorporated by reference in the regulations for the Prevention of Significant Deterioration of Air Quality in June 1978. The *Guideline* was subsequently revised in 1986, and later updated with supplement A in 1987 and supplement B in July 1993. The revisions in supplement B included techniques and guidance for situations where specific procedures had not previously been available, and also improved several previously adopted techniques. As mentioned before, the *Guideline* was published as appendix W to 40 CFR part 51 when supplement B was promulgated.

During the public comment period for supplement B, EPA received requests to consider several additional new modeling techniques and suggestions for enhanced technical guidance. However, because there was not sufficient time for the public to review the new techniques and technical guidance before promulgation of supplement B, the new models and enhanced technical guidance could not be included in the supplement B rulemaking. Thus, in a subsequent regulatory proposal, EPA proposed to further revise the *Guideline* with supplement C and sought public comment on four specific items. After reviewing and addressing public comments, EPA promulgated the last revision in August 1995.

[1] In reviewing this preamble, note that appendix W (*Guideline*) itself contains several appendices which are mentioned. Appendix A is the repository for preferred models, while appendix B is the repository for alternate models justified for use on a case-by-case basis.

Final Action

Today's action republishes appendix W to 40 CFR part 51 and, in large part, is pursuant to an agreement between EPA and the Office of the Federal Register (OFR) to reorganize appendix W to conform with normal CFR format imposed by OFR. This reorganization mainly involves the systematic identification of paragraphs, in this case using sequential letters of the alphabet. As a practical matter, such a format should facilitate the process by which future revisions of appendix W are made, in which reference to specific paragraphs can be more easily made. Because the appendices (A, B, and C) do not inherently lend themselves to the sequencing structure imposed on the rest of appendix W, these appendices are organized much as they have been in the past. EPA has made an agreement with OFR that, when future revisions become necessary to appendix A or B, the entire model description will be set out in the amendatory instruction. Likewise, appendix C would be set out in its entirety.

Another element of this action involves models that are listed in appendix B (summaries of Alternative Air quality Models) of appendix W, which are available for use on a case-by-case basis. Of the 31 models currently listed in appendix B, 14 have been identified for removal because they have seen little or no use in recent years and have been superseded by other modeling techniques. Prior to this deletion effort, respective model developers were contacted and they concurred. The deleted models are: Air Quality Display Model (AQDM), Air Resources Regional Pollution Assessment (ARRPA) Model, APRAC–3/MOBILE 1 Emissions and Diffusion Modeling Package (APRAC–3), COMPTER, HIWAY–2, Integrated Model for Plumes and Atmospheric Chemistry in Complex Terrain (IMPACT), Models 3141 and 4141, MULTIMAX, Pacific Gas and Electric PLUME5 Model, PLMSTAR Air Quality Simulation Model, Random-walk Advection and Dispersion Model (RADM), Regional Transport Model (RTM–II), Texas Climatological Model (TCM–2) and Texas Episodic Model (TEM–8).

Two models were presented by their respective developers at the 6th Conference on Air Quality Modeling, August 9–10, 1995 in Washington, D.C., as candidates for appendix B. One of these models is HOTMAC/RAPTAD, a mesoscale meteorological/transport and diffusion model system. HOTMAC, Higher Order Turbulence Model for Atmospheric Circulation, is a mesoscale

weather prediction model that forecasts wind, temperature, humidity, and atmospheric turbulence distributions over complex surface conditions. RAPTAD, Random Puff Transport and Diffusion, is a Lagrangian random puff model that is used to forecast transport and diffusion of airborne materials over complex terrain. The other model, PANACHE, is an Eulerian (and Lagrangian for particulate matter), 3-dimensional finite volume fluid mechanics model designed to simulate continuous and short-term pollution dispersion in the atmosphere, in simple or complex terrain. In the docket established for the 6th Conference, no adverse public comments were received during the comment period that followed. EPA is therefore adding HOTMAC/RAPTAD and PANACHE to appendix B.

Two models in appendix A (Summaries of Preferred Air quality Models) of appendix W, Multiple Point Gaussian Dispersion Algorithm with Terrain Adjustment (MPTER) and Single Source (CRSTER) Model, have long been known to be virtually superseded by the Industrial Source Complex (ISC) Model. Accordingly, EPA believes it is appropriate to remove these models from appendix A. Conforming edits have been made to appendix W sections 2.2, 3.2.2, 4.1, 7.2.2, and 9.3.4.2 where references to either MPTER, CRSTER, or both occurred. With this removal, it appears to EPA that appendix W may be simplified by removing Table 4–1 as well, and this was done. Conforming edits have been made to appendix W section 4.2.2 which referenced Table 4–1, and to section 7.2.2 to note that CDM 2.0 may be used for long-term applications, while RAM may be used for short-term applications.

In addition, there were several typographical errors which appeared when the appendix was first published in the Federal Register in 1993; these errors have been corrected. Appendices A and B of appendix W referenced page numbers which were incorrect (conforming with the earlier edition of the *Guideline,* when it was incorporated by reference and maintained as a separate EPA document); these errors have been corrected. Reference lists, i.e., A.REF and B.REF, have been alphabetized and updated as a result of the model deletions discussed above. The Availability and (where appropriate) Technical Contact sections have been updated, as well. Elements of the technical description of some appendix B models have been updated to reflect current status.

Minor amendments to 40 CFR 51.112, 51.160, 51.166, and 52.21 are necessary to update respective references to appendix W. The paragraphs generally make reference to ''supplements'' which are no longer used as vehicle for revision. Also, NTIS is no longer an agent of distribution for the *Guideline.*

Administrative Requirements

A. Executive Order 12866

Under Executive Order (E.O.) 12866 [58 FR 51735 (October 4, 1993)], the Agency must determine whether the regulatory action is ''significant'' and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs of the rights and obligations of recipients thereof; or

(4) raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Order.

It has been determined that this rule is not a ''significant regulatory action'' under the terms of E.O. 12866 and is therefore not subject to OMB review.

B. Paperwork Reduction Act

This final rule does not contain any information collection requirements subject to review by OMB under the Paperwork Reduction Act on 1980, 44 U.S.C. 3501 *et seq.*

C. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires EPA to consider potential impacts of regulations on small ''entities''. The direct final action taken today is a supplement to the final rule that was published on July 20, 1993 (58 FR 38816). As described earlier in this preamble, the revisions here promulgated merely update and reformat appendix W to 40 CFR Part 51, update references to that appendix in several places in Part 51 and 52, and impose no new regulatory burdens. As such, there will be no additional impact on small entities regarding reporting, recordkeeping, compliance requirements, as stated in the final rule (aforementioned). Furthermore, this final rule does not duplicate, overlap, or conflict with other federal rules. Thus, pursuant to the provisions of 5 U.S.C. 605(b), EPA hereby certifies that the attached final rule will not have a significant impact on a substantial number of such entities.

D. Submission to Congress and the General Accounting Office

Under section 801(a)(1)(A) of the Administrative Procedures Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a ''major rule'' as defined by section 804(2) of the APA as amended.

E. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act'', Pub. L. 104–4), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the action promulgated today does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. Therefore, the requirements of the Unfunded Mandates Act do not apply to this action.

List of Subjects

40 CFR Part 51

Environmental Protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Hydrocarbons, Carbon monoxide.

40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead.

Dated: June 26, 1996.

Carol M. Browner,

Administrator.

Parts 51 and 52, chapter I, title 40 of the Code of Federal Regulations are amended as follows:

PART 51—REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS

1. The authority citation for part 51 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. § 51.112 is amended by revising paragraph (a)(1) and the first sentence of paragraph (a)(2) to read as follows:

§ 51.112 Demonstration of adequacy.

(a) * * *

(1) The adequacy of a control strategy shall be demonstrated by means of applicable air quality models, data bases, and other requirements specified in appendix W of this part (Guideline on Air Quality Models).

(2) Where an air quality model specified in appendix W of this part (Guideline on Air Quality Models) is inappropriate, the model may be modified or another model substituted. * * *

* * * * *

3. § 51.160 is amended by revising paragraph (f)(1) and the first sentence of paragraph (f)(2) to read as follows:

§ 51.160 Legally enforceable procedures.

* * * * *

(f) * * *

(1) All applications of air quality modeling involved in this subpart shall be based on the applicable models, data bases, and other requirements specified in appendix W of this part (Guideline on Air Quality Models).

(2) Where an air quality model specified in appendix W of this part (Guideline on Air Quality Models) is inappropriate, the model may be modified or another model substituted. * * *

* * * * *

4. § 51.166 is amended by revising paragraph (l)(1) and the first sentence of paragraph (l)(2) to read as follows:

§ 51.166 Prevention of significant deterioration of air quality.

* * * * *

* * *

(1) All applications of air quality modeling involved in this subpart shall be based on the applicable models, data bases, and other requirements specified in appendix W of this part (Guideline on Air Quality Models).

(2) Where an air quality model specified in appendix W of this part (Guideline on Air Quality Models) is inappropriate, the model may be modified or another model substituted. * * *

* * * * *

5. Appendix W to Part 51 revised to read as follows:

Appendix W to Part 51—Guideline on Air Quality Models

Preface

a. Industry and control agencies have long expressed a need for consistency in the application of air quality models for regulatory purposes. In the 1977 Clean Air Act, Congress mandated such consistency and encouraged the standardization of model applications. The Guideline on Air Quality Models (hereafter, Guideline) was first published in April 1978 to satisfy these requirements by specifying models and providing guidance for their use. The Guideline provides a common basis for estimating the air quality concentrations used in assessing control strategies and developing emission limits.

b. The continuing development of new air quality models in response to regulatory requirements and the expanded requirements for models to cover even more complex problems have emphasized the need for periodic review and update of guidance on these techniques. Four primary on-going activities provide direct input to revisions of the Guideline. The first is a series of annual EPA workshops conducted for the purpose of ensuring consistency and providing clarification in the application of models. The second activity, directed toward the improvement of modeling procedures, is the cooperative agreement that EPA has with the scientific community represented by the American Meteorological Society. This agreement provides scientific assessment of procedures and proposed techniques and sponsors workshops on key technical issues. The third activity is the solicitation and review of new models from the technical and user community. In the March 27, 1980 Federal Register, a procedure was outlined for the submittal to EPA of privately developed models. After extensive evaluation and scientific review, these models, as well as those made available by EPA, are considered for recognition in the Guideline. The fourth activity is the extensive on-going research efforts by EPA and others in air quality and meteorological modeling.

c. Based primarily on these four activities, this document embodies all revisions to the Guideline Although the text has been revised from the original 1978 guide, the present content and topics are similar. As necessary, new sections and topics are included. EPA does not make changes to the guidance on a predetermined schedule, but rather on an as needed basis. EPA believes that revisions of the Guideline should be timely and responsive to user needs and should involve public participation to the greatest possible extent. All future changes to the guidance will be proposed and finalized in the Federal Register. Information on the current status of modeling guidance can always be obtained from EPA's Regional Offices.

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1.0 Introduction

a. The Guideline recommends air quality modeling techniques that should be applied to State Implementation Plan (SIP) [1] revisions for existing sources and to new source reviews,[2] including prevention of significant deterioration (PSD).[3] It is intended for use by EPA Regional Offices in judging the adequacy of modeling analyses performed by EPA, State and local agencies and by industry. The guidance is appropriate for use by other Federal agencies and by State agencies with air quality and land management responsibilities. The Guideline serves to identify, for all interested parties, those techniques and data bases EPA considers acceptable. The guide is not intended to be a compendium of modeling techniques. Rather, it should serve as a basis by which air quality managers, supported by sound scientific judgment, have a common measure of acceptable technical analysis.

b. Due to limitations in the spatial and temporal coverage of air quality measurements, monitoring data normally are not sufficient as the sole basis for demonstrating the adequacy of emission limits for existing sources. Also, the impacts of new sources that do not yet exist can only be determined through modeling. Thus, models, while uniquely filling one program need, have become a primary analytical tool in most air quality assessments. Air quality measurements though can be used in a complementary manner to dispersion models, with due regard for the strengths and weaknesses of both analysis techniques. Measurements are particularly useful in assessing the accuracy of model estimates. The use of air quality measurements alone however could be preferable, as detailed in a later section of this document, when models are found to be unacceptable and monitoring data with sufficient spatial and temporal coverage are available.

c. It would be advantageous to categorize the various regulatory programs and to apply a designated model to each proposed source needing analysis under a given program. However, the diversity of the nation's topography and climate, and variations in source configurations and operating characteristics dictate against a strict modeling ''cookbook.'' There is no one model capable of properly addressing all conceivable situations even within a broad category such as point sources. Meteorological phenomena associated with threats to air quality standards are rarely amenable to a single mathematical treatment; thus, case-by-case analysis and judgment are frequently required. As modeling efforts become more complex, it is increasingly important that they be directed by highly competent individuals with a broad range of experience and knowledge in air quality meteorology. Further, they should be coordinated closely with specialists in emissions characteristics, air monitoring and data processing. The judgment of experienced meteorologists and analysts is essential.

d. The model that most accurately estimates concentrations in the area of interest is always sought. However, it is clear from the needs expressed by the States and EPA Regional Offices, by many industries and trade associations, and also by the deliberations of Congress, that consistency in the selection and application of models and data bases should also be sought, even in case-by-case analyses. Consistency ensures that air quality control agencies and the general public have a common basis for estimating pollutant concentrations, assessing control strategies and specifying emission limits. Such consistency is not, however, promoted at the expense of model and data base accuracy. This guide provides a consistent basis for selection of the most accurate models and data bases for use in air quality assessments.

e. Recommendations are made in this guide concerning air quality models, data bases, requirements for concentration estimates, the use of measured data in lieu of model estimates, and model evaluation procedures. Models are identified for some specific applications. The guidance provided here should be followed in all air quality analyses relative to State Implementation Plans and in analyses required by EPA, State and local agency air programs. The EPA may approve the use of another technique that can be demonstrated to be more appropriate than those recommended in this guide. This is discussed at greater length in Section 3.0. In all cases, the model applied to a given situation should be the one that provides the most accurate representation of atmospheric transport, dispersion, and chemical transformations in the area of interest. However, to ensure consistency, deviations from this guide should be carefully documented and fully supported.

f. From time to time situations arise requiring clarification of the intent of the guidance on a specific topic. Periodic workshops are held with the EPA Regional Meteorologists to ensure consistency in modeling guidance and to promote the use of more accurate air quality models and data bases. The workshops serve to provide further explanations of Guideline requirements to the Regional Offices and workshop reports are issued with this clarifying information. In addition, findings from on-going research programs, new model submittals, or results from model evaluations and applications are continuously evaluated. Based on this information changes in the guidance may be indicated.

g. All changes to the Guideline must follow rulemaking requirements since the Guideline is codified in this Appendix W of Part 51. EPA will promulgate proposed and final rules in the Federal Register to amend this Appendix W. Ample opportunity for public comment will be provided for each proposed change and public hearings scheduled if requested.

h. A wide range of topics on modeling and data bases are discussed in the Guideline. Chapter 2 gives an overview of models and their appropriate use. Chapter 3 provides specific guidance on the use of ''preferred'' air quality models and on the selection of alternative techniques. Chapters 4 through 7 provide recommendations on modeling techniques for application to simple-terrain stationary source problems, complex terrain problems, and mobile source problems. Specific modeling requirements for selected regulatory issues are also addressed. Chapter 8 discusses issues common to many modeling analyses, including acceptable model components. Chapter 9 makes recommendations for data inputs to models including source, meteorological and background air quality data. Chapter 10 covers the uncertainty in model estimates and how that information can be useful to the

regulatory decision-maker. The last chapter summarizes how estimates and measurements of air quality are used in assessing source impact and in evaluating control strategies.

i. This Appendix W itself contains three appendices: A, B, and C. Thus, when reference is made to ''Appendix A'', it refers to Appendix A to this Appendix W. Appendices B and C are referenced in the same way.

j. Appendix A contains summaries of refined air quality models that are ''preferred'' for specific applications; both EPA models and models developed by others are included. Appendix B contains summaries of other refined models that may be considered with a case-specific justification. Appendix C contains a checklist of requirements for an air quality analysis.

2.0 Overview of Model Use

a. Before attempting to implement the guidance contained in this appendix, the reader should be aware of certain general information concerning air quality models and their use. Such information is provided in this section.

2.1 Suitability of Models

a. The extent to which a specific air quality model is suitable for the evaluation of source impact depends upon several factors. These include: (1) The meteorological and topographic complexities of the area; (2) the level of detail and accuracy needed for the analysis; (3) the technical competence of those undertaking such simulation modeling; (4) the resources available; and (5) the detail and accuracy of the data base, i.e., emissions inventory, meteorological data, and air quality data. Appropriate data should be available before any attempt is made to apply a model. A model that requires detailed, precise, input data should not be used when such data are unavailable. However, assuming the data are adequate, the greater the detail with which a model considers the spatial and temporal variations in emissions and meteorological conditions, the greater the ability to evaluate the source impact and to distinguish the effects of various control strategies.

b. Air quality models have been applied with the most accuracy or the least degree of uncertainty to simulations of long term averages in areas with relatively simple topography. Areas subject to major topographic influences experience meteorological complexities that are extremely difficult to simulate. Although models are available for such circumstances, they are frequently site specific and resource intensive. In the absence of a model capable of simulating such complexities, only a preliminary approximation may be feasible until such time as better models and data bases become available.

c. Models are highly specialized tools. Competent and experienced personnel are an essential prerequisite to the successful application of simulation models. The need for specialists is critical when the more sophisticated models are used or the area being investigated has complicated meteorological or topographic features. A model applied improperly, or with inappropriately chosen data, can lead to serious misjudgments regarding the source impact or the effectiveness of a control strategy.

d. The resource demands generated by use of air quality models vary widely depending on the specific application. The resources required depend on the nature of the model and its complexity, the detail of the data base, the difficulty of the application, and the amount and level of expertise required. The costs of manpower and computational facilities may also be important factors in the selection and use of a model for a specific analysis. However, it should be recognized that under some sets of physical circumstances and accuracy requirements, no present model may be appropriate. Thus, consideration of these factors should not lead to selection of an inappropriate model.

2.2 Classes of Models

a. The air quality modeling procedures discussed in this guide can be categorized into four generic classes: Gaussian, numerical, statistical or empirical, and physical. Within these classes, especially Gaussian and numerical models, a large number of individual ''computational algorithms'' may exist, each with its own specific applications. While each of the algorithms may have the same generic basis, e.g., Gaussian, it is accepted practice to refer to them individually as models. For example, the Industrial Source Complex (ISC) model and the RAM model are commonly referred to as individual models. In fact, they are both variations of a basic Gaussian model. In many cases the only real difference between models within the different classes is the degree of detail considered in the input or output data.

b. Gaussian models are the most widely used techniques for estimating the impact of nonreactive pollutants. Numerical models may be more appropriate than Gaussian models for area source urban applications that involve reactive pollutants, but they require much more extensive input data bases and resources and therefore are not as widely applied. Statistical or empirical techniques are frequently employed in situations where incomplete scientific understanding of the physical and chemical processes or lack of the required data bases make the use of a Gaussian or numerical model impractical. Various specific models in these three generic types are discussed in the Guideline.

c. Physical modeling, the fourth generic type, involves the use of wind tunnel or other fluid modeling facilities. This class of modeling is a complex process requiring a high level of technical expertise, as well as access to the necessary facilities. Nevertheless, physical modeling may be useful for complex flow situations, such as building, terrain or stack downwash conditions, plume impact on elevated terrain, diffusion in an urban environment, or diffusion in complex terrain. It is particularly applicable to such situations for a source or group of sources in a geographic area limited to a few square kilometers. If physical modeling is available and its applicability demonstrated, it may be the best technique. A discussion of physical modeling is beyond the scope of this guide. The EPA publication ''Guideline for Fluid Modeling of Atmospheric Diffusion,''[4] provides information on fluid modeling applications and the limitations of that method.

2.3 Levels of Sophistication of Models

a. In addition to the various classes of models, there are two levels of sophistication. The first level consists of general, relatively simple estimation techniques that provide conservative estimates of the air quality impact of a specific source, or source category. These are screening techniques or screening models. The purpose of such techniques is to eliminate the need of further more detailed modeling for those sources that clearly will not cause or contribute to ambient concentrations in excess of either the National Ambient Air Quality Standards (NAAQS)[5] or the allowable prevention of significant deterioration (PSD) concentration increments.[3] If a screening technique indicates that the concentration contributed by the source exceeds the PSD increment or the increment remaining to just meet the NAAQS, then the second level of more sophisticated models should be applied.

b. The second level consists of those analytical techniques that provide more detailed treatment of physical and chemical atmospheric processes, require more detailed and precise input data, and provide more specialized concentration estimates. As a result they provide a more refined and, at least theoretically, a more accurate estimate of source impact and the effectiveness of control strategies. These are referred to as refined models.

c. The use of screening techniques followed by a more refined analysis is always desirable, however there are situations where the screening techniques are practically and technically the only viable option for estimating source impact. In such cases, an attempt should be made to acquire or improve the necessary data bases and to develop appropriate analytical techniques.

3.0 Recommended Air Quality Models

a. This section recommends refined modeling techniques that are preferred for use in regulatory air quality programs. The status of models developed by EPA, as well as those submitted to EPA for review and possible inclusion in this guidance, is discussed. The section also addresses the selection of models for individual cases and provides recommendations for situations where the preferred models are not applicable. Two additional sources of modeling guidance, the Model Clearinghouse[6] and periodic Regional Meteorologists' workshops, are also briefly discussed here.

b. In all regulatory analyses, especially if other than preferred models are selected for use, early discussions among Regional Office staff, State and local control agencies, industry representatives, and where appropriate, the Federal Land Manager, are invaluable and are encouraged. Agreement on the data base to be used, modeling techniques to be applied and the overall

technical approach, prior to the actual analyses, helps avoid misunderstandings concerning the final results and may reduce the later need for additional analyses. The use of an air quality checklist, such as presented in Appendix C, and the preparation of a written protocol help to keep misunderstandings at a minimum.

c. It should not be construed that the preferred models identified here are to be permanently used to the exclusion of all others or that they are the only models available for relating emissions to air quality. The model that most accurately estimates concentrations in the area of interest is always sought. However, designation of specific models is needed to promote consistency in model selection and application.

d. The 1980 solicitation of new or different models from the technical community [7] and the program whereby these models are evaluated, established a means by which new models are identified, reviewed and made available in the Guideline. There is a pressing need for the development of models for a wide range of regulatory applications. Refined models that more realistically simulate the physical and chemical process in the atmosphere and that more reliably estimate pollutant concentrations are required. Thus, the solicitation of models is considered to be continuous.

3.1 Preferred Modeling Techniques

3.1.1 Discussion

a. EPA has developed approximately 10 models suitable for regulatory application. More than 20 additional models were submitted by private developers for possible inclusion in the Guideline. These refined models have all been organized into eight categories of use: rural, urban industrial complex, reactive pollutants, mobile sources, complex terrain, visibility, and long range transport. They are undergoing an intensive evaluation by category. The evaluation exercises [8 9 10] include statistical measures of model performance in comparison with measured air quality data as suggested by the American Meteorological Society [11] and, where possible, peer scientific reviews.[12 13 14]

b. When a single model is found to perform better than others in a given category, it is recommended for application in that category as a preferred model and listed in Appendix A. If no one model is found to clearly perform better through the evaluation exercise, then the preferred model listed in Appendix A is selected on the basis of other factors such as past use, public familiarity, cost or resource requirements, and availability. No further evaluation of a preferred model is required if the source follows EPA recommendations specified for the model in the Guideline. The models not specifically recommended for use in a particular category are summarized in Appendix B. These models should be compared with measured air quality data when they are used for regulatory applications consistent with recommendations in Section 3.2.

c. The solicitation of new refined models which are based on sounder scientific principles and which more reliably estimate pollutant concentrations is considered by EPA to be continuous. Models that are submitted in accordance with the provisions outlined in the Federal Register notice of March 1980 (45 FR 20157) [7] will be evaluated as submitted. These requirements are:

i. The model must be computerized and functioning in a common Fortran language suitable for use on a variety of computer systems.

ii. The model must be documented in a user's guide which identifies the mathematics of the model, data requirements and program operating characteristics at a level of detail comparable to that available for currently recommended models, e.g., the Industrial Source Complex (ISC) model.

iii. The model must be accompanied by a complete test data set including input parameters and output results. The test data must be included in the user's guide as well as provided in computer-readable form.

iv. The model must be useful to typical users, e.g., State air pollution control agencies, for specific air quality control problems. Such users should be able to operate the computer program(s) from available documentation.

v. The model documentation must include a comparison with air quality data or with other well-established analytical techniques.

vi. The developer must be willing to make the model available to users at reasonable cost or make it available for public access through the National Technical Information Service; the model cannot be proprietary.

d. The evaluation process will include a determination of technical merit, in accordance with the above six items including the practicality of the model for use in ongoing regulatory programs. Each model will also be subjected to a performance evaluation for an appropriate data base and to a peer scientific review. Models for wide use (not just an isolated case!) found to perform better, based on an evaluation for the same data bases used to evaluate models in Appendix A, will be proposed for inclusion as preferred models in future Guideline revisions.

3.1.2 Recommendations

a. Appendix A identifies refined models that are preferred for use in regulatory applications. If a model is required for a particular application, the user should select a model from Appendix A. These models may be used without a formal demonstration of applicability as long as they are used as indicated in each model summary of Appendix A. Further recommendations for the application of these models to specific source problems are found in subsequent sections of the Guideline.

b. If changes are made to a preferred model without affecting the concentration estimates, the preferred status of the model is unchanged. Examples of modifications that do not affect concentrations are those made to enable use of a different computer or those that affect only the format or averaging time of the model results. However, when any changes are made, the Regional Administrator should require a test case example to demonstrate that the concentration estimates are not affected.

c. A preferred model should be operated with the options listed in Appendix A as ''Recommendations for Regulatory Use.'' If other options are exercised, the model is no longer ''preferred.'' Any other modification to a preferred model that would result in a change in the concentration estimates likewise alters its status as a preferred model. Use of the model must then be justified on a case-by-case basis.

3.2 Use of Alternative Models

3.2.1 Discussion

a. Selection of the best techniques for each individual air quality analysis is always encouraged, but the selection should be done in a consistent manner. A simple listing of models in this guide cannot alone achieve that consistency nor can it necessarily provide the best model for all possible situations. An EPA document, ''Interim Procedures for Evaluating Air Quality Models'',[15 16] has been prepared to assist in developing a consistent approach when justifying the use of other than the preferred modeling techniques recommended in this guide. An alternative to be considered to the performance measures contained in Chapter 3 of this document is set forth in another EPA document ''Protocol for Determining the Best Performing Model''.[17] The procedures in both documents provide a general framework for objective decision-making on the acceptability of an alternative model for a given regulatory application. The documents contain procedures for conducting both the technical evaluation of the model and the field test or performance evaluation.

b. This section discusses the use of alternate modeling techniques and defines three situations when alternative models may be used.

3.2.2 Recommendations

a. Determination of acceptability of a model is a Regional Office responsibility. Where the Regional Administrator finds that an alternative model is more appropriate than a preferred model, that model may be used subject to the recommendations below. This finding will normally result from a determination that (1) A preferred air quality model is not appropriate for the particular application; or (2) a more appropriate model or analytical procedure is available and is applicable.

b. An alternative model should be evaluated from both a theoretical and a performance perspective before it is selected for use. There are three separate conditions under which such a model will normally be approved for use: (1) If a demonstration can be made that the model produces concentration estimates equivalent to the estimates obtained using a preferred model; (2) if a statistical performance evaluation has been conducted using measured air quality data and the results of that evaluation indicate the alternative model performs better for the application than a comparable model in Appendix A; and (3) if there is no preferred model for the specific application but a refined model is needed to satisfy regulatory requirements. Any one of these three separate conditions may warrant use of an alternative model. Some known

alternative models that are applicable for selected situations are contained in Appendix B. However, inclusion there does not infer any unique status relative to other alternative models that are being or will be developed in the future.

c. Equivalency is established by demonstrating that the maximum or highest, second highest concentrations are within 2 percent of the estimates obtained from the preferred model. The option to show equivalency is intended as a simple demonstration of acceptability for an alternative model that is so nearly identical (or contains options that can make it identical) to a preferred model that it can be treated for practical purposes as the preferred model. Two percent was selected as the basis for equivalency since it is a rough approximation of the fraction that PSD Class I increments are of the NAAQS for SO_2, i.e., the difference in concentrations that is judged to be significant. However, notwithstanding this demonstration, use of models that are not equivalent may be used when the conditions of paragraph e of this section are satisfied.

d. The procedures and techniques for determining the acceptability of a model for an individual case based on superior performance is contained in the document entitled ''Interim Procedures for Evaluating Air Quality Models'',[15] and should be followed, as appropriate.[a] Preparation and implementation of an evaluation protocol which is acceptable to both control agencies and regulated industry is an important element in such an evaluation.

e. When no Appendix A model is applicable to the modeling problem, an alternative refined model may be used provided that:

i. The model can be demonstrated to be applicable to the problem on a theoretical basis; and

ii. The data bases which are necessary to perform the analysis are available and adequate; and

iii. Performance evaluations of the model in similar circumstances have shown that the model is not biased toward underestimates; or

iv. After consultation with the EPA Regional Office, a second model is selected as a baseline or reference point for performance and the interim procedures[15] protocol[17] are then used to demonstrate that the proposed model performs better than the reference model.

3.3 Availability of Supplementary Modeling Guidance

a. The Regional Administrator has the authority to select models that are appropriate for use in a given situation. However, there is a need for assistance and guidance in the selection process so that fairness and consistency in modeling decisions is fostered among the various Regional Offices and the States. To satisfy that need, EPA established the Model Clearinghouse and also holds periodic workshops with headquarters, Regional Office and State modeling representatives.

3.3.1 The Model Clearinghouse

3.3.1.1 Discussion

a. The Model Clearinghouse is the single EPA focal point for review of air quality simulation models proposed for use in specific regulatory applications. Details concerning the Clearinghouse and its operation are found in the document, ''Model Clearinghouse: Operational Plan.''[6] Three primary functions of the Clearinghouse are:

i. Review of decisions proposed by EPA Regional Offices on the use of modeling techniques and data bases.

ii. Periodic visits to Regional Offices to gather information pertinent to regulatory model usage.

iii. Preparation of an annual report summarizing activities of the Clearinghouse including specific determinations made during the course of the year.

3.3.1.2 Recommendations

a. The Regional Administrator may request assistance from the Model Clearinghouse after an initial evaluation and decision has been reached concerning the application of a model, analytical technique or data base in a particular regulatory action. The Clearinghouse may also consider and evaluate the use of modeling techniques submitted in support of any regulatory action. Additional responsibilities are: (1) Review proposed action for consistency with agency policy; (2) determine technical adequacy; and (3) make recommendations concerning the technique or data base.

3.3.2 Regional Meteorologists Workshops

13.3.2.1 Discussion

a. EPA conducts an annual in-house workshop for the purpose of mutual discussion and problem resolution among Regional Office modeling specialists, EPA research modeling experts, EPA Headquarters modeling and regulatory staff and representatives from State modeling programs. A summary of the issues resolved at previous workshops was issued in 1981 as ''Regional Workshops on Air Quality Modeling: A Summary Report.''[17] That report clarified procedures not specifically defined in the 1978 version of the Guideline and was issued to ensure the consistent interpretation of model requirements from Region to Region. Similar workshops for the purpose of clarifying Guideline procedures or providing detailed instructions for the use of those procedures are anticipated in the future.

3.3.2.2 Recommendations

a. The Regional Office should always be consulted for information and guidance concerning modeling methods and interpretations of modeling guidance, and to ensure that the air quality model user has available the latest most up-to-date policy and procedures.

4.0 Simple-Terrain Stationary Source Models

4.1 Discussion

a. Simple terrain, as used in this section, is considered to be an area where terrain features are all lower in elevation than the top of the stack of the source(s) in question. The models recommended in this section are generally used in the air quality impact analysis of stationary sources for most criteria pollutants. The averaging time of the concentration estimates produced by these models ranges from 1 hour to an annual average.

b. Model evaluation exercises have been conducted to determine the ''best, most appropriate point source model'' for use in simple terrain.[8 12] However, no one model has been found to be clearly superior. Based on past use, public familiarity, and availability, ISC is the recommended model for a wide range of regulatory applications. Similar determinations were made for the other refined models that are identified in section 4.2.

4.2 Recommendations

4.2.1 Screening Techniques

a. Point source screening techniques are an acceptable approach to air quality analyses. One such approach is contained in the EPA document ''Screening Procedures for Estimating the Air Quality Impact of Stationary Sources''.[18] A computerized version of the screening technique, SCREEN, is available.[19 20] For the current version of SCREEN, see 12.0 References.[20]

b. All screening procedures should be adjusted to the site and problem at hand. Close attention should be paid to whether the area should be classified urban or rural in accordance with Section 8.2.8. The climatology of the area should be studied to help define the worst-case meteorological conditions. Agreement should be reached between the model user and the reviewing authority on the choice of the screening model for each analysis, and on the input data as well as the ultimate use of the results.

4.2.2 Refined Analytical Techniques

a. A brief description of preferred models for refined applications is found in Appendix A. Also listed in Appendix A are the model input requirements, the standard options that should be selected when running the program, and output options.

b. When modeling for compliance with short term NAAQS and PSD increments is of primary concern, a short term model may also be used to provide long term concentration estimates. However, when modeling sources for which long term standards alone are applicable (e.g., lead), then the long term models should be used. The conversion from long term to short term concentration averages by any transformation technique is not acceptable in regulatory applications.

5.0 Model Use in Complex Terrain

5.1 Discussion

a. For the purpose of the Guideline, complex terrain is defined as terrain exceeding the height of the stack being

[a] Another EPA document, ''Protocol for Determining the Best Performing Model'',[17] contains advanced statistical techniques for determining which model performs better than other competing models. In many cases, this protocol should be considered by users of the ''Interim Procedures for Evaluating Air Quality Models'' in preference to the material currently in Chapter 3 of that document.

modeled. Complex terrain dispersion models are normally applied to stationary sources of pollutants such as SO_2 and particulates.

b. A major outcome from the EPA Complex Terrain Model Development project has been the publication of a refined dispersion model (CTDM) suitable for regulatory application to plume impaction assessments in complex terrain.[21] Although CTDM as originally produced was only applicable to those hours characterized as neutral or stable, a computer code for all stability conditions, CTDMPLUS,[19] together with a user's guide,[22] and on-site meteorological and terrain data processors,[23 24] is now available. Moreover, CTSCREEN,[19 25] a version of CTDMPLUS that does not require on-site meteorological data inputs, is also available as a screening technique.

c. The methods discussed in this section should be considered in two categories: (1) Screening techniques, and (2) the refined dispersion model, CTDMPLUS, discussed below and listed in Appendix A.

d. Continued improvements in ability to accurately model plume dispersion in complex terrain situations can be expected, e.g., from research on lee side effects due to terrain obstacles. New approaches to improve the ability of models to realistically simulate atmospheric physics, e.g., hybrid models which incorporate an accurate wind field analysis, will ultimately provide more appropriate tools for analyses. Such hybrid modeling techniques are also acceptable for regulatory applications after the appropriate demonstration and evaluation.[15]

5.2 Recommendations

a. Recommendations in this section apply primarily to those situations where the impaction of plumes on terrain at elevations equal to or greater than the plume centerline during stable atmospheric conditions are determined to be the problem. If a violation of any NAAQS or the controlling increment is indicated by using any of the preferred screening techniques, then a refined complex terrain model may be used. Phenomena such as fumigation, wind direction shear, lee-side effects, building wake- or terrain-induced downwash, deposition, chemical transformation, variable plume trajectories, and long range transport are not addressed by the recommendations in this section.

b. Where site-specific data are used for either screening or refined complex terrain models, a data base of at least 1 full-year of meteorological data is preferred. If more data are available, they should be used. Meteorological data used in the analysis should be reviewed for both spatial and temporal representativeness.

c. Placement of receptors requires very careful attention when modeling in complex terrain. Often the highest concentrations are predicted to occur under very stable conditions, when the plume is near, or impinges on, the terrain. The plume under such conditions may be quite narrow in the vertical, so that even relatively small changes in a receptor's location may substantially affect the predicted concentration. Receptors within about a kilometer of the source may be even more sensitive to location. Thus, a dense array of receptors may be required in some cases. In order to avoid excessively large computer runs due to such a large array of receptors, it is often desirable to model the area twice. The first model run would use a moderate number of receptors carefully located over the area of interest. The second model run would use a more dense array of receptors in areas showing potential for high concentrations, as indicated by the results of the first model run.

d. When CTSCREEN or CTDMPLUS is used, digitized contour data must be first processed by the CTDM Terrain Processor [23] to provide hill shape parameters in a format suitable for direct input to CTDMPLUS. Then the user supplies receptors either through an interactive program that is part of the model or directly, by using a text editor; using both methods to select receptors will generally be necessary to assure that the maximum concentrations are estimated by either model. In cases where a terrain feature may ''appear to the plume'' as smaller, multiple hills, it may be necessary to model the terrain both as a single feature and as multiple hills to determine design concentrations.

e. The user is encouraged to confer with the Regional Office if any unresolvable problems are encountered with any screening or refined analytical procedures, e.g., meteorological data, receptor siting, or terrain contour processing issues.

5.2.1 Screening Techniques

a. Five preferred screening techniques are currently available to aid in the evaluation of concentrations due to plume impaction during stable conditions: (1) for 24-hour impacts, the Valley Screening Technique [19] as outlined in the Valley Model User's Guide; [26] (2) CTSCREEN,[19] as outlined in the CTSCREEN User's Guide; [25] (3) COMPLEX I; [19] (4) SHORTZ/LONGZ; [19 27] and (5) Rough Terrain Dispersion Model (RTDM) [19 90] in its prescribed mode described below. As appropriate, any of these screening techniques may be used consistent with the needs, resources, and available data of the user.

b. The Valley Model, COMPLEX I, SHORTZ/LONGZ, and RTDM should be used only to estimate concentrations at receptors whose elevations are greater than or equal to plume height. For receptors at or below stack height, a simple terrain model should be used (see Chapter 4). Receptors between stack height and plume height present a unique problem since none of the above models were designed to handle receptors in this narrow regime, the definition of which will vary hourly as meteorological conditions vary. CTSCREEN may be used to estimate concentrations under all stability conditions at all receptors located ''on terrain'' above stack top, but has limited applicability in multi-source situations. As a result, the estimation of concentrations at receptors between stack height and plume height should be considered on a case-by-case basis after consultation with the EPA Regional Office; the most appropriate technique may be a function of the actual source(s) and terrain configuration unique to that application. One technique that will generally be acceptable, but is not necessarily preferred for any specific application, involves applying both a complex terrain model (except for the Valley Model) and a simple terrain model. The Valley Model should not be used for any intermediate terrain receptor. For each receptor between stack height and plume height, an hour-by-hour comparison of the concentration estimates from both models is made. The higher of the two modeled concentrations should be chosen to represent the impact at that receptor for that hour, and then used to compute the concentration for the appropriate averaging time(s). For the simple terrain models, terrain may have to be ''chopped off'' at stack height, since these models are frequently limited to receptors no greater than stack height.

5.2.1.1 Valley Screening Technique

a. The Valley Screening Technique may be used to determine 24-hour averages. This technique uses the Valley Model with the following worst-case assumptions for rural areas: (1) P–G stability ''F''; (2) wind speed of 2.5 m/s; and (3) 6 hours of occurrence. For urban areas the stability should be changed to ''P–G stability E.''

b. When using the Valley Screening Technique to obtain 24-hour average concentrations the following apply: (1) multiple sources should be treated individually and the concentrations for each wind direction summed; (2) only one wind direction should be used (see User's Guide,[26] page 2–15) even if individual runs are made for each source; (3) for buoyant sources, the BID option may be used, and the option to use the 2.6 stable plume rise factor should be selected; (4) if plume impaction is likely on any elevated terrain closer to the source than the distance from the source to the final plume rise, then the transitional (or gradual) plume rise option for stable conditions should be selected.

c. The standard polar receptor grid found in the Valley Model User's Guide may not be sufficiently dense for all analyses if only one geographical scale factor is used. The user should choose an additional set of receptors at appropriate downwind distances whose elevations are equal to plume height minus 10 meters. Alternatively, the user may exercise the ''Valley equivalent'' option in COMPLEX I or SCREEN and note the comments above on the placement of receptors in complex terrain models.

d. When using the ''Valley equivalent'' option in COMPLEX I, set the wind profile exponents (PL) to 0.0, respectively, for all six stability classes.

5.2.1.2 CTSCREEN

a. CTSCREEN may be used to obtain conservative, yet realistic, worst-case estimates for receptors located on terrain above stack height. CTSCREEN accounts for the three-dimensional nature of plume and terrain interaction and requires detailed terrain data representative of the modeling domain. The model description and user's instructions are contained in the user's guide.[25] The terrain data must be digitized in the same manner as for CTDMPLUS and a terrain processor is available.[23] A discussion of the model's performance characteristics is provided in a technical paper.[91] CTSCREEN is designed to execute a fixed matrix of meteorological values for wind speed (u),

standard deviation of horizontal and vertical wind speeds (σ_v, σG5**W**), vertical potential temperature gradient (dθ/dz), friction velocity (u_x), Monin-Obukhov length (L), mixing height (z_i) as a function of terrain height, and wind directions for both neutral/stable conditions and unstable convective conditions. Table 5–1 contains the matrix of meteorological variables that is used for each CTSCREEN analysis. There are 96 combinations, including exceptions, for each wind direction for the neutral/stable case, and 108 combinations for the unstable case. The specification of wind direction, however, is handled internally, based on the source and terrain geometry. The matrix was developed from examination of the range of meteorological variables associated with maximum monitored concentrations from the data bases used to evaluate the performance of CTDMPLUS. Although CTSCREEN is designed to address a single source scenario, there are a number of options that can be selected on a case-by-case basis to address multi-source situations. However, the Regional Office should be consulted, and concurrence obtained, on the protocol for modeling multiple sources with CTSCREEN to ensure that the worst case is identified and assessed. The maximum concentration output from CTSCREEN represents a worst-case 1-hour concentration. Time-scaling factors of 0.7 for 3-hour, 0.15 for 24-hour and 0.03 for annual concentration averages are applied internally by CTSCREEN to the highest 1-hour concentration calculated by the model.

5.2.1.3 COMPLEX I

a. If the area is rural, COMPLEX I may be used to estimate concentrations for all averaging times. COMPLEX I is a modification of the MPTER model that incorporates the plume impaction algorithm of the Valley Model.[19] It is a multiple-source screening technique that accepts hourly meteorological data as input. The output is the same as the normal MPTER output. When using COMPLEX I the following options should be selected: (1) Set terrain adjustment IOPT (1)=1; (2) set buoyancy induced dispersion IOPT (4)=1; (3) set IOPT (25)=1; (4) set the terrain adjustment values to 0.5, 0.5, 0.5 0.5, 0.0, 0.0, (respectively for six stability classes); and (5) set Z MIN=10.

b. When using the ''Valley equivalent'' option (only) in COMPLEX I, set the wind profile exponents (PL) to 0.0, respectively, for all six stability classes. For all other regulatory uses of COMPLEX I, set the wind profile exponents to the values used in the simple terrain models, i.e., 0.07, 0.07, 0.10, 0.15, 0.35, and 0.55, respectively, for rural modeling.

c. Gradual plume rise should be used to estimate concentrations at nearby elevated receptors, if plume impaction is likely on any elevated terrain closer to the source than the distance from the source to the final plume rise (see Section 8.2.5).

5.2.1.4 SHORTZ/LONGZ

a. If the source is located in an urbanized (Section 8.2.8) complex terrain valley, then the suggested screening technique is SHORTZ for short-term averages or LONGZ for long-term averages. SHORTZ and LONGZ may be used as screening techniques in these complex terrain applications without demonstration and evaluation. Application of these models in other than urbanized valley situations will require the same evaluation and demonstration procedures as are required for all Appendix B models.

b. Both SHORTZ and LONGZ have a number of options. When using these models as screening techniques for urbanized valley applications, the options listed in Table 5–2 should be selected.

5.2.1.5 RTDM (Screening Mode)

a. RTDM with the options specified in Table 5–3 may be used as a screening technique in rural complex terrain situations without demonstration and evaluation.

b. The RTDM screening technique can provide a more refined concentration estimate if on-site wind speed and direction characteristic of plume dilution and transport are used as input to the model. In complex terrain, these winds can seldom be estimated accurately from the standard surface (10m level) measurements. Therefore, in order to increase confidence in model estimates, EPA recommends that wind data input to RTDM should be based on fixed measurements at stack top height. For stacks greater than 100m, the measurement height may be limited to 100m in height relative to stack base. However, for very tall stacks, see guidance in Section 9.3.3.2. This recommendation is broadened to include wind data representative of plume transport height where such data are derived from measurements taken with remote sensing devices such as SODAR. The data from both fixed and remote measurements should meet quality assurance and recovery rate requirements. The user should also be aware that RTDM in the screening mode accepts the input of measured wind speeds at only one height. The default values for the wind speed profile exponents shown in Table 5–3 are used in the model to determine the wind speed at other heights. RTDM uses wind speed at stack top to calculate the plume rise and the critical dividing streamline height, and the wind speed at plume transport level to calculate dilution. RTDM treats wind direction as constant with height.

c. RTDM makes use of the ''critical dividing streamline'' concept and thus treats plume interactions with terrain quite differently from other models such as SHORTZ and COMPLEX I. The plume height relative to the critical dividing streamline determines whether the plume impacts the terrain, or is lifted up and over the terrain. The receptor spacing to identify maximum impact concentrations is quite critical depending on the location of the plume in the vertical. Analysis of the expected plume height relative to the height of the critical dividing streamline should be performed for differing meteorological conditions in order to help develop an appropriate array of receptors. Then it is advisable to model the area twice according to the suggestions in Section 5.2.

5.2.1.6 Restrictions

a. For screening analyses using the Valley Screening Technique, COMPLEX I or RTDM, a sector greater than 22½° should not be allowed. Full ground reflection should always be used in the Valley Screening Technique and COMPLEX I.

5.2.2 Refined Analytical Techniques

a. When the results of the screening analysis demonstrate a possible violation of NAAQS or the controlling PSD increments, a more refined analysis may need to be conducted.

b. The Complex Terrain Dispersion Model Plus Algorithms for Unstable Situations (CTDMPLUS) is a refined air quality model that is preferred for use in all stability conditions for complex terrain applications. CTDMPLUS is a sequential model that requires five input files: (1) General program specifications; (2) a terrain data file; (3) a receptor file; (4) a surface meteorological data file; and (5) a user created meteorological profile data file. Two optional input files consist of hourly emissions parameters and a file containing upper air data from rawinsonde data files, e.g., a National Climatic Data Center TD–6201 file, unless there are no hours categorized as unstable in the record. The model description and user instructions are contained in Volume 1 of the User's Guide.[22] Separate publications[23 24] describe the terrain preprocessor system and the meteorological preprocessor program. In Part I of a technical article[92] is a discussion of the model and its preprocessors; the model's performance characteristics are discussed in Part II of the same article.[93] The size of the CTDMPLUS executable file on a personal computer is approximately 360K bytes. The model produces hourly average concentrations of stable pollutants, i.e., chemical transformation or decay of species and settling/deposition are not simulated. To obtain concentration averages corresponding to the NAAQS, e.g., 3- or 24-hour, or annual averages, the user must execute a postprocessor program such as CHAVG.[19] CTDMPLUS is applicable to all receptors on terrain elevations above stack top. However, the model contains no algorithms for simulating building downwash or the mixing or recirculation found in cavity zones in the lee of a hill. The path taken by a plume through an array of hills cannot be simulated. CTDMPLUS does not explicitly simulate calm meteorological periods, and for those situations the user should follow the guidance in Section 9.3.4. The user should follow the recommendations in the User's Guide under General Program Specifications for: (1) Selecting mixed layer heights, (2) setting minimum scalar wind speed to 1 m/s, and (3) scaling wind direction with height. Close coordination with the Regional Office is essential to insure a consistent, technically sound application of this model.

c. The performance of CTDMPLUS is greatly improved by the use of meteorological data from several levels up to plume height. However, due to the vast range of source-plume-hill geometries possible in complex terrain, detailed requirements for meteorological monitoring in support of refined analyses using CTDMPLUS should be determined on a case-by-case basis. The following general guidance should be considered in the development of a meteorological monitoring protocol for regulatory applications of CTDMPLUS and

reviewed in detail by the Regional Office before initiating any monitoring. As appropriate, the On-Site Meteorological Program Guidance document [66] should be consulted for specific guidance on siting requirements for meteorological towers, selection and exposure of sensors, etc. As more experience is gained with the model in a variety of circumstances, more specific guidance may be developed.

d. Site specific meteorological data are critical to dispersion modeling in complex terrain and, consequently, the meteorological requirements are more demanding than for simple terrain. Generally, three different meteorological files (referred to as surface, profile, and rawin files) are needed to run CTDMPLUS in a regulatory mode.

e. The surface file is created by the meteorological preprocessor (METPRO) [24] based on on-site measurements or estimates of solar and/or net radiation, cloud cover and ceiling, and the mixed layer height. These data are used in METPRO to calculate the various surface layer scaling parameters (roughness length, friction velocity, and Monin-Obukhov length) which are needed to run the model. All of the user inputs required for the surface file are based either on surface observations or on measurements at or below 10m.

f. The profile data file is prepared by the user with on-site measurements (from at least three levels) of wind speed, wind direction, turbulence, and potential temperature. These measurements should be obtained up to the representative plume height(s) of interest (i.e., the plume height(s) under those conditions important to the determination of the design concentration). The representative plume height(s) of interest should be determined using an appropriate complex terrain screening procedure (e.g., CTSCREEN) and should be documented in the monitoring/modeling protocol. The necessary meteorological measurements should be obtained from an appropriately sited meteorological tower augmented by SODAR if the representative plume height(s) of interest exceed 100m. The meteorological tower need not exceed the lesser of the representative plume height of interest (the highest plume height if there is more than one plume height of interest) or 100m.

g. Locating towers on nearby terrain to obtain stack height or plume height measurements for use in profiles by CTDMPLUS should be avoided unless it can clearly be demonstrated that such measurements would be representative of conditions affecting the plume.

h. The rawin file is created by a second meteorological preprocessor (READ62) [24] based on NWS (National Weather Service) upper air data. The rawin file is used in CTDMPLUS to calculate vertical potential temperature gradients for use in estimating plume penetration in unstable conditions. The representativeness of the off-site NWS upper air data should be evaluated on a case-by-case basis.

i. In the absence of an appropriate refined model, screening results may need to be used to determine air quality impact and/or emission limits.

TABLE 5–1A.—NEUTRAL/STABLE METEOROLOGICAL MATRIX FOR CTSCREEN

Variable	Specific values				
U (m/s)	1.0	2.0	3.0	4.0	5.0
σ_v (m/s)	0.3	0.75			
σ_w (m/s)	0.08	0.15	0.30	0.75	
DQ/Dz (K/m)	0.01	0.02	0.035		
WD	(Wind direction optimized internally for each meteorological combination)				

Exceptions:
(1) If $U \leq 2$ m/s and $\sigma_v \geq 0.3$ m/s, then include $\sigma_w = 0.04$ m/s.
(2) If $\sigma_w = 0.75$ m/s and $U \geq 3.0$ m/s, then $^{DU}/_{D}z$ is limited to ≤ 0.01 K/m.
(3) If $U \geq 4$ m/s, then $\sigma_w \geq 0.15$ m/s.
(4) $\sigma_w \leq \sigma_v$

TABLE 5–1B.—UNSTABLE/CONVECTIVE METEOROLOGICAL MATRIX FOR CTSCREEN

Variable	Specific values				
U (m/s)	1.0	2.0	3.0	4.0	5.0
u_x (m/s)	0.1	0.3	0.5		
L (m)	−10	−50	−90		
$^{DU}/_{D}z$ (K/m)	0.030	(potential temperature gradient above z_i)			
z_i (m)	0.5h	1.0h	1.5h		
	(where h = terrain height)				

TABLE 5–2.—PREFERRED OPTIONS FOR THE SHORTZ/LONGZ COMPUTER CODES WHEN USED IN A SCREENING MODE

Option		Selection
I Switch 9		If using NWS data, set = 0, If using site-specific data, check with the Regional Office.
I Switch 17		Set = 1 (urban option).
GAMMA 1		Use default values (0.6 entrainment coefficient).
GAMMA 2		Always default to ''stable''.
XRY		Set = 0 (50m rectilinear expansion distance).
NS, VS, FRQ (SHORTZ)		
	(particle size, etc.)	Do not use (applicable only in flat terrain).
NUS, VS, FRQ (LONGZ)		
ALPHA		Select 0.9.
SIGEPU		
	(dispersion parameters)	Use Cramer curves (default); if site-specific turbulence data are available, see Regional Office for advice.
SIGAPU		
P (wind profile)		Select default values given in Table 2–2 of User's Instructions; if site-specific data are available, see Regional Office for advice.

TABLE 5–3.—PREFERRED OPTIONS FOR THE RTDM COMPUTER CODE WHEN USED IN A SCREENING MODE

Parameter	Variable	Value	Remarks
PR001–003	SCALE		Scale factors assuming horizontal distance is in kilometers, vertical distance is in feet, and wind speed is in meters per second.
PR004	ZWIND1	Wind measurement height	See Section 5.2.1.4.
	ZWIND2	Not used	Height of second anemometer.
	IDILUT	1	Dilution wind speed scaled to plume height.
	ZA	0 (default)	Anemometer-terrain height above stack base.
PR005	EXPON	0.09, 0.11, 0.12, 0.14, 0.2, 0.3 (default).	Wind profile exponents.
PR006	ICOEF	3 (default)	Briggs Rural/ASME [139] dispersion parameters.
PR009	IPPP	0 (default)	Partial plume penetration; not used.
PR010	IBUOY	1 (default)	Buoyancy-enhanced dispersion is used.
	ALPHA	3.162 (default)	Buoyancy-enhanced dispersion coefficient.
PR011	IDMX	1 (default)	Unlimited mixing height for stable conditions.
PR012	ITRANS	1 (default)	Transitional plume rise is used.
PR013	TERCOR	6*0.5 (default)	Plume patch correction factors.
PR014	RVPTG	0.02, 0.035 (default)	Vertical potential temperature gradient values for stabilities E and F.
PR015	ITIPD	1	Stack-tip downwash is used.
PR020	ISHEAR	0 (default)	Wind shear; not used.
PR022	IREFL	1 (default)	Partial surface reflection is used.
PR023	IHORIZ	2 (default)	Sector averaging.
	SECTOR	6*22.5 (default)	Using 22.5° sectors.
PR016 to 019; 021; and 024.	IY, IZ, IRVPTG, IHVPTG; IEPS; IEMIS.	0	Hourly values of turbulence, vertical potential temperature gradient, wind speed profile exponents, and stack emissions are not used.

6.0 Models for Ozone, Carbon Monoxide and Nitrogen Dioxide

6.1 Discussion

a. Models discussed in this section are applicable to pollutants often associated with mobile sources, e.g., ozone (O_3), carbon monoxide (CO) and nitrogen dioxide (NO_2). Where stationary sources of CO and NO_2 are of concern, the reader is referred to Sections 4 and 5

b. A control agency with jurisdiction over areas with significant ozone problems and which has sufficient resources and data to use a photochemical dispersion model is encouraged to do so. Experience with and evaluations of the Urban Airshed Model show it to be an acceptable, refined approach, and better data bases are becoming available that support the more sophisticated analytical procedures. However, empirical models (e.g., EKMA) fill the gap between more sophisticated photochemical dispersion models and proportional (rollback) modeling techniques and may be the only applicable procedure if the available data bases are insufficient for refined dispersion modeling.

c. Models for assessing the impact of carbon monoxide emissions are needed for a number of different purposes, e.g., to evaluate the effects of point sources, congested intersections and highways, as well as the cumulative effect on ambient CO concentrations of all sources of CO in an urban area.[94 95]

d. Nitrogen oxides are reactive and also an important contribution to the photochemical ozone problem. They are usually of most concern in areas of high ozone concentrations. Unless suitable photochemical dispersion models are used, assumptions regarding the conversion of NO to NO_2 are required when modeling. Site-specific conversion factors may be developed. If site-specific conversion factors are not available or photochemical models are not used, NO_2 modeling should be considered only a screening procedure.

6.2 Recommendations

6.2.1 Models for Ozone

a. The Urban Airshed Model (UAM)[19 28] is recommended for photochemical or reactive pollutant modeling applications involving entire urban areas. To ensure proper execution of this numerical model, users must satisfy the extensive input data requirements for the model as listed in Appendix A and the users guide. Users are also referred to the ''Guideline for Regulatory Application of the Urban Airshed Model'' [29] for additional data requirements and procedures for operating this model.

b. The empirical model, City-specific EKMA,[19 30–33] has limited applicability for urban ozone analyses. Model users should consult the appropriate Regional Office on a case-by-case basis concerning acceptability of this modeling technique.

c. Appendix B contains some additional models that may be applied on a case-by-case basis for photochemical or reactive pollutant modeling. Other photochemical models, including multi-layered trajectory models, that are available may be used if shown to be appropriate. Most photochemical dispersion models require emission data on individual hydrocarbon species and may require three dimensional meteorological information on an hourly basis. Reasonably sophisticated computer facilities are also often required. Because the input data are not universally available and studies to collect such data are very resource intensive, there are only limited evaluations of those models.

d. For those cases which involve estimating the impact on ozone concentrations due to stationary sources of VOC and NO_X, whether for permitting or other regulatory cases, the model user should consult the appropriate Regional Office on the acceptability of the modeling technique.

e. Proportional (rollback/forward) modeling is not an acceptable procedure for evaluating ozone control strategies.

6.2.2 Models for Carbon Monoxide

a. For analyzing CO impacts at roadway intersections, users should follow the procedures in the ''Guideline for Modeling Carbon Monoxide from Roadway Intersections''.[34] The recommended model for such analyses is CAL3QHC.[35] This model combines CALINE3 (already in Appendix A) with a traffic model to calculate delays and queues that occur at signalized intersections. In areas where the use of either TEXIN2 or CALINE4 has previously been established, its use may continue. The capability exists for these intersection models to be used in either a screening or refined mode. The screening approach is described in reference 34; a refined approach may be considered on a case-by-case basis. The latest version of the MOBILE (mobile source emission factor) model should be used for emissions input to intersection models.

b. For analyses of highways characterized by uninterrupted traffic flows, CALINE3 is recommended, with emissions input from the latest version of the MOBILE model.

c. The recommended model for urban areawide CO analyses is RAM or Urban Airshed Model (UAM); see Appendix A. Information on SIP development and requirements for using these models can be found in references 34, 96, 97 and 98.

d. Where point sources of CO are of concern, they should be treated using the screening and refined techniques described in Section 4 or 5 of the Guideline.

6.2.3 Models for Nitrogen Dioxide (Annual Average)

a. A tiered screening approach is recommended to obtain annual average estimates of NO_2 from point sources for New Source Review analysis, including PSD, and for SIP planning purposes. This multi-tiered approach is conceptually shown in Figure 6–1 and described in paragraphs b and c of this section. Figure 6–1 is as follows:

FIGURE 6–1.—MULTI-TIERED SCREENING APPROACH FOR ESTIMATING ANNUAL NO_2 CONCENTRATIONS FROM POINT SOURCES

Tier 1: Assume Total Conversion of NO to NO_2
Tier 2: Multiply Annual NO_X Estimate by Empirically Derived NO_2/NO_X Ratio.

b. For Tier 1 (the initial screen), use an appropriate Gaussian model from Appendix A to estimate the maximum annual average concentration and assume a total conversion of NO to NO_2. If the concentration exceeds the NAAQS and/or PSD increments for NO_2, proceed to the 2nd level screen.

c. For Tier 2 (2nd level) screening analysis, multiply the Tier 1 estimate(s) by an empirically derived NO_2/NO_X value of 0.75 (annual national default).[36] An annual NO_2/NO_X ratio differing from 0.75 may be used if it can be shown that such a ratio is based on data likely to be representative of the location(s) where maximum annual impact from the individual source under review occurs. In the case where several sources contribute to consumption of a PSD increment, a locally derived annual NO_2/NO_X ratio should also be shown to be representative of the location where the maximum collective impact from the new plus existing sources occurs.

d. In urban areas, a proportional model may be used as a preliminary assessment to evaluate control strategies to meet the NAAQS for multiple minor sources, i.e. minor point, area and mobile sources of NO_X; concentrations resulting from major point sources should be estimated separately as discussed above, then added to the impact of the minor sources. An acceptable screening technique for urban complexes is to assume that all NO_X is emitted in the form of NO_2 and to use a model from Appendix A for nonreactive pollutants to estimate NO_2 concentrations. A more accurate estimate can be obtained by: (1) Calculating the annual average concentrations of NO_X with an urban model, and (2) converting these estimates to NO_2 concentrations using an empirically derived annual NO_2/NO_X ratio. A value of 0.75 is recommended for this ratio. However, a spatially averaged annual NO_2/NO_X ratio may be determined from an existing air quality monitoring network and used in lieu of the 0.75 value if it is determined to be representative of prevailing ratios in the urban area by the reviewing agency. To ensure use of appropriate locally derived annual NO_2/NO_X ratios, monitoring data under consideration should be limited to those collected at monitors meeting siting criteria defined in 40 CFR Part 58, Appendix D as representative of ''neighborhood'', ''urban'', or ''regional'' scales. Furthermore, the highest annual spatially averaged NO_2/NO_X ratio from the most recent 3 years of complete data should be used to foster conservatism in estimated impacts.

e. To demonstrate compliance with NO_2 PSD increments in urban areas, emissions from major and minor sources should be included in the modeling analysis. Point and area source emissions should be modeled as discussed above. If mobile source emissions do not contribute to localized areas of high ambient NO_2 concentrations, they should be modeled as area sources. When modeled as area sources, mobile source emissions should be assumed uniform over the entire highway link and allocated to each area source grid square based on the portion of highway link within each grid square. If localized areas of high concentrations are likely, then mobile sources should be modeled as line sources with the preferred model ISCLT.

f. More refined techniques to handle special circumstances may be considered on a case-by-case basis and agreement with the reviewing authority should be obtained. Such techniques should consider individual quantities of NO and NO_2 emissions, atmospheric transport and dispersion, and atmospheric transformation of NO to NO_2. Where they are available, site-specific data on the conversion of NO to NO_2 may be used. Photochemical dispersion models, if used for other pollutants in the area, may also be applied to the NO_X problem.

7.0 Other Model Requirements

7.1 Discussion

a. This section covers those cases where specific techniques have been developed for special regulatory programs. Most of the programs have, or will have when fully developed, separate guidance documents that cover the program and a discussion of the tools that are needed. The following paragraphs reference those guidance documents, when they are available. No attempt has been made to provide a comprehensive discussion of each topic since the reference documents were designed to do that. This section will undergo periodic revision as new programs are added and new techniques are developed.

b. Other Federal agencies have also developed specific modeling approaches for their own regulatory or other requirements. An example of this is the three-volume manual issued by the U. S. Department of Housing and Urban Development, ''Air Quality Considerations in Residential Planning.''[37] Although such regulatory requirements and manuals may have come about because of EPA rules or standards, the implementation of such regulations and the use of the modeling techniques is under the jurisdiction of the agency issuing the manual or directive.

c. The need to estimate impacts at distances greater than 50km (the nominal distance to which EPA considers most Gaussian models applicable) is an important one especially when considering the effects from secondary pollutants. Unfortunately, models submitted to EPA have not as yet undergone sufficient field evaluation to be recommended for general use. Existing data bases from field studies at mesoscale and long range transport distances are limited in detail. This limitation is a result of the expense to perform the field studies required to verify and improve mesoscale and long range transport models. Particularly important and sparse are meteorological data adequate for generating three dimensional wind fields. Application of models to complicated terrain compounds the difficulty. EPA has completed limited evaluation of several long range transport (LRT) models against two sets of field data. The evaluation results are discussed in the document, ''Evaluation of Short-Term Long-Range Transport Models.''[99 100] For the time being, long range and mesoscale transport models must be evaluated for regulatory use on a case-by-case basis.

d. There are several regulatory programs for which air pathway analysis procedures and modeling techniques have been developed. For continuous emission releases, ISC forms the basis of many analytical techniques. EPA is continuing to evaluate the performance of a number of proprietary and public domain models for intermittent and non-stack emission releases. Until EPA completes its evaluation, it is premature to recommend specific models for air pathway analyses of intermittent and non-stack releases in the Guideline.

e. Regional scale models are used by EPA to develop and evaluate national policy and assist State and local control agencies. Two such models are the Regional Oxidant Model (ROM)[101 102 103] and the Regional Acid Deposition Model (RADM).[104] Due to the level of resources required to apply these models, it is not envisioned that regional scale models will be used directly in most model applications.

7.2 Recommendations

7.2.1 Fugitive Dust/Fugitive Emissions

a. Fugitive dust usually refers to the dust put into the atmosphere by the wind blowing over plowed fields, dirt roads or desert or sandy areas with little or no vegetation. Reentrained dust is that which is put into the air by reason of vehicles driving over dirt roads (or dirty roads) and dusty areas. Such sources can be characterized as line, area or volume sources. Emission rates may be based on site-specific data or values from the general literature.

b. Fugitive emissions are usually defined as emissions that come from an industrial source complex. They include the emissions resulting from the industrial process that are not captured and vented through a stack but may be released from various locations within the complex. Where such fugitive emissions can be properly specified, the ISC model, with consideration of gravitational settling and dry deposition, is the recommended model. In some unique cases a model developed specifically for the situation may be needed.

c. Due to the difficult nature of characterizing and modeling fugitive dust and fugitive emissions, it is recommended that the proposed procedure be cleared by the appropriate Regional Office for each specific situation before the modeling exercise is begun.

7.2.2 Particulate Matter

a. The particulate matter NAAQS, promulgated on July 1, 1987 (52 FR 24634), includes only particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10). EPA promulgated regulations for PSD increments measured as PM–10 on June 3, 1993 (58 FR 31621), which are codified at §§ 51.166(c) and 52.21(c).

b. Screening techniques like those identified in Section 4 are also applicable to PM–10 and to large particles. It is recommended that subjectively determined values for ''half-life'' or pollutant decay not be used as a surrogate for particle removal. Conservative assumptions which do not allow removal or transformation are suggested for screening. Proportional models (rollback/forward) may not be applied for screening analysis, unless such techniques are used in conjunction with receptor modeling.

c. Refined models such as those in Section 4.0 are recommended for PM–10 and large particles. However, where possible, particle size, gas-to-particle formation, and their effect on ambient concentrations may be considered. For urban-wide refined analyses CDM 2.0 (long term) or RAM (short term) should be used. ISC is recommended for point sources of small particles and for source-specific analyses of complicated sources. No model recommended for general use at this time accounts for secondary particulate formation or other transformations in a manner suitable for SIP control strategy demonstrations. Where possible, the use of receptor models [38 39 105 106 107] in conjunction with dispersion models is encouraged to more precisely characterize the emissions inventory and to validate source specific impacts calculated by the dispersion model. A SIP development guideline,[108] model reconciliation guidance,[106] and an example model application [109] are available to assist in PM–10 analyses and control strategy development.

d. Under certain conditions, recommended dispersion models are not available or applicable. In such circumstances, the modeling approach should be approved by the appropriate Regional Office on a case-by-case basis. For example, where there is no recommended air quality model and area sources are a predominant component of PM–10, an attainment demonstration may be based on rollback of the apportionment derived from two reconciled receptor models, if the strategy provides a conservative demonstration of attainment. At this time, analyses involving model calculations for distances beyond 50km and under stagnation conditions should also be justified on a case-by-case basis (see Sections 7.2.6 and 8.2.10).

e. As an aid to assessing the impact on ambient air quality of particulate matter generated from prescribed burning activities, reference 110 is available.

7.2.3 Lead

a. The air quality analyses required for lead implementation plans are given in §§ 51.83, 51.84 and 51.85. Sections 51.83 and 51.85 require the use of a modified rollback model as a minimum to demonstrate attainment of the lead air quality standard but the use of a dispersion model is the preferred approach. Section 51.83 requires the analysis of an entire urban area if the measured lead concentration in the urbanized area exceeds a quarterly (three month) average of 4.0 μg/m^3. Section 51.84 requires the use of a dispersion model to demonstrate attainment of the lead air quality standard around specified lead point sources. For other areas reporting a violation of the lead standard, Section 51.85 requires an analysis of the area in the vicinity of the monitor reporting the violation. The NAAQS for lead is a quarterly (three month) average, thus requiring the use of modeling techniques that can provide long-term concentration estimates.

b. The SIP should contain an air quality analysis to determine the maximum quarterly lead concentration resulting from major lead point sources, such as smelters, gasoline additive plants, etc. For these applications the ISC model is preferred, since the model can account for deposition of particles and the impact of fugitive emissions. If the source is located in complicated terrain or is subject to unusual climatic conditions, a case-specific review by the appropriate Regional Office may be required.

c. In modeling the effect of traditional line sources (such as a specific roadway or highway) on lead air quality, dispersion models applied for other pollutants can be used. Dispersion models such as CALINE3 have been widely used for modeling carbon monoxide emissions from highways. However, where deposition is of concern, the line source treatment in ISC may be used. Also, where there is a point source in the middle of a substantial road network, the lead concentrations that result from the road network should be treated as background (see Section 9.2); the point source and any nearby major roadways should be modeled separately using the ISC model.

d. To model an entire major urban area or to model areas without significant sources of lead emissions, as a minimum a proportional (rollback) model may be used for air quality analysis. The rollback philosophy assumes that measured pollutant concentrations are proportional to emissions. However, urban or other dispersion models are encouraged in these circumstances where the use of such models is feasible.

e. For further information concerning the use of models in the development of lead implementation plans, the documents ''Supplementary Guidelines for Lead Implementation Plans,'' [40] and ''Updated Information on Approval and Promulgation of Lead Implementation Plans,'' [41] should be consulted.

7.2.4. Visibility

a. The visibility regulations as promulgated in December 1980 [b] require consideration of the effect of new sources on the visibility values of Federal Class I areas. The state of scientific knowledge concerning identifying, monitoring, modeling, and controlling visibility impairment is contained in an EPA report ''Protecting Visibility: An EPA Report to Congress''.[42] In 1985, EPA promulgated Federal Implementation Plans (FIPs) for states without approved visibility provisions in their SIPs. A monitoring plan was established as part of the FIPs.[c]

b. Guidance and a screening model, VISCREEN, is contained in the EPA document ''Workbook for Plume Visual Impact Screening and Analysis (Revised).'' [43] VISCREEN can be used to calculate the potential impact of a plume of specified emissions for specific transport and dispersion conditions. If a more comprehensive analysis is required, any refined model should be selected in consultation with the EPA Regional Office and the appropriate Federal Land Manager who is responsible for determining whether there is an adverse effect by a plume on a Class I area.

c. PLUVUE II, listed in Appendix B, may be applied on a case-by-case basis when refined plume visibility evaluations are needed. Plume visibility models have been evaluated against several data sets.[44, 45]

7.2.5 Good Engineering Practice Stack Height

a. The use of stack height credit in excess of Good Engineering Practice (GEP) stack height or credit resulting from any other dispersion technique is prohibited in the development of emission limitations by §§ 51.118 and 51.164. The definitions of GEP stack height and dispersion technique are contained in § 51.100. Methods and procedures for making the appropriate stack height calculations, determining stack height credits and an example of applying those techniques are found in references 46, 47, 48, and 49.

b. If stacks for new or existing major sources are found to be less than the height defined by EPA's refined formula for determining GEP height, [d] then air quality impacts associated with cavity or wake effects due to the nearby building structures should be determined. Detailed downwash screening procedures [18] for both the cavity and wake regions should be followed. If more refined concentration estimates are required, the Industrial Source Complex (ISC) model contains algorithms for building wake calculations and should be used. Fluid modeling can provide a great deal of additional information for evaluating and describing the cavity and wake effects.

7.2.6 Long Range Transport (LRT) (i.e., beyond 50km)

a. Section 165(e) of the Clean Air Act requires that suspected significant impacts on PSD Class I areas be determined. However, 50km is the useful distance to which most Gaussian models are considered accurate for setting emission limits. Since in many cases PSD analyses may show that Class I areas may be threatened at distances greater than 50km from new sources, some procedure is needed to (1) determine if a significant impact will occur, and (2) identify the model to be used in setting an emission limit if the Class I increments are threatened (models for this purpose should be approved for use on a case-by-case basis as required in Section 3.2). This procedure and the models

[b] § 51.300–307.

[c] § 51.300–307.

[d] The EPA refined formula height is defined as H + 1.5L (see Reference 46).

selected for use should be determined in consultation with the EPA Regional Office and the appropriate Federal Land Manager (FLM). While the ultimate decision on whether a Class I area is adversely affected is the responsibility of the permitting authority, the FLM has an affirmative responsibility to protect air quality related values that may be affected.

b. If LRT is determined to be important, then estimates utilizing an appropriate refined model for receptors at distances greater than 50 km should be obtained. MESOPUFF II, listed in Appendix B, may be applied on a case-by-case basis when LRT estimates are needed. Additional information on applying this model is contained in the EPA document ''A Modeling Protocol For Applying MESOPUFF II to Long Range Transport Problems''.[111]

7.2.7 Modeling Guidance for Other Governmental Programs

a. When using the models recommended or discussed in the Guideline in support of programmatic requirements not specifically covered by EPA regulations, the model user should consult the appropriate Federal or State agency to ensure the proper application and use of that model. For modeling associated with PSD permit applications that involve a Class I area, the appropriate Federal Land Manager should be consulted on all modeling questions.

b. The Offshore and Coastal Dispersion (OCD) model [112] was developed by the Minerals Management Service and is recommended for estimating air quality impact from offshore sources on onshore, flat terrain areas. The OCD model is not recommended for use in air quality impact assessments for onshore sources. Sources located on or just inland of a shoreline where fumigation is expected should be treated in accordance with Section 8.2.9.

c. The Emissions and Dispersion Modeling System (EDMS) [113] was developed by the Federal Aviation Administration and the United States Air Force and is recommended for air quality assessment of primary pollutant impacts at airports or air bases. Regulatory application of EDMS is intended for estimating the cumulative effect of changes in aircraft operations, point source, and mobile source emissions on pollutant concentrations. It is not intended for PSD, SIP, or other regulatory air quality analyses of point or mobile sources at or peripheral to airport property that are independent of changes in aircraft operations. If changes in other than aircraft operations are associated with analyses, a model recommended in Chapter 4, 5, or 6 should be used.

7.2.8 Air Pathway Analyses (Air Toxics and Hazardous Waste)

a. Modeling is becoming an increasingly important tool for regulatory control agencies to assess the air quality impact of releases of toxics and hazardous waste materials. Appropriate screening techniques [114 115] for calculating ambient concentrations due to various well-defined neutrally buoyant toxic/hazardous pollutant releases are available.

b. Several regulatory programs within EPA have developed modeling techniques and guidance for conducting air pathway analyses as noted in references 116–129. ISC forms the basis of the modeling procedures for air pathway analyses of many of these regulatory programs and, where identified, is appropriate for obtaining refined ambient concentration estimates of neutrally buoyant continuous air toxic releases from traditional sources. Appendix A to the Guideline contains additional models appropriate for obtaining refined estimates of continuous air toxic releases from traditional sources. Appendix B contains models that may be used on a case-by-case basis for obtaining refined estimates of denser-than-air intermittent gaseous releases, e.g., DEGADIS; [130] guidance for the use of such models is also available.[131]

c. Many air toxics models require input of chemical properties and/or chemical engineering variables in order to appropriately characterize the source emissions prior to dispersion in the atmosphere; reference 132 is one source of helpful data. In addition, EPA has numerous programs to determine emission factors and other estimates of air toxic emissions. The Regional Office should be consulted for guidance on appropriate emission estimating procedures and any uncertainties that may be associated with them.

8.0 General Modeling Considerations

8.1 Discussion

a. This section contains recommendations concerning a number of different issues not explicitly covered in other sections of this guide. The topics covered here are not specific to any one program or modeling area but are common to nearly all modeling analyses.

8.2 Recommendations

8.2.1 Design Concentrations

8.2.1.1 Design Concentrations for Criteria Pollutants With Deterministic Standards

a. An air quality analysis for SO_2, CO, Pb, and NO_2 is required to determine if the source will (1) Cause a violation of the NAAQS, or (2) cause or contribute to air quality deterioration greater than the specified allowable PSD increment. For the former, background concentration (see Section 9.2) should be added to the estimated impact of the source to determine the design concentration. For the latter, the design concentration includes impact from all increment consuming sources.

b. If the air quality analyses are conducted using the period of meteorological input data recommended in Section 9.3.1.2 (e.g., 5 years of NWS data or 1 year of site-specific data), then the design concentration based on the highest, second-highest short term concentration or long term average, whichever is controlling, should be used to determine emission limitations to assess compliance with the NAAQS and to determine PSD increments.

c. When sufficient and representative data exist for less than a 5-year period from a nearby NWS site, or when on-site data have been collected for less than a full continuous year, or when it has been determined that the on site data may not be temporally representative, then the highest concentration estimate should be considered the design value. This is because the length of the data record may be too short to assure that the conditions producing worst-case estimates have been adequately sampled. The highest value is then a surrogate for the concentration that is not to be exceeded more than once per year (the wording of the deterministic standards). Also, the highest concentration should be used whenever selected worst-case conditions are input to a screening technique. This specifically applies to the use of techniques such as outlined in ''Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised''.[18] Specific guidance for CO may be found in the ''Guideline for Modeling Carbon Monoxide from Roadway Intersections''.[34]

d. If the controlling concentration is an annual average value and multiple years of data (on-site or NWS) are used, then the design value is the highest of the annual averages calculated for the individual years. If the controlling concentration is a quarterly average and multiple years are used, then the highest individual quarterly average should be considered the design value.

e. As long a period of record as possible should be used in making estimates to determine design values and PSD increments. If more than 1 year of site-specific data is available, it should be used.

8.2.1.2 Design Concentrations for Criteria Pollutants With Expected Exceedance Standards

a. Specific instructions for the determination of design concentrations for criteria pollutants with expected exceedance standards, ozone and PM–10, are contained in special guidance documents for the preparation of SIPs for those pollutants.[86 108] For all SIP revisions the user should check with the Regional Office to obtain the most recent guidance documents and policy memoranda concerning the pollutant in question.

8.2.2 Critical Receptor Sites

a. Receptor sites for refined modeling should be utilized in sufficient detail to estimate the highest concentrations and possible violations of a NAAQS or a PSD increment. In designing a receptor network, the emphasis should be placed on receptor resolution and location, not total number of receptors. The selection of receptor sites should be a case-by-case determination taking into consideration the topography, the climatology, monitor sites, and the results of the initial screening procedure. For large sources (those equivalent to a 500MW power plant) and where violations of the NAAQS or PSD increment are likely, 360 receptors for a polar coordinate grid system and 400 receptors for a rectangular grid system, where the distance from the source to the farthest receptor is 10km, are usually adequate to identify areas of high concentration. Additional receptors may be needed in the high concentration location if greater resolution is indicated by terrain or source factors.

8.2.3 Dispersion Coefficients

a. Gaussian models used in most applications should employ dispersion

coefficients consistent with those contained in the preferred models in Appendix A. Factors such as averaging time, urban/rural surroundings, and type of source (point vs. line) may dictate the selection of specific coefficients. Generally, coefficients used in Appendix A models are identical to, or at least based on, Pasquill-Gifford coefficients [50] in rural areas and McElroy-Pooler [51] coefficients in urban areas.

b. Research is continuing toward the development of methods to determine dispersion coefficients directly from measured or observed variables.[52 53] No method to date has proved to be widely applicable. Thus, direct measurement, as well as other dispersion coefficients related to distance and stability, may be used in Gaussian modeling only if a demonstration can be made that such parameters are more applicable and accurate for the given situation than are algorithms contained in the preferred models.

c. Buoyancy-induced dispersion (BID), as identified by Pasquill,[54] is included in the preferred models and should be used where buoyant sources, e.g., those involving fuel combustion, are involved.

8.2.4 Stability Categories

a. The Pasquill approach to classifying stability is generally required in all preferred models (Appendix A). The Pasquill method, as modified by Turner,[55] was developed for use with commonly observed meteorological data from the National Weather Service and is based on cloud cover, insolation and wind speed.

b. Procedures to determine Pasquill stability categories from other than NWS data are found in subsection 9.3. Any other method to determine Pasquill stability categories must be justified on a case-by-case basis.

c. For a given model application where stability categories are the basis for selecting dispersion coefficients, both σ_y and σ_z should be determined from the same stability category. ''Split sigmas'' in that instance are not recommended.

d. Sector averaging, which eliminates the σ_y term, is generally acceptable only to determine long term averages, such as seasonal or annual, and when the meteorological input data are statistically summarized as in the STAR summaries. Sector averaging is, however, commonly acceptable in complex terrain screening methods.

8.2.5 Plume Rise

a. The plume rise methods of Briggs [56 57] are incorporated in the preferred models and are recommended for use in all modeling applications. No provisions in these models are made for fumigation or multistack plume rise enhancement or the handling of such special plumes as flares; these problems should be considered on a case-by-case basis.

b. Since there is insufficient information to identify and quantify dispersion during the transitional plume rise period, gradual plume rise is not generally recommended for use. There are two exceptions where the use of gradual plume rise is appropriate: (1) In complex terrain screening procedures to determine close-in impacts; (2) when calculating the effects of building wakes. The building wake algorithm in the ISC model incorporates and automatically (i.e., internally) exercises the gradual plume rise calculations. If the building wake is calculated to affect the plume for any hour, gradual plume rise is also used in downwind dispersion calculations to the distance of final plume rise, after which final plume rise is used.

c. Stack tip downwash generally occurs with poorly constructed stacks and when the ratio of the stack exit velocity to wind speed is small. An algorithm developed by Briggs (Hanna et al.) [57] is the recommended technique for this situation and is found in the point source preferred models.

d. Where aerodynamic downwash occurs due to the adverse influence of nearby structures, the algorithms included in the ISC model [58] should be used.

8.2.6 Chemical Transformation

a. The chemical transformation of SO_2 emitted from point sources or single industrial plants in rural areas is generally assumed to be relatively unimportant to the estimation of maximum concentrations when travel time is limited to a few hours. However, in urban areas, where synergistic effects among pollutants are of considerable consequence, chemical transformation rates may be of concern. In urban area applications, a half-life of 4 hours [55] may be applied to the analysis of SO_2 emissions. Calculations of transformation coefficients from site-specific studies can be used to define a ''half-life'' to be used in a Gaussian model with any travel time, or in any application, if appropriate documentation is provided. Such conversion factors for pollutant half-life should not be used with screening analyses.

b. Complete conversion of NO to NO_2 should be assumed for all travel time when simple screening techniques are used to model point source emissions of nitrogen oxides. If a Gaussian model is used, and data are available on seasonal variations in maximum ozone concentrations, the Ozone Limiting Method [36] is recommended. In refined analyses, case-by case conversion rates based on technical studies appropriate to the site in question may be used. The use of more sophisticated modeling techniques should be justified for individual cases.

c. Use of models incorporating complex chemical mechanisms should be considered only on a case-by-case basis with proper demonstration of applicability. These are generally regional models not designed for the evaluation of individual sources but used primarily for region-wide evaluations. Visibility models also incorporate chemical transformation mechanisms which are an integral part of the visibility model itself and should be used in visibility assessments.

8.2.7 Gravitational Settling and Deposition

a. An ''infinite half-life'' should be used for estimates of particle concentrations when Gaussian models containing only exponential decay terms for treating settling and deposition are used.

b. Gravitational settling and deposition may be directly included in a model if either is a significant factor. One preferred model (ISC) contains a settling and deposition algorithm and is recommended for use when particulate matter sources can be quantified and settling and deposition are problems.

8.2.8 Urban/Rural Classification

a. The selection of either rural or urban dispersion coefficients in a specific application should follow one of the procedures suggested by Irwin [59] and briefly described below. These include a land use classification procedure or a population based procedure to determine whether the character of an area is primarily urban or rural.

b. Land Use Procedure: (1) Classify the land use within the total area, A_o, circumscribed by a 3km radius circle about the source using the meteorological land use typing scheme proposed by Auer [60]; (2) if land use types I1, I2, C1, R2, and R3 account for 50 percent or more of A_o, use urban dispersion coefficients; otherwise, use appropriate rural dispersion coefficients.

c. Population Density Procedure: (1) Compute the average population density, $\bar{p}$ per square kilometer with A_o as defined above; (2) If $\bar{p}$ is greater than 750 people/km^2, use urban dispersion coefficients; otherwise use appropriate rural dispersion coefficients.

d. Of the two methods, the land use procedure is considered more definitive. Population density should be used with caution and should not be applied to highly industrialized areas where the population density may be low and thus a rural classification would be indicated, but the area is sufficiently built-up so that the urban land use criteria would be satisfied. In this case, the classification should already be ''urban'' and urban dispersion parameters should be used.

e. Sources located in an area defined as urban should be modeled using urban dispersion parameters. Sources located in areas defined as rural should be modeled using the rural dispersion parameters. For analyses of whole urban complexes, the entire area should be modeled as an urban region if most of the sources are located in areas classified as urban.

8.2.9 Fumigation

a. Fumigation occurs when a plume (or multiple plumes) is emitted into a stable layer of air and that layer is subsequently mixed to the ground either through convective transfer of heat from the surface or because of advection to less stable surroundings. Fumigation may cause excessively high concentrations but is usually rather short-lived at a given receptor. There are no recommended refined techniques to model this phenomenon. There are, however, screening procedures (see ''Screening Procedures for Estimating the Air Quality Impact of Stationary Sources'' [18]) that may be used to approximate the concentrations. Considerable care should be exercised in using the results obtained from the screening techniques.

b. Fumigation is also an important phenomenon on and near the shoreline of bodies of water. This can affect both individual plumes and area-wide emissions. When fumigation conditions are expected to occur from a source or sources with tall

stacks located on or just inland of a shoreline, this should be addressed in the air quality modeling analysis. The Shoreline Dispersion Model (SDM) listed in Appendix B may be applied on a case-by-case basis when air quality estimates under shoreline fumigation conditions are needed.[133] Information on the results of EPA's evaluation of this model together with other coastal fumigation models may be found in reference 134. Selection of the appropriate model for applications where shoreline fumigation is of concern should be determined in consultation with the Regional Office.

8.2.10 Stagnation

a. Stagnation conditions are characterized by calm or very low wind speeds, and variable wind directions. These stagnant meteorological conditions may persist for several hours to several days. During stagnation conditions, the dispersion of air pollutants, especially those from low-level emissions sources, tends to be minimized, potentially leading to relatively high ground-level concentrations.

b. When stagnation periods such as these are found to occur, they should be addressed in the air quality modeling analysis. WYNDvalley, listed in Appendix B, may be applied on a case-by-case basis for stagnation periods of 24 hours or longer in valley-type situations. Caution should be exercised when applying the model to elevated point sources. Users should consult with the appropriate Regional Office prior to regulatory application of WYNDvalley.

8.2.11 Calibration of Models

a. Calibration of long term multi-source models has been a widely used procedure even though the limitations imposed by statistical theory on the reliability of the calibration process for long term estimates are well known.[61] In some cases, where a more accurate model is not available, calibration may be the best alternative for improving the accuracy of the estimated concentrations needed for control strategy evaluations.

b. Calibration of short term models is not common practice and is subject to much greater error and misunderstanding. There have been attempts by some to compare short term estimates and measurements on an event-by-event basis and then to calibrate a model with results of that comparison. This approach is severely limited by uncertainties in both source and meteorological data and therefore it is difficult to precisely estimate the concentration at an exact location for a specific increment of time. Such uncertainties make calibration of short term models of questionable benefit. Therefore, short term model calibration is unacceptable.

9.0 Model Input Data

a. Data bases and related procedures for estimating input parameters are an integral part of the modeling procedure. The most appropriate data available should always be selected for use in modeling analyses. Concentrations can vary widely depending on the source data or meteorological data used. Input data are a major source of inconsistencies in any modeling analysis. This section attempts to minimize the uncertainty associated with data base selection and use by identifying requirements for data used in modeling. A checklist of input data requirements for modeling analyses is included as Appendix C. More specific data requirements and the format required for the individual models are described in detail in the users' guide for each model.

9.1 Source Data

9.1.1 Discussion

a. Sources of pollutants can be classified as point, line and area/volume sources. Point sources are defined in terms of size and may vary between regulatory programs. The line sources most frequently considered are roadways and streets along which there are well-defined movements of motor vehicles, but they may be lines of roof vents or stacks such as in aluminum refineries. Area and volume sources are often collections of a multitude of minor sources with individually small emissions that are impractical to consider as separate point or line sources. Large area sources are typically treated as a grid network of square areas, with pollutant emissions distributed uniformly within each grid square.

b. Emission factors are compiled in an EPA publication commonly known as AP–42[62]; an indication of the quality and amount of data on which many of the factors are based is also provided. Other information concerning emissions is available in EPA publications relating to specific source categories. The Regional Office should be consulted to determine appropriate source definitions and for guidance concerning the determination of emissions from and techniques for modeling the various source types.

9.1.2 Recommendations

a. For point source applications the load or operating condition that causes maximum ground-level concentrations should be established. As a minimum, the source should be modeled using the design capacity (100 percent load). If a source operates at greater than design capacity for periods that could result in violations of the standards or PSD increments, this load[e] should be modeled. Where the source operates at substantially less than design capacity, and the changes in the stack parameters associated with the operating conditions could lead to higher ground level concentrations, loads such as 50 percent and 75 percent of capacity should also be modeled. A range of operating conditions should be considered in screening analyses; the load causing the highest concentration, in addition to the design load, should be included in refined modeling. For a power plant, the following paragraphs b through h of this section describe the typical kind of data on source characteristics and operating conditions that may be needed. Generally, input data requirements for air quality models necessitate the use of metric units; where English units are common for engineering usage, a conversion to metric is required.

b. Plant layout. The connection scheme between boilers and stacks, and the distance and direction between stacks, building parameters (length, width, height, location and orientation relative to stacks) for plant structures which house boilers, control equipment, and surrounding buildings within a distance of approximately five stack heights.

c. Stack parameters. For all stacks, the stack height and inside diameter (meters), and the temperature (K) and volume flow rate (actual cubic meters per second) or exit gas velocity (meters per second) for operation at 100 percent, 75 percent and 50 percent load.

d. Boiler size. For all boilers, the associated megawatts, 10^6 BTU/hr, and pounds of steam per hour, and the design and/or actual fuel consumption rate for 100 percent load for coal (tons/hour), oil (barrels/hour), and natural gas (thousand cubic feet/hour).

e. Boiler parameters. For all boilers, the percent excess air used, the boiler type (e.g., wet bottom, cyclone, etc.), and the type of firing (e.g., pulverized coal, front firing, etc.).

f. Operating conditions. For all boilers, the type, amount and pollutant contents of fuel, the total hours of boiler operation and the boiler capacity factor during the year, and the percent load for peak conditions.

g. Pollution control equipment parameters. For each boiler served and each pollutant affected, the type of emission control equipment, the year of its installation, its design efficiency and mass emission rate, the data of the last test and the tested efficiency, the number of hours of operation during the latest year, and the best engineering estimate of its projected efficiency if used in conjunction with coal combustion; data for any anticipated modifications or additions.

h. Data for new boilers or stacks. For all new boilers and stacks under construction and for all planned modifications to existing boilers or stacks, the scheduled date of completion, and the data or best estimates available for paragraphs b through g of this section above following completion of construction or modification.

i. In stationary point source applications for compliance with short term ambient standards, SIP control strategies should be tested using the emission input shown on Table 9–1. When using a refined model, sources should be modeled sequentially with these loads for every hour of the year. To evaluate SIPs for compliance with quarterly and annual standards, emission input data shown in Table 9–1 should again be used. Emissions from area sources should generally be based on annual average conditions. The source input information in each model user's guide should be carefully consulted and the checklist in Appendix C should also be consulted for other possible emission data that could be helpful. PSD NAAQS compliance demonstrations should follow the emission input data shown in Table 9–2. For purposes of emissions trading, new

[e] Malfunctions which may result in excess emissions are not considered to be a normal operating condition. They generally should not be considered in determining allowable emissions. However, if the excess emissions are the result of poor maintenance, careless operation, or other preventable conditions, it may be necessary to consider them in determining source impact.

source review and demonstrations, refer to current EPA policy and guidance to establish input data.

j. Line source modeling of streets and highways requires data on the width of the roadway and the median strip, the types and amounts of pollutant emissions, the number of lanes, the emissions from each lane and the height of emissions. The location of the ends of the straight roadway segments should be specified by appropriate grid coordinates. Detailed information and data requirements for modeling mobile sources of pollution are provided in the user's manuals for each of the models applicable to mobile sources.

k. The impact of growth on emissions should be considered in all modeling analyses covering existing sources. Increases in emissions due to planned expansion or planned fuel switches should be identified. Increases in emissions at individual sources that may be associated with a general industrial/commercial/residential expansion in multi-source urban areas should also be treated. For new sources the impact of growth on emissions should generally be considered for the period prior to the start-up date for the source. Such changes in emissions should treat increased area source emissions, changes in existing point source emissions which were not subject to preconstruction review, and emissions due to sources with permits to construct that have not yet started operation.

TABLE 9–1.— MODEL EMISSION INPUT DATA FOR POINT SOURCES [1]

Averaging time	Emission limit (#/MMBtu) [2] ×	Operating level (MMBtu/hr) [2] ×	Operating factor (e.g., hr/yr, hr/day)
Stationary Point Source(s) Subject to SIP Emission Limit(s) Evaluation for Compliance with Ambient Standards (Including Areawide Demonstrations)			
Annual & quarterly	Maximum allowable emission limit or federally enforceable permit limit.	Actual or design capacity (whichever is greater), or federally enforceable permit condition.	Actual operating factor averaged over most recent 2 years.[3]
Short term	Maximum allowable emission limit or federally enforceable permit limit.	Actual or design capacity (whichever is greater), or federally enforceable permit condition [4].	Continuous operation, i.e., all hours of each time period under consideration (for all hours of the meteorological data base).[5]
Nearby Background Source(s)			
Same input requirements as for stationary point source(s) above.			
Other Background Source(s)			
If modeled (see Section 9.2.3), input data requirements are defined below.			
Annual & quarterly	Maximum allowable emission limit or federal enforceable permit limit.	Annual level when actually operating, averaged over the most recent 2 years [3].	Actual operating factor averaged over the most recent 2 years.[3]
Short term	Maximum allowable emission limit or federally enforceable permit limit.	Annual level when actually operating, averaged over the most recent 2 years [3].	Continuous operation, i.e., all hours of each time period under consideration (for all hours of the meteorological data base).[5]

[1] The model input data requirements shown on this table apply to stationary source control strategies for STATE IMPLEMENTATION PLANS. For purposes of emissions trading, new source review, or prevention of significant deterioration, other model input criteria may apply. Refer to the policy and guidance for these programs to establish the input data.

[2] Terminology applicable to fuel burning sources; analogous terminology (e.g., #/throughput) may be used for other types of sources.

[3] Unless it is determined that this period is not representative.

[4] Operating levels such as 50 percent and 75 percent of capacity should also be modeled to determine the load causing the highest concentration.

[5] If operation does not occur for all hours of the time period of consideration (e.g., 3 or 24 hours) and the source operation is constrained by a federally enforceable permit condition, an appropriate adjustment to the modeled emission rate may be made (e.g., if operation is only 8:00 a.m. to 4:00 p.m. each day, only these hours will be modeled with emissions from the source. Modeled emissions should not be averaged across non-operating time periods.)

TABLE 9–2.—POINT SOURCE MODEL INPUT DATA (EMISSIONS) FOR PSD NAAQS COMPLIANCE DEMONSTRATIONS

Averaging time	Emission limit (#/MMBtu) [1] ×	Operating level (MMBtu/hr) [1] ×	Operating factor (e.g., hr/yr, hr/day)
Proposed Major New or Modified Source			
Annual & quarterly	Maximum allowable emission limit or federally enforceable permit limit.	Design capacity or federally enforceable permit condition.	Continuous operation (i.e., 8760 hours).[2]
Short term (≤ 24 hours)	Maximum allowable emission limit or federally enforceable permit limit.	Design capacity or federally enforceable permit condition.[3]	Continuous operation (i.e., all hours of each time period under consideration) (for all hours of the meteorological data base).[2]

TABLE 9–2.—POINT SOURCE MODEL INPUT DATA (EMISSIONS) FOR PSD NAAQS COMPLIANCE DEMONSTRATIONS—Continued

Averaging time	Emission limit (#/MMBtu) [1]	×	Operating level (MMBtu/hr) [1]	×	Operating factor (e.g., hr/yr, hr/day)
Nearby Background Source(s) [4]					
Annual & quarterly	Maximum allowable emission limit or federally enforceable permit limit.		Actual or design capacity (whichever is greater), or federally enforceable permit condition.		Actual operating factor averaged over the most recent 2 years.[5 7]
Short term (≤ 24 hours)	Maximum allowable emission limit or federally enforceable permit limit.		Actual or design capacity (whichever is greater), or federally enforceable permit condition.[3]		Continuous operation (i.e., all hours of each time period under consideration) (for all hours of the meteorological data base).[2]
Other Background Source(s) [6]					
Annual & quarterly	Maximum allowable emission limit or federally enforceable permit limit.		Annual level when actually operating, averaged over the most recent 2 years.[5]		Actual operating factor averaged over the most recent 2 years.[5 7]
Short term (≤ 24 hours)	Maximum allowable emission limit or federally enforceable permit limit.		Annual level when actually operating, averaged over the most recent 2 years.[5]		Continuous operation (i.e., all hours of each time period under consideration) (for all hours of the meteorological data base).[2]

[1] Terminology applicable to fuel burning sources; analogous terminology (e.g., #/throughput) may be used for other types of sources.
[2] If operation does not occur for all hours of the time period of consideration (e.g., 3 or 24 hours) and the source operation is constrained by a federally enforceable permit condition, an appropriate adjustment to the modeled emission rate may be made (e.g., if operation is only 8:00 a.m. to 4:00 p.m. each day, only these hours will be modeled with emissions from the source. Modeled emissions should not be averaged across non-operating time periods.
[3] Operating levels such as 50 percent and 75 percent of capacity should also be modeled to determine the load causing the highest concentration.
[4] Includes existing facility to which modification is proposed if the emissions from the existing facility will not be affected by the modification. Otherwise use the same parameters as for major modification.
[5] Unless it is determined that this period is not representative.
[6] Generally, the ambient impacts from non-nearby background sources can be represented by air quality data unless adequate data do not exist.
[7] For those permitted sources not yet in operation or that have not established an appropriate factor, continuous operation (i.e., 8760 hours) should be used.

9.2 Background Concentrations

9.2.1 Discussion

a. Background concentrations are an essential part of the total air quality concentration to be considered in determining source impacts. Background air quality includes pollutant concentrations due to: (1) natural sources; (2) nearby sources other than the one(s) currently under consideration; and (3) unidentified sources.

b. Typically, air quality data should be used to establish background concentrations in the vicinity of the source(s) under consideration. The monitoring network used for background determinations should conform to the same quality assurance and other requirements as those networks established for PSD purposes.[63] An appropriate data validation procedure should be applied to the data prior to use.

c. If the source is not isolated, it may be necessary to use a multi-source model to establish the impact of nearby sources. Background concentrations should be determined for each critical (concentration) averaging time.

9.2.2 Recommendations (Isolated Single Source)

a. Two options (paragraph b or c of this section) are available to determine the background concentration near isolated sources.

b. Use air quality data collected in the vicinity of the source to determine the background concentration for the averaging times of concern.[f] Determine the mean background concentration at each monitor by excluding values when the source in question is impacting the monitor. The mean annual background is the average of the annual concentrations so determined at each monitor. For shorter averaging periods, the meteorological conditions accompanying the concentrations of concern should be identified. Concentrations for meteorological conditions of concern, at monitors not impacted by the source in question, should be averaged for each separate averaging time to determine the average background value. Monitoring sites inside a 90° sector downwind of the source may be used to determine the area of impact. One hour concentrations may be added and averaged to determine longer averaging periods.

c. If there are no monitors located in the vicinity of the source, a ''regional site'' may be used to determine background. A ''regional site'' is one that is located away from the area of interest but is impacted by similar natural and distant man-made sources.

[f] For purposes of PSD, the location of monitors as well as data quality assurance procedures must satisfy requirements listed in the PSD Monitoring Guidelines.[63]

9.2.3 Recommendations (Multi-Source Areas)

a. In multi-source areas, two components of background should be determined.

b. Nearby Sources: All sources expected to cause a significant concentration gradient in the vicinity of the source or sources under consideration for emission limit(s) should be explicitly modeled. For evaluation for compliance with the short term and annual ambient standards, the nearby sources should be modeled using the emission input data shown in Table 9–1 or 9–2. The number of such sources is expected to be small except in unusual situations. The nearby source inventory should be determined in consultation with the reviewing authority. It is envisioned that the nearby sources and the sources under consideration will be evaluated together using an appropriate Appendix A model.

c. The impact of the nearby sources should be examined at locations where interactions between the plume of the point source under consideration and those of nearby sources (plus natural background) can occur. Significant locations include: (1) the area of

maximum impact of the point source; (2) the area of maximum impact of nearby sources; and (3) the area where all sources combine to cause maximum impact. These locations may be identified through trial and error analyses.

d. Other Sources: That portion of the background attributable to all other sources (e.g., natural sources, minor sources and distant major sources) should be determined by the procedures found in Section 9.2.2 or by application of a model using Table 9–1 or 9–2.

9.3 Meteorological Input Data

a. The meteorological data used as input to a dispersion model should be selected on the basis of spatial and climatological (temporal) representativeness as well as the ability of the individual parameters selected to characterize the transport and dispersion conditions in the area of concern. The representativeness of the data is dependent on: (1) the proximity of the meteorological monitoring site to the area under consideration; (2) the complexity of the terrain; (3) the exposure of the meteorological monitoring site; and (4) the period of time during which data are collected. The spatial representativeness of the data can be adversely affected by large distances between the source and receptors of interest and the complex topographic characteristics of the area. Temporal representativeness is a function of the year-to-year variations in weather conditions.

b. Model input data are normally obtained either from the National Weather Service or as part of an on-site measurement program. Local universities, Federal Aviation Administration (FAA), military stations, industry and pollution control agencies may also be sources of such data. Some recommendations for the use of each type of data are included in this section 9.3.

9.3.1 Length of Record of Meteorological Data

9.3.1.1 Discussion

a. The model user should acquire enough meteorological data to ensure that worst-case meteorological conditions are adequately represented in the model results. The trend toward statistically based standards suggests a need for all meteorological conditions to be adequately represented in the data set selected for model input. The number of years of record needed to obtain a stable distribution of conditions depends on the variable being measured and has been estimated by Landsberg and Jacobs [64] for various parameters. Although that study indicates in excess of 10 years may be required to achieve stability in the frequency distributions of some meteorological variables, such long periods are not reasonable for model input data. This is due in part to the fact that hourly data in model input format are frequently not available for such periods and that hourly calculations of concentration for long periods are prohibitively expensive. A recent study [65] compared various periods from a 17-year data set to determine the minimum number of years of data needed to approximate the concentrations modeled with a 17-year period of meteorological data from one station. This study indicated that the variability of model estimates due to the meteorological data input was adequately reduced if a 5-year period of record of meteorological input was used.

9.3.1.2 Recommendations

a. Five years of representative meteorological data should be used when estimating concentrations with an air quality model. Consecutive years from the most recent, readily available 5-year period are preferred. The meteorological data may be data collected either onsite or at the nearest National Weather Service (NWS) station. If the source is large, e.g., a 500MW power plant, the use of 5 years of NWS meteorological data or at least 1 year of site-specific data is required.

b. If one year or more, up to five years, of site-specific data is available, these data are preferred for use in air quality analyses. Such data should have been subjected to quality assurance procedures as described in Section 9.3.3.2.

c. For permitted sources whose emission limitations are based on a specific year of meteorological data that year should be added to any longer period being used (e.g., 5 years of NWS data) when modeling the facility at a later time.

9.3.2 National Weather Service Data

9.3.2.1 Discussion

a. The National Weather Service (NWS) meteorological data are routinely available and familiar to most model users. Although the NWS does not provide direct measurements of all the needed dispersion model input variables, methods have been developed and successfully used to translate the basic NWS data to the needed model input. Direct measurements of model input parameters have been made for limited model studies and those methods and techniques are becoming more widely applied; however, most model applications still rely heavily on the NWS data.

b. There are two standard formats of the NWS data for use in air quality models. The short term models use the standard hourly weather observations available from the National Climatic Data Center (NCDC). These observations are then ''preprocessed'' before they can be used in the models. ''STAR'' summaries are available from NCDC for long term model use. These are joint frequency distributions of wind speed, direction and P–G stability category. They are used as direct input to models such as the long term version of ISC.[58]

9.3.2.2 Recommendations

a. The preferred short term models listed in Appendix A all accept as input the NWS meteorological data preprocessed into model compatible form. Long-term (monthly seasonal or annual) preferred models use NWS ''STAR'' summaries. Summarized concentration estimates from the short term models may also be used to develop long-term averages; however, concentration estimates based on the two separate input data sets may not necessarily agree.

b. Although most NWS measurements are made at a standard height of 10 meters, the actual anemometer height should be used as input to the preferred model.

c. National Weather Service wind directions are reported to the nearest 10 degrees. A specific set of randomly generated numbers has been developed for use with the preferred EPA models and should be used to ensure a lack of bias in wind direction assignments within the models.

d. Data from universities, FAA, military stations, industry and pollution control agencies may be used if such data are equivalent in accuracy and detail to the NWS data.

9.3.3 Site-Specific Data

9.3.3.1 Discussion

a. Spatial or geographical representativeness is best achieved by collection of all of the needed model input data at the actual site of the source(s). Site-specific measured data are therefore preferred as model input, provided appropriate instrumentation and quality assurance procedures are followed and that the data collected are representative (free from undue local or ''micro'' influences) and compatible with the input requirements of the model to be used. However, direct measurements of all the needed model input parameters may not be possible. This section discusses suggestions for the collection and use of on-site data. Since the methods outlined in this section are still being tested, comparison of the model parameters derived using these site-specific data should be compared at least on a spot-check basis, with parameters derived from more conventional observations.

9.3.3.2 Recommendations: Site-specific Data Collection

a. The document ''On-Site Meteorological Program Guidance for Regulatory Modeling Applications''[66] provides recommendations on the collection and use of on-site meteorological data. Recommendations on characteristics, siting, and exposure of meteorological instruments and on data recording, processing, completeness requirements, reporting, and archiving are also included. This publication should be used as a supplement to the limited guidance on these subjects now found in the ''Ambient Monitoring Guidelines for Prevention of Significant Deterioration''.[63] Detailed information on quality assurance is provided in the ''Quality Assurance Handbook for Air Pollution Measurement Systems: Volume IV''.[67] As a minimum, site-specific measurements of ambient air temperature, transport wind speed and direction, and the parameters to determine Pasquill-Gifford (P–G) stability categories should be available in meteorological data sets to be used in modeling. Care should be taken to ensure that meteorological instruments are located to provide representative characterization of pollutant transport between sources and receptors of interest. The Regional Office will determine the appropriateness of the measurement locations.

b. All site-specific data should be reduced to hourly averages. Table 9–3 lists the wind related parameters and the averaging time requirements.

c. Solar Radiation Measurements. Total solar radiation should be measured with a reliable pyranometer, sited and operated in accordance with established on-site meteorological guidance.[66]

d. Temperature Measurements. Temperature measurements should be made at standard shelter height (2m) in accordance with established on-site meteorological guidance.[66]

e. Temperature Difference Measurements. Temperature difference (Œ°) measurements for use in estimating P–G stability categories using the solar radiation/delta-T (SRDT) methodology (see Stability Categories) should be obtained using two matched thermometers or a reliable thermocouple system to achieve adequate accuracy.

f. Siting, probe placement, and operation of > T systems should be based on guidance found in Chapter 3 of reference 66, and such guidance should be followed when obtaining vertical temperature gradient data for use in plume rise estimates or in determining the critical dividing streamline height.

g. Wind Measurements. For refined modeling applications in simple terrain situations, if a source has a stack below 100m, select the stack top height as the wind measurement height for characterization of plume dilution and transport. For sources with stacks extending above 100m, a 100m tower is suggested unless the stack top is significantly above 100m (i.e., ≥200m). In cases with stack tops ≥200m, remote sensing may be a feasible alternative. In some cases, collection of stack top wind speed may be impractical or incompatible with the input requirements of the model to be used. In such cases, the Regional Office should be consulted to determine the appropriate measurement height.

h. For refined modeling applications in complex terrain, multiple level (typically three or more) measurements of wind speed and direction, temperature and turbulence (wind fluctuation statistics) are required. Such measurements should be obtained up to the representative plume height(s) of interest (i.e., the plume height(s) under those conditions important to the determination of the design concentration). The representative plume height(s) of interest should be determined using an appropriate complex terrain screening procedure (e.g., CTSCREEN) and should be documented in the monitoring/modeling protocol. The necessary meteorological measurements should be obtained from an appropriately sited meteorological tower augmented by SODAR if the representative plume height(s) of interest exceed 100m. The meteorological tower need not exceed the lesser of the representative plume height of interest (the highest plume height if there is more than one plume height of interest) or 100m.

i. In general, the wind speed used in determining plume rise is defined as the wind speed at stack top.

j. Specifications for wind measuring instruments and systems are contained in the ''On-Site Meteorological Program Guidance for Regulatory Modeling Applications''.[66]

k. Stability Categories. The P–G stability categories, as originally defined, couple near-surface measurements of wind speed with subjectively determined insolation assessments based on hourly cloud cover and ceiling height observations. The wind speed measurements are made at or near 10m. The insolation rate is typically assessed using observations of cloud cover and ceiling height based on criteria outlined by Turner.[50] It is recommended that the P–G stability category be estimated using the Turner method with site-specific wind speed measured at or near 10m and representative cloud cover and ceiling height. Implementation of the Turner method, as well as considerations in determining representativeness of cloud cover and ceiling height in cases for which site-specific cloud observations are unavailable, may be found in Section 6 of reference 66. In the absence of requisite data to implement the Turner method, the SRDT method or wind fluctuation statistics (i.e., the σ_E and σ_A methods) may be used.

l. The SRDT method, described in Section 6.4.4.2 of reference 66, is modified slightly from that published by Bowen et al. (1983)[136] and has been evaluated with three on-site data bases.[137] The two methods of stability classification which use wind fluctuation statistics, the σ_E and σ_A methods, are also described in detail in Section 6.4.4 of reference 66 (note applicable tables in Section 6). For additional information on the wind fluctuation methods, see references 68–72.

m. Hours in the record having missing data should be treated according to an established data substitution protocol and after valid data retrieval requirements have been met. Such protocols are usually part of the approved monitoring program plan. Data substitution guidance is provided in Section 5.3 of reference 66.

n. Meteorological Data Processors. The following meteorological preprocessors are recommended by EPA: RAMMET, PCRAMMET, STAR, PCSTAR, MPRM,[135] and METPRO.[24] RAMMET is the recommended meteorological preprocessor for use in applications employing hourly NWS data. The RAMMET format is the standard data input format used in sequential Gaussian models recommended by EPA. PCRAMMET[138] is the PC equivalent of the mainframe version (RAMMET). STAR is the recommended preprocessor for use in applications employing joint frequency distributions (wind direction and wind speed by stability class) based on NWS data. PCSTAR is the PC equivalent of the mainframe version (STAR). MPRM is the recommended preprocessor for use in applications employing on-site meteorological data. The latest version (MPRM 1.3) has been configured to implement the SRDT method for estimating P–G stability categories. MPRM is a general purpose meteorological data preprocessor which supports regulatory models requiring RAMMET formatted data and STAR formatted data. In addition to on-site data, MPRM provides equivalent processing of NWS data. METPRO is the required meteorological data preprocessor for use with CTDMPLUS. All of the above mentioned data preprocessors are available for downloading from the SCRAM BBS.[19]

TABLE 9–3.—AVERAGING TIMES FOR SITE-SPECIFIC WIND AND TURBULENCE MEASUREMENTS

Parameter	Averaging time
Surface wind speed (for use in stability determinations).	1-hr.
Transport direction	1-hr.
Dilution wind speed	1-hr.
Turbulence measurements (σ_E and σ_A) for use in stability determinations.	1-hr.[1]

[1] To minimize meander effects in σ_A when wind conditions are light and/or variable, determine the hourly average σ value from four sequential 15-minute σ's according to the following formula:

$$\sigma_{1\text{-hr}} = \sqrt{\frac{\sigma_{15}^2 + \sigma_{15}^2 + \sigma_{15}^2 + \sigma_{15}^2}{4}}$$

9.3.4 Treatment of Calms

9.3.4.1 Discussion

a. Treatment of calm or light and variable wind poses a special problem in model applications since Gaussian models assume that concentration is inversely proportional to wind speed. Furthermore, concentrations become unrealistically large when wind speeds less than 1 m/s are input to the model. A procedure has been developed for use with NWS data to prevent the occurrence of overly conservative concentration estimates during periods of calms. This procedure acknowledges that a Gaussian plume model does not apply during calm conditions and that our knowledge of plume behavior and wind patterns during these conditions does not, at present, permit the development of a better technique. Therefore, the procedure disregards hours which are identified as calm. The hour is treated as missing and a convention for handling missing hours is recommended.

b. Preprocessed meteorological data input to most Appendix A EPA models substitute a 1.00 m/s wind speed and the previous direction for the calm hour. The new treatment of calms in those models attempts to identify the original calm cases by checking for a 1.00 m/s wind speed coincident with a wind direction equal to the previous hour's wind direction. Such cases are then treated in a prescribed manner when estimating short term concentrations.

9.3.4.2 Recommendations

a. Hourly concentrations calculated with Gaussian models using calms should not be considered valid; the wind and concentration estimates for these hours should be disregarded and considered to be missing. Critical concentrations for 3-, 8-, and 24-hour averages should be calculated by dividing the sum of the hourly concentration for the period by the number of valid or non-missing hours. If the total number of valid hours is less than 18 for 24-hour averages, less than 6 for 8-hour averages or less than 3 for 3-hour averages, the total concentration should be divided by 18 for the 24-hour average, 6 for the 8-hour average and 3 for the 3-hour

average. For annual averages, the sum of all valid hourly concentrations is divided by the number of non-calm hours during the year. A post-processor computer program, CALMPRO[73] has been prepared following these instructions and has been coded in RAM and ISC.

b. The recommendations in paragraph a of this section apply to the use of calms for short term averages and do not apply to the determination of long term averages using ''STAR'' data summaries. Calms should continue to be included in the preparation of ''STAR'' summaries. A treatment for calms and very light winds is built into the software that produces the ''STAR'' summaries.

c. Stagnant conditions, including extended periods of calms, often produce high concentrations over wide areas for relatively long averaging periods. The standard short term Gaussian models are often not applicable to such situations. When stagnation conditions are of concern, other modeling techniques should be considered on a case-by-case basis (see also Section 8.2.10).

d. When used in Gaussian models, measured on-site wind speeds of less than 1 m/s but higher than the response threshold of the instrument should be input as 1 m/s; the corresponding wind direction should also be input. Observations below the response threshold of the instrument are also set to 1 m/s but the wind direction from the previous hour is used. If the wind speed or direction can not be determined, that hour should be treated as missing and short term averages should then be calculated as described in paragraph a of this section.

10.0 Accuracy and Uncertainty of Models

10.1 Discussion

a. Increasing reliance has been placed on concentration estimates from models as the primary basis for regulatory decisions concerning source permits and emission control requirements. In many situations, such as review of a proposed source, no practical alternative exists. Therefore, there is an obvious need to know how accurate models really are and how any uncertainty in the estimates affects regulatory decisions. EPA recognizes the need for incorporating such information and has sponsored workshops[11 74] on model accuracy, the possible ways to quantify accuracy, and on considerations in the incorporation of model accuracy and uncertainty in the regulatory process. The Second (EPA) Conference on Air Quality Modeling, August 1982,[75] was devoted to that subject.

10.1.1 Overview of Model Uncertainty

a. Dispersion models generally attempt to estimate concentrations at specific sites that really represent an ensemble average of numerous repetitions of the same event. The event is characterized by measured or ''known'' conditions that are input to the models, e.g., wind speed, mixed layer height, surface heat flux, emission characteristics, etc. However, in addition to the known conditions, there are unmeasured or unknown variations in the conditions of this event, e.g., unresolved details of the atmospheric flow such as the turbulent velocity field. These unknown conditions may vary among repetitions of the event. As a result, deviations in observed concentrations from their ensemble average, and from the concentrations estimated by the model, are likely to occur even though the known conditions are fixed. Even with a perfect model that predicts the correct ensemble average, there are likely to be deviations from the observed concentrations in individual repetitions of the event, due to variations in the unknown conditions. The statistics of these concentration residuals are termed ''inherent'' uncertainty. Available evidence suggests that this source of uncertainty alone may be responsible for a typical range of variation in concentrations of as much as ±50 percent.[76]

b. Moreover, there is ''reducible'' uncertainty[77] associated with the model and its input conditions; neither models nor data bases are perfect. Reducible uncertainties are caused by: (1) Uncertainties in the input values of the known conditions—emission characteristics and meteorological data; (2) errors in the measured concentrations which are used to compute the concentration residuals; and (3) inadequate model physics and formulation. The ''reducible'' uncertainties can be minimized through better (more accurate and more representative) measurements and better model physics.

c. To use the terminology correctly, reference to model accuracy should be limited to that portion of reducible uncertainty which deals with the physics and the formulation of the model. The accuracy of the model is normally determined by an evaluation procedure which involves the comparison of model concentration estimates with measured air quality data.[78] The statement of accuracy is based on statistical tests or performance measures such as bias, noise, correlation, etc.[11] However, information that allows a distinction between contributions of the various elements of inherent and reducible uncertainty is only now beginning to emerge. As a result most discussions of the accuracy of models make no quantitative distinction between (1) Limitations of the model versus (2) limitations of the data base and of knowledge concerning atmospheric variability. The reader should be aware that statements on model accuracy and uncertainty may imply the need for improvements in model performance that even the ''perfect'' model could not satisfy.

10.1.2 Studies of Model Accuracy

a. A number of studies[79 80] have been conducted to examine model accuracy, particularly with respect to the reliability of short-term concentrations required for ambient standard and increment evaluations. The results of these studies are not surprising. Basically, they confirm what leading atmospheric scientists have said for some time: (1) Models are more reliable for estimating longer time-averaged concentrations than for estimating short-term concentrations at specific locations; and (2) the models are reasonably reliable in estimating the magnitude of highest concentrations occurring sometime, somewhere within an area. For example, errors in highest estimated concentrations of ±10 to 40 percent are found to be typical,[81] i.e., certainly well within the often quoted factor-of-two accuracy that has long been recognized for these models. However, estimates of concentrations that occur at a specific time and site, are poorly correlated with actually observed concentrations and are much less reliable.

b. As noted in paragraph a of this section, poor correlations between paired concentrations at fixed stations may be due to ''reducible'' uncertainties in knowledge of the precise plume location and to unquantified inherent uncertainties. For example, Pasquill[82] estimates that, apart from data input errors, maximum ground-level concentrations at a given hour for a point source in flat terrain could be in error by 50 percent due to these uncertainties. Uncertainty of five to 10 degrees in the measured wind direction, which transports the plume, can result in concentration errors of 20 to 70 percent for a particular time and location, depending on stability and station location. Such uncertainties do not indicate that an estimated concentration does not occur, only that the precise time and locations are in doubt.

10.1.3 Use of Uncertainty in Decision-Making

a. The accuracy of model estimates varies with the model used, the type of application, and site-specific characteristics. Thus, it is desirable to quantify the accuracy or uncertainty associated with concentration estimates used in decision-making. Communications between modelers and decision-makers must be fostered and further developed. Communications concerning concentration estimates currently exist in most cases, but the communications dealing with the accuracy of models and its meaning to the decision-maker are limited by the lack of a technical basis for quantifying and directly including uncertainty in decisions. Procedures for quantifying and interpreting uncertainty in the practical application of such concepts are only beginning to evolve; much study is still required.[74 75 77]

b. In all applications of models an effort is encouraged to identify the reliability of the model estimates for that particular area and to determine the magnitude and sources of error associated with the use of the model. The analyst is responsible for recognizing and quantifying limitations in the accuracy, precision and sensitivity of the procedure. Information that might be useful to the decision-maker in recognizing the seriousness of potential air quality violations includes such model accuracy estimates as accuracy of peak predictions, bias, noise, correlation, frequency distribution, spatial extent of high concentration, etc. Both space/time pairing of estimates and measurements and unpaired comparisons are recommended. Emphasis should be on the highest concentrations and the averaging times of the standards or increments of concern. Where possible, confidence intervals about the statistical values should be provided. However, while such information can be provided by the modeler to the decision-maker, it is unclear how this information should be used to make an air

pollution control decision. Given a range of possible outcomes, it is easiest and tends to ensure consistency if the decision-maker confines his judgment to use of the ''best estimate'' provided by the modeler (i.e., the design concentration estimated by a model recommended in the Guideline or an alternate model of known accuracy). This is an indication of the practical limitations imposed by current abilities of the technical community.

c. To improve the basis for decision-making, EPA has developed and is continuing to study procedures for determining the accuracy of models, quantifying the uncertainty, and expressing confidence levels in decisions that are made concerning emissions controls.[83 84] However, work in this area involves ''breaking new ground'' with slow and sporadic progress likely. As a result, it may be necessary to continue using the ''best estimate'' until sufficient technical progress has been made to meaningfully implement such concepts dealing with uncertainty.

10.1.4 Evaluation of Models

a. A number of actions are being taken to ensure that the best model is used correctly for each regulatory application and that a model is not arbitrarily imposed. First, the Guideline clearly recommends the most appropriate model be used in each case. Preferred models, based on a number of factors, are identified for many uses. General guidance on using alternatives to the preferred models is also provided. Second, all the models in eight categories (i.e., rural, urban, industrial complex, reactive pollutants, mobile source, complex terrain, visibility and long range transport) that are candidates for inclusion in the Guideline are being subjected to a systematic performance evaluation and a peer scientific review.[85] The same data bases are being used to evaluate all models within each of eight categories. Statistical performance measures, including measures of difference (or residuals) such as bias, variance of difference and gross variability of the difference, and measures of correlation such as time, space, and time and space combined as recommended by the AMS Woods Hole Workshop,[11] are being followed. The results of the scientific review are being incorporated in the Guideline and will be the basis for future revision.[12 13] Third, more specific information has been provided for justifying the site specific use of alternative models in the documents ''Interim Procedures for Evaluating Air Quality Models'',[15] and the ''Protocol for Determining the Best Performing Model''.[17] Together these documents provide methods that allow a judgment to be made as to what models are most appropriate for a specific application. For the present, performance and the theoretical evaluation of models are being used as an indirect means to quantify one element of uncertainty in air pollution regulatory decisions.

b. In addition to performance evaluation of models, sensitivity analyses are encouraged since they can provide additional information on the effect of inaccuracies in the data bases and on the uncertainty in model estimates. Sensitivity analyses can aid in determining the effect of inaccuracies of variations or uncertainties in the data bases on the range of likely concentrations. Such information may be used to determine source impact and to evaluate control strategies. Where possible, information from such sensitivity analyses should be made available to the decision-maker with an appropriate interpretation of the effect on the critical concentrations.

10.2 Recommendations

a. No specific guidance on the consideration of model uncertainty in decision-making is being given at this time. There is incomplete technical information on measures of model uncertainty that are most relevant to the decision-maker. It is not clear how a decisionmaker could use such information, particularly given limitations of the Clean Air Act. As procedures for considering uncertainty develop and become implementable, this guidance will be changed and expanded. For the present, continued use of the ''best estimate'' is acceptable and is consistent with Clean Air Act requirements.

11.0 Regulatory Application of Models

11.1 Discussion

a. Procedures with respect to the review and analysis of air quality modeling and data analyses in support of SIP revisions, PSD permitting or other regulatory requirements need a certain amount of standardization to ensure consistency in the depth and comprehensiveness of both the review and the analysis itself. This section recommends procedures that permit some degree of standardization while at the same time allowing the flexibility needed to assure the technically best analysis for each regulatory application.

b. Dispersion model estimates, especially with the support of measured air quality data, are the preferred basis for air quality demonstrations. Nevertheless, there are instances where the performance of recommended dispersion modeling techniques, by comparison with observed air quality data, may be shown to be less than acceptable. Also, there may be no recommended modeling procedure suitable for the situation. In these instances, emission limitations may be established solely on the basis of observed air quality data as would be applied to a modeling analysis. The same care should be given to the analyses of the air quality data as would be applied to a modeling analysis.

c. The current NAAQS for SO_2 and CO are both stated in terms of a concentration not to be exceeded more than once a year. There is only an annual standard for NO_2 and a quarterly standard for Pb. The PM–10 and ozone standards permit the exceedance of a concentration on an average of not more than once a year; the convention is to average over a 3-year period.[5 86 103] This represents a change from a deterministic to a more statistical form of the standard and permits some consideration to be given to unusual circumstances. The NAAQS are subjected to extensive review and possible revision every 5 years.

d. This section discusses general requirements for concentration estimates and identifies the relationship to emission limits. The recommendations in section 11.2 apply to: (1) revisions of State Implementation Plans; (2) the review of new sources and the prevention of significant deterioration (PSD); and (3) analyses of the emissions trades (''bubbles'').

11.2 Recommendations

11.2.1 Analysis Requirements

a. Every effort should be made by the Regional Office to meet with all parties involved in either a SIP revision or a PSD permit application prior to the start of any work on such a project. During this meeting, a protocol should be established between the preparing and reviewing parties to define the procedures to be followed, the data to be collected, the model to be used, and the analysis of the source and concentration data. An example of requirements for such an effort is contained in the Air Quality Analysis Checklist included here as Appendix C. This checklist suggests the level of detail required to assess the air quality resulting from the proposed action. Special cases may require additional data collection or analysis and this should be determined and agreed upon at this preapplication meeting. The protocol should be written and agreed upon by the parties concerned, although a formal legal document is not intended. Changes in such a protocol are often required as the data collection and analysis progresses. However, the protocol establishes a common understanding of the requirements.

b. An air quality analysis should begin with a screening model to determine the potential of the proposed source or control strategy to violate the PSD increment or NAAQS. It is recommended that the screening techniques found in ''Screening Procedures for Estimating the Air Quality Impact of Stationary Sources''[18] be used for point source analyses. Screening procedures for area source analysis are discussed in ''Applying Atmospheric Simulation Models to Air Quality Maintenance Areas''.[87] For mobile source impact assessments the ''Guideline for Modeling Carbon Monoxide from Roadway Intersections''[34] is available.

c. If the concentration estimates from screening techniques indicate that the PSD increment or NAAQS may be approached or exceeded, then a more refined modeling analysis is appropriate and the model user should select a model according to recommendations in Sections 4.0–8.0. In some instances, no refined technique may be specified in this guide for the situation. The model user is then encouraged to submit a model developed specifically for the case at hand. If that is not possible, a screening technique may supply the needed results.

d. Regional Offices should require permit applicants to incorporate the pollutant contributions of all sources into their analysis. Where necessary this may include emissions associated with growth in the area of impact of the new or modified source's impact. PSD air quality assessments should consider the amount of the allowable air quality increment that has already been granted to any other sources. Therefore, the most recent source applicant should model

the existing or permitted sources in addition to the one currently under consideration. This would permit the use of newly acquired data or improved modeling techniques if such have become available since the last source was permitted. When remodeling, the worst case used in the previous modeling analysis should be one set of conditions modeled in the new analysis. All sources should be modeled for each set of meteorological conditions selected and for all receptor sites used in the previous applications as well as new sites specific to the new source.

11.2.2 Use of Measured Data in Lieu of Model Estimates

a. Modeling is the preferred method for determining emission limitations for both new and existing sources. When a preferred model is available, model results alone (including background) are sufficient. Monitoring will normally not be accepted as the sole basis for emission limitation determination in flat terrain areas. In some instances when the modeling technique available is only a screening technique, the addition of air quality data to the analysis may lend credence to model results.

b. There are circumstances where there is no applicable model, and measured data may need to be used. Examples of such situations are: (1) complex terrain locations; (2) land/water interface areas; and (3) urban locations with a large fraction of particulate emissions from nontraditional sources. However, only in the case of an existing source should monitoring data alone be a basis for emission limits. In addition, the following items should be considered prior to the acceptance of the measured data:

i. Does a monitoring network exist for the pollutants and averaging times of concern?

ii. Has the monitoring network been designed to locate points of maximum concentration?

iii. Do the monitoring network and the data reduction and storage procedures meet EPA monitoring and quality assurance requirements?

iv. Do the data set and the analysis allow impact of the most important individual sources to be identified if more than one source or emission point is involved?

v. Is at least one full year of valid ambient data available?

vi. Can it be demonstrated through the comparison of monitored data with model results that available models are not applicable?

c. The number of monitors required is a function of the problem being considered. The source configuration, terrain configuration, and meteorological variations all have an impact on number and placement of monitors. Decisions can only be made on a case-by-case basis. The Interim Procedures for Evaluating Air Quality Models [15] should be used in establishing criteria for demonstrating that a model is not applicable.

d. Sources should obtain approval from the Regional Office or reviewing authority for the monitoring network prior to the start of monitoring. A monitoring protocol agreed to by all concerned parties is highly desirable. The design of the network, the number, type and location of the monitors, the sampling period, averaging time as well as the need for meteorological monitoring or the use of mobile sampling or plume tracking techniques, should all be specified in the protocol and agreed upon prior to start-up of the network.

11.2.3 Emission Limits

11.2.3.1 Design Concentrations

a. Emission limits should be based on concentration estimates for the averaging time that results in the most stringent control requirements. The concentration used in specifying emission limits is called the design value or design concentration and is a sum of the concentration contributed by the source and the background concentration.

b. To determine the averaging time for the design value, the most restrictive National Ambient Air Quality Standard (NAAQS) should be identified by calculating, for each averaging time, the ratio of the applicable NAAQS (S) − background (B) to the predicted concentration (P) (i.e., (S − B)/P). The averaging time with the lowest ratio identifies the most restrictive standard. If the annual average is the most restrictive, the highest estimated annual average concentration from one or a number of years of data is the design value. When short term standards are most restrictive, it may be necessary to consider a broader range of concentrations than the highest value. For example, for pollutants such as SO_2, the highest, second-highest concentration is the design value. For pollutants with statistically based NAAQS, the design value is found by determining the more restrictive of: (1) the short-term concentration that is not expected to be exceeded more than once per year over the period specified in the standard, or (2) the long-term concentration that is not expected to exceed the long-term NAAQS. Determination of design values for PM–10 is presented in more detail in the ''PM–10 SIP Development Guideline''.[108]

c. When the highest, second-highest concentration is used in assessing potential violations of a short term NAAQS, criteria that are identified in ''Guideline for Interpretation of Air Quality Standards''[88] should be followed. This guidance specifies that a violation of a short term standard occurs at a site when the standard is exceeded a second time. Thus, emission limits that protect standards for averaging times of 24 hours or less are appropriately based on the highest, second-highest estimated concentration plus a background concentration which can reasonably be assumed to occur with the concentration.

11.2.3.2 NAAQS Analyses for New or Modified Sources

a. For new or modified sources predicted to have a significant ambient impact [63] and to be located in areas designated attainment or unclassifiable for the SO_2, Pb, NO_2, or CO NAAQS, the demonstration as to whether the source will cause or contribute to an air quality violation should be based on: (1) the highest estimated annual average concentration determined from annual averages of individual years; or (2) the highest, second-highest estimated concentration for averaging times of 24-hours or less; and (3) the significance of the spatial and temporal contribution to any modeled violation. For Pb, the highest estimated concentration based on an individual calendar quarter averaging period should be used. Background concentrations should be added to the estimated impact of the source. The most restrictive standard should be used in all cases to assess the threat of an air quality violation. For new or modified sources predicted to have a significant ambient impact [63] in areas designated attainment or unclassifiable for the PM–10 NAAQS, the demonstration of whether or not the source will cause or contribute to an air quality violation should be based on sufficient data to show whether: (1) the projected 24-hour average concentrations will exceed the 24-hour NAAQS more than once per year, on average; (2) the expected (i.e., average) annual mean concentration will exceed the annual NAAQS; and (3) the source contributes significantly, in a temporal and spatial sense, to any modeled violation.

11.2.3.3 PSD Air Quality Increments and Impacts

a. The allowable PSD increments for criteria pollutants are established by regulation and cited in § 51.166. These maximum allowable increases in pollutant concentrations may be exceeded once per year at each site, except for the annual increment that may not be exceeded. The highest, second-highest increase in estimated concentrations for the short term averages as determined by a model should be less than or equal to the permitted increment. The modeled annual averages should not exceed the increment.

b. Screening techniques defined in Sections 4.0 and 5.0 can sometimes be used to estimate short term incremental concentrations for the first new source that triggers the baseline in a given area. However, when multiple increment-consuming sources are involved in the calculation, the use of a refined model with at least 1 year of on-site or 5 years of off-site NWS data is normally required. In such cases, sequential modeling must demonstrate that the allowable increments are not exceeded temporally and spatially, i.e., for all receptors for each time period throughout the year(s) (time period means the appropriate PSD averaging time, e.g., 3-hour, 24-hour, etc.).

c. The PSD regulations require an estimation of the SO_2, particulate matter, and NO_2 impact on any Class I area. Normally, Gaussian models should not be applied at distances greater than can be accommodated by the steady state assumptions inherent in such models. The maximum distance for refined Gaussian model application for regulatory purposes is generally considered to be 50km. Beyond the 50km range, screening techniques may be used to determine if more refined modeling is needed. If refined models are needed, long range transport models should be considered in accordance with Section 7.2.6. As previously noted in Sections 3.0 and 7.0, the need to involve the Federal Land Manager in decisions on potential air quality impacts,

particularly in relation to PSD Class I areas, cannot be overemphasized.

11.2.3.4 Emissions Trading Policy (Bubbles)

a. EPA's final Emissions Trading Policy, commonly referred to as the ''bubble policy,'' was published in the Federal Register in 1986.[89] Principles contained in the policy should be used to evaluate ambient impacts of emission trading activities.

b. Emission increases and decreases within the bubble should result in ambient air quality equivalence. Two levels of analysis are defined for establishing this equivalence. In a Level I analysis the source configuration and setting must meet certain limitations (defined in the policy) that ensure ambient equivalence; no modeling is required. In a Level II analysis a modeling demonstration of ambient equivalence is required but only the sources involved in the emissions trade are modeled. The resulting ambient estimates of net increases/decreases are compared to a set of significance levels to determine if the bubble can be approved. A Level II analysis requires the use of a refined model and the most recent readily available full year of representative meteorological data. Sequential modeling must demonstrate that the significance levels are met temporally and spatially, i.e., for all receptors for each time period throughout the year (time period means the appropriate NAAQS averaging time, e.g., 3-hour, 24-hour, etc.).

c. For those bubbles that cannot meet the Level I or Level II requirements, the Emissions Trading Policy allows for a Level III analysis. A Level III analysis, from a modeling standpoint, is generally equivalent to the requirements for a standard SIP revision where all sources (and background) are considered and the estimates are compared to the NAAQS as in Section 11.2.3.2.

d. The Emissions Trading Policy allows States to adopt generic regulations for processing bubbles. The modeling procedures recommended in the Guideline apply to such generic regulations. However, an added requirement is that the modeling procedures contained in any generic regulation must be replicable such that there is no doubt as to how each individual bubble will be modeled. In general this means that the models, the data bases and the procedures for applying the model must be defined in the regulation. The consequences of the replicability requirement are that bubbles for sources located in complex terrain and certain industrial sources where judgments must be made on source characterization cannot be handled generically.

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[i] The documents listed here are major sources of supplemental information on the theory and application of mathematical air quality models.

14.0 Glossary of Terms

Air quality. Ambient pollutant concentrations and their temporal and spatial distribution.

Algorithm. A specific mathematical calculation procedure. A model may contain several algorithms.

Background. Ambient pollutant concentrations due to:

(1) Natural sources;

(2) Nearby sources other than the one(s) currently under consideration; and

(3) Unidentified sources.

Calibrate. An objective adjustment using measured air quality data (e.g., an adjustment based on least-squares linear regression).

Calm. For purposes of air quality modeling, calm is used to define the situation when the wind is indeterminate with regard to speed or direction.

Complex terrain. Terrain exceeding the height of the stack being modeled.

Computer code. A set of statements that comprise a computer program.

Evaluate. To appraise the performance and accuracy of a model based on a comparison of concentration estimates with observed air quality data.

Fluid modeling. Modeling conducted in a wind tunnel or water channel to quantitatively evaluate the influence of buildings and/or terrain on pollutant concentrations.

Fugitive dust. Dust discharged to the atmosphere in an unconfined flow stream such as that from unpaved roads, storage piles and heavy construction operations.

Model. A quantitative or mathematical representation or simulation which attempts to describe the characteristics or relationships of physical events.

Preferred model. A refined model that is recommended for a specific type of regulatory application.

Receptor. A location at which ambient air quality is measured or estimated.

Receptor models. Procedures that examine an ambient monitor sample of particulate matter and the conditions of its collection to infer the types or relative mix of sources impacting on it during collection.

Refined model. An analytical technique that provides a detailed treatment of physical and chemical atmospheric processes and requires detailed and precise input data. Specialized estimates are calculated that are useful for evaluating source impact relative to air quality standards and allowable increments. The estimates are more accurate than those obtained from conservative screening techniques.

Rollback. A simple model that assumes that if emissions from each source affecting a given receptor are decreased by the same percentage, ambient air quality concentrations decrease proportionately.

Screening technique. A relatively simple analysis technique to determine if a given source is likely to pose a threat to air quality. Concentration estimates from screening techniques are conservative.

Simple terrain. An area where terrain features are all lower in elevation than the top of the stack of the source.

Appendix A to Appendix W of part 51—Summaries of Preferred Air Quality Models

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A.0 Introduction and Availability

This appendix summarizes key features of refined air quality models preferred for specific regulatory applications. For each model, information is provided on availability, approximate cost, regulatory use, data input, output format and options, simulation of atmospheric physics, and accuracy. These models may be used without a formal demonstration of applicability provided they satisfy the recommendations for regulatory use; not all options in the models are necessarily recommended for regulatory use.

Many of these models have been subjected to a performance evaluation using comparisons with observed air quality data. A summary of such comparisons for models contained in this appendix is included in Moore et al. (1982). Where possible, several of the models contained herein have been subjected to evaluation exercises, including (1) statistical performance tests recommended by the American Meteorological Society and (2) peer scientific reviews. The models in this appendix have been selected on the basis of the results of the model evaluations, experience with previous use, familiarity of the model to various air quality programs, and the costs and resource requirements for use.

All models and user's documentation in this appendix are available from: Computer Products, National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, VA 22161, Phone: (703) 487–4650. In addition, model codes and selected, abridged user's guides are available from the Support Center for Regulatory Air Models Bulletin Board System [19] (SCRAM BBS), telephone (919) 541–5742. The SCRAM BBS is an electronic bulletin board system designed to be user friendly and accessible from anywhere in the country. Model users with personal computers are encouraged to use the SCRAM BBS to download current model codes and text files.

A.1 Buoyant Line and Point Source Dispersion Model (BLP)

Reference

Schulman, Lloyd L. and Joseph S. Scire, 1980. Buoyant Line and Point Source (BLP) Dispersion Model User's Guide. Document P–7304B. Environmental Research and Technology, Inc., Concord, MA. (NTIS No. PB 81–164642)

Availability

The computer code is available on the Support Center for Regulatory Models Bulletin Board System and also on diskette (as PB 90–500281) from the National Technical Information Service (see Section A.0).

Abstract

BLP is a Gaussian plume dispersion model designed to handle unique modeling problems associated with aluminum reduction plants, and other industrial sources where plume rise and downwash effects from stationary line sources are important.

a. Recommendations for Regulatory Use

The BLP model is appropriate for the following applications:

Aluminum reduction plants which contain buoyant, elevated line sources;

Rural areas;

Transport distances less than 50 kilometers;

Simple terrain; and

One hour to one year averaging times.

The following options should be selected for regulatory applications:

Rural (IRU=1) mixing height option;

Default (no selection) for plume rise wind shear (LSHEAR), transitional point source plume rise (LTRANS), vertical potential temperature gradient (DTHTA), vertical wind speed power law profile exponents (PEXP), maximum variation in number of stability classes per hour (IDELS), pollutant decay (DECFAC), the constant in Briggs' stable plume rise equation (CONST2), constant in Briggs' neutral plume rise equation (CONST3), convergence criterion for the line source calculations (CRIT), and maximum iterations allowed for line source calculations (MAXIT); and

Terrain option (TERAN) set equal to 0.0, 0.0, 0.0, 0.0, 0.0, 0.0

For other applications, BLP can be used if it can be demonstrated to give the same estimates as a recommended model for the same application, and will subsequently be executed in that mode.

BLP can be used on a case-by-case basis with specific options not available in a recommended model if it can be demonstrated, using the criteria in Section 3.2, that the model is more appropriate for a specific application.

b. Input Requirements

Source data: point sources require stack location, elevation of stack base, physical stack height, stack inside diameter, stack gas exit velocity, stack gas exit temperature, and pollutant emission rate. Line sources require coordinates of the end points of the line, release height, emission rate, average line source width, average building width, average spacing between buildings, and average line source buoyancy parameter.

Meteorological data: hourly surface weather data from punched cards or from the preprocessor program RAMMET which provides hourly stability class, wind direction, wind speed, temperature, and mixing height.

Receptor data: locations and elevations of receptors, or location and size of receptor grid or request automatically generated receptor grid.

c. Output

Printed output (from a separate post-processor program) includes:

Total concentration or, optionally, source contribution analysis; monthly and annual frequency distributions for 1-, 3-, and 24-hour average concentrations; tables of 1-, 3-, and 24-hour average concentrations at each receptor; table of the annual (or length of run) average concentrations at each receptor;

Five highest 1-, 3-, and 24-hour average concentrations at each receptor; and

Fifty highest 1-, 3-, and 24-hour concentrations over the receptor field.

d. Type of Model

BLP is a gaussian plume model.

e. Pollutant Types

BLP may be used to model primary pollutants. This model does not treat settling and deposition.

f. Source-Receptor Relationship

BLP treats up to 50 point sources, 10 parallel line sources, and 100 receptors arbitrarily located.

User-input topographic elevation is applied for each stack and each receptor.

g. Plume Behavior

BLP uses plume rise formulas of Schulman and Scire (1980).

Vertical potential temperature gradients of 0.02 Kelvin per meter for E stability and 0.035 Kelvin per meter are used for stable plume rise calculations. An option for user input values is included.

Transitional rise is used for line sources.

Option to suppress the use of transitional plume rise for point sources is included.

The building downwash algorithm of Schulman and Scire (1980) is used.

h. Horizontal Winds

Constant, uniform (steady-state) wind is assumed for an hour.

Straight line plume transport is assumed to all downwind distances.

Wind speeds profile exponents of 0.10, 0.15, 0.20, 0.25, 0.30, and 0.30 are used for stability classes A through F, respectively. An option for user-defined values and an option to suppress the use of the wind speed profile feature are included.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion coefficients are from Turner (1969), with no adjustment made for variations in surface roughness or averaging time.

Six stability classes are used.

k. Vertical Dispersion

Rural dispersion coefficients are from Turner (1969), with no adjustment made for variations in surface roughness.

Six stability classes are used.

Mixing height is accounted for with multiple reflections until the vertical plume standard deviation equals 1.6 times the mixing height; uniform mixing is assumed beyond that point.

Perfect reflection at the ground is assumed.

l. Chemical Transformation

Chemical transformations are treated using linear decay. Decay rate is input by the user.

m. Physical Removal

Physical removal is not explicitly treated.

n. Evaluation Studies

Schulman, L.L. and J.S. Scire, 1980. Buoyant Line and Point Source (BLP) Dispersion Model User's Guide, P–7304B. Environmental Research and Technology, Inc., Concord, MA.

Scire, J.S. and L.L. Schulman, 1981. Evaluation of the BLP and ISC Models with SF_6 Tracer Data and SO_2 Measurements at Aluminum Reduction Plants. APCA Specialty Conference on Dispersion Modeling for Complex Sources, St. Louis, MO.

A.2 CALINE3

Reference

Benson, Paul E., 1979. CALINE3—A Versatile Dispersion Model for Predicting Air Pollutant Levels Near Highways and Arterial Streets. Interim Report, Report Number FHWA/CA/TL–79/23. Federal Highway Administration, Washington, D.C. (NTIS No. PB 80–220841)

Availability

The CALINE3 model is available on diskette (as PB 95–502712) from NTIS. The source code and user's guide are also available on the Support Center for Regulatory Models Bulletin Board System (see Section A.0).

Abstract

CALINE3 can be used to estimate the concentrations of nonreactive pollutants from highway traffic. This steady-state Gaussian model can be applied to determine air pollution concentrations at receptor locations downwind of ''at-grade,'' ''fill,'' ''bridge,'' and ''cut section'' highways located in relatively uncomplicated terrain. The model is applicable for any wind direction, highway orientation, and receptor location. The model has adjustments for averaging time and surface roughness, and can handle up to 20 links and 20 receptors. It also contains an algorithm for deposition and settling velocity so that particulate concentrations can be predicted.

a. Recommendations for Regulatory Use

CALINE–3 is appropriate for the following applications:

Highway (line) sources;

Urban or rural areas;

Simple terrain;

Transport distances less than 50 kilometers; and

One-hour to 24-hour averaging times.

b. Input Requirements

Source data: up to 20 highway links classed as ''at-grade,'' ''fill'' ''bridge,'' or ''depressed''; coordinates of link end points; traffic volume; emission factor; source height; and mixing zone width.

Meteorological data: wind speed, wind angle (measured in degrees clockwise from the Y axis), stability class, mixing height, ambient (background to the highway) concentration of pollutant.

Receptor data: coordinates and height above ground for each receptor. c.

c. Output

Printed output includes concentration at each receptor for the specified meteorological condition.

d. Type of Model

CALINE–3 is a Gaussian plume model.

e. Pollutant Types

CALINE–3 may be used to model primary pollutants.

f. Source-Receptor Relationship

Up to 20 highway links are treated.

CALINE–3 applies user input location and emission rate for each link. User-input receptor locations are applied.

g. Plume Behavior

Plume rise is not treated.

h. Horizontal Winds

User-input hourly wind speed and direction are applied.

Constant, uniform (steady-state) wind is assumed for an hour.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Six stability classes are used.

Rural dispersion coefficients from Turner (1969) are used, with adjustment for roughness length and averaging time.

Initial traffic-induced dispersion is handled implicitly by plume size parameters.

k. Vertical Dispersion

Six stability classes are used.

Empirical dispersion coefficients from Benson (1979) are used including an adjustment for roughness length.

Initial traffic-induced dispersion is handled implicitly by plume size parameters.

Adjustment for averaging time is included.

l. Chemical Transformation

Not treated.

m. Physical Removal

Optional deposition calculations are included.

n. Evaluation Studies

Bemis, G.R. et al., 1977. Air Pollution and Roadway Location, Design, and Operation—Project Overview. FHWA–CA–TL–7080–77–25, Federal Highway Administration, Washington, D.C.

Cadle, S.H. et al., 1976. Results of the General Motors Sulfate Dispersion Experiment, GMR–2107. General Motors Research Laboratories, Warren, MI.

Dabberdt, W.F., 1975. Studies of Air Quality on and Near Highways, Project 2761. Stanford Research Institute, Menlo Park, CA.

A.3 Climatological Dispersion Model (CDM 2.0)

Reference

Irwin, J.S., T. Chico and J. Catalano, 1985. CDM 2.0—Climatological Dispersion Model—User's Guide. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 86–136546)

Availability

The source code and user's guide is available on the Support Center for Regulatory Models Bulletin Board System. The computer code is also available on diskette (as PB 90–500406) from the National Technical Information Service (see Section A.0).

Abstract

CDM is a climatological steady-state Gaussian plume model for determining long-term (seasonal or annual) arithmetic average pollutant concentrations at any ground-level receptor in an urban area.

a. Recommendations for Regulatory Use

CDM is appropriate for the following applications:

Point and area sources;

Urban areas;

Flat terrain;

Transport distances less than 50 kilometers;

Long term averages over one month to one year or longer.

The following option should be selected for regulatory applications:

Set the regulatory ''default option'' (NDEF=1) which automatically selects stack tip downwash, final plume rise, buoyancy-induced dispersion (BID), and the appropriate wind profile exponents.

Enter ''0'' for pollutant half-life for all pollutants except for SO_2 in an urban setting. This entry results in no decay (infinite half-life) being calculated. For SO_2 in an urban setting, the pollutant half-life (in hours) should be set to 4.0.

b. Input Requirements

Source data: location, average emissions rates and heights of emissions for point and area sources. Point source data requirements also include stack gas temperature, stack gas exit velocity, and stack inside diameter for plume rise calculations for point sources.

Meteorological data: stability wind rose (STAR deck day/night version), average mixing height and wind speed in each stability category, and average air temperature.

Receptor data: cartesian coordinates of each receptor.

c. Output

Printed output includes:

Average concentrations for the period of the stability wind rose data (arithmetic mean only) at each receptor, and

Optional point and area concentration rose for each receptor.

d. Type of Model

CDM is a climatological Gaussian plume model.

e. Pollutant Types

CDM may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

CDM applies user-specified locations for all point sources and receptors.

Area sources are input as multiples of a user-defined unit area source grid size.

User specified release heights are applied for individual point sources and the area source grid.

Actual separation between each source-receptor pair is used.

The user may select a single height at or above ground level that applies to all receptors.

No terrain differences between source and receptor are treated.

g. Plume Behavior

CDM uses Briggs (1969, 1971, 1975) plume rise equations. Optionally a plume rise-wind speed product may be input for each point source.

Stack tip downwash equation from Briggs (1974) is preferred for regulatory use. The Bjorklund and Bowers (1982) equation is also included.

No plume rise is calculated for area sources.

Does not treat fumigation or building downwash.

h. Horizontal Winds

Wind data are input as a stability wind rose (joint frequency distribution of 16 wind directions, 6 wind classes, and 5 stability classes).

Wind speed profile exponents for the urban case (Irwin, 1979; EPA, 1980) are used, assuming the anemometer height is at 10.0 meters.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Pollutants are assumed evenly distributed across a 22.5 or 10.0 degree sector.

k. Vertical Dispersion

There are seven vertical dispersion parameter schemes, but the following is recommended for regulatory applications:

- Briggs-urban (Gifford, 1976).

Mixing height has no effect until dispersion coefficient equals 0.8 times the mixing height; uniform vertical mixing is assumed beyond that point.

Buoyancy-induced dispersion (Pasquill, 1976) is included as an option. Perfect reflection is assumed at the ground.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Half-life is input by the user.

m. Physical Removal

Physical removal is not explicitly treated.

n. Evaluation Studies

Busse, A.D. and J.R. Zimmerman, 1973. User's Guide for the Climatological Dispersion Model—Appendix E. EPA Publication No. EPA/R4–73–024. Office of Research and Development, Research Triangle Park, NC.

Irwin, J.S. and T.M. Brown, 1985. A Sensitivity Analysis of the Treatment of Area Sources by the Climatological Dispersion Model. Journal of Air Pollution Control Association, 35: 359–364.

Londergan, R., D. Minott, D. Wachter and R. Fizz, 1983. Evaluation of Urban Air Quality Simulation Models, EPA Publication No. EPA–450/4–83–020. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Zimmerman, J.R., 1971. Some Preliminary Results of Modeling from the Air Pollution Study of Ankara, Turkey, Proceedings of the Second Meeting of the Expert Panel on Air Pollution Modeling, NATO Committee on the Challenges of Modern Society, Paris, France.

Zimmerman, J.R., 1972. The NATO/CCMS Air Pollution Study of St. Louis, Missouri. Presented at the Third Meeting of the Expert Panel on Air Pollution Modeling, NATO Committee on the Challenges of Modern Society, Paris, France.

A.4 Gaussian-Plume Multiple Source Air Quality Algorithm (RAM)

Reference

Turner, D.B. and J.H. Novak, 1978. User's Guide for RAM. Publication No. EPA–600/8–78–016, Vol. a and b. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS Nos. PB 294791 and PB 294792)

Catalano, J.A., D.B. Turner and H. Novak, 1987. User's Guide for RAM—Second Edition. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Availability

The source code and user's guide is available on the Support Center for Regulatory Models Bulletin Board System. The computer code is also available on diskette (as PB 90–500315) from the National Technical Information Service (see Section A.0).

Abstract

RAM is a steady-state Gaussian plume model for estimating concentrations of relatively stable pollutants, for averaging times from an hour to a day, from point and area sources in a rural or urban setting. Level terrain is assumed. Calculations are performed for each hour.

a. Recommendations for Regulatory Use

RAM is appropriate for the following applications:

Point and area sources;

Urban areas;

Flat terrain;

Transport distances less than 50 kilometers; and

One hour to one year averaging times.

The following options should be selected for regulatory applications:

Set the regulatory ''default option'' to automatically select stack tip downwash, final plume rise, buoyancy-induced dispersion (BID), the new treatment for calms, the appropriate wind profile exponents, and the appropriate value for pollutant half-life.

b. Input Requirements

Source data: point sources require location, emission rate, physical stack height, stack gas exit velocity, stack inside diameter and stack gas temperature. Area sources require location, size, emission rate, and height of emissions.

Meteorological data: hourly surface weather data from the preprocessor program RAMMET which provides hourly stability class, wind direction, wind speed, temperature, and mixing height. Actual anemometer height (a single value) is also required.

Receptor data: coordinates of each receptor. Options for automatic placement of

receptors near expected concentration maxima, and a gridded receptor array are included.

c. Output

Printed output optionally includes:

One to 24-hour and annual average concentrations at each receptor,

Limited individual source contribution list, and

Highest through fifth highest concentrations at each receptor for period, with the highest and high, second-high values flagged.

d. Type of Model

RAM is a Gaussian plume model.

e. Pollutant Types

RAM may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

RAM applies user-specified locations for all point sources and receptors. Area sources are input as multiples of a user-defined unit area source grid size.

User specified stack heights are applied for individual point sources.

Up to 3 effective release heights may be specified for the area sources. Area source release heights are assumed to be appropriate for a 5 meter per second wind and to be inversely proportional to wind speed.

Actual separation between each source-receptor pair is used.

All receptors are assumed to be at the same height at or above ground level.

No terrain differences between source and receptor are accounted for.

g. Plume Behavior

RAM uses Briggs (1969, 1971, 1975) plume rise equations for final rise.

Stack tip downwash equation from Briggs (1974) is used.

A user supplied fraction of the area source height is treated as the physical height. The remainder is assumed to be plume rise for a 5 meter per second wind speed, and to be inversely proportional to wind speed.

Fumigation and building downwash are not treated.

h. Horizontal Winds

Constant, uniform (steady state) wind is assumed for an hour.

Straight line plume transport is assumed to all downwind distances.

Separate wind speed profile exponents (Irwin, 1979; EPA, 1980) for urban cases are used.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Urban dispersion coefficients from Briggs (Gifford, 1976) are used.

Buoyancy-induced dispersion (Pasquill, 1976) is included.

Six stability classes are used.

k. Vertical Dispersion

Urban dispersion coefficients from Briggs (Gifford, 1976) are used.

Buoyancy-induced dispersion (Pasquill, 1976) is included.

Six stability classes are used.

Mixing height is accounted for with multiple reflections until the vertical plume standard deviation equals 1.6 times the mixing height; uniform vertical mixing is assumed beyond that point.

Perfect reflection is assumed at the ground.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Half-life is input by the user.

m. Physical Removal

Physical removal is not explicitly treated.

n. Evaluation Studies

Ellis, H., P. Lou, and G. Dalzell, 1980. Comparison Study of Measured and Predicted Concentrations with the RAM Model at Two Power Plants Along Lake Erie. Second Joint Conference on Applications of Air Pollution Meteorology, New Orleans, LA.

Environmental Research and Technology, 1980. SO_2 Monitoring and RAM (Urban) Model Comparison Study in Summit County, Ohio. Document P–3618–152, Environmental Research & Technology, Inc., Concord, MA.

Guldberg, P.H. and C.W. Kern, 1978. A Comparison Validation of the RAM and PTMTP Models for Short-Term Concentrations in Two Urban Areas. Journal of Air Pollution Control Association, 28: 907–910.

Hodanbosi, R.R. and L.K. Peters, 1981. Evaluation of RAM Model for Cleveland, Ohio. Journal of Air Pollution Control Association, 31: 253–255.

Kennedy, K.H., R.D. Siegel and M.P. Steinberg, 1981. Case-Specific Evaluation of the RAM Atmospheric Dispersion Model in an Urban Area. 74th Annual Meeting of the American Institute of Chemical Engineers, New Orleans, LA.

Kummier, R.H., B. Cho, G. Roginski, R. Sinha and A. Greenburg, 1979. A Comparative Validation of the RAM and Modified SAI Models for Short Term SO_2 Concentrations in Detroit. Journal of Air Pollution Control Association, 29: 720–723.

Londergan, R.J., N.E. Bowne, D.R. Murray, H. Borenstein and J. Mangano, 1980. An Evaluation of Short-Term Air Quality Models Using Tracer Study Data. Report No. 4333, American Petroleum Institute, Washington, D.C.

Londergan, R., D. Minott, D. Wackter and R. Fizz, 1983. Evaluation of Urban Air Quality Simulation Models. EPA Publication No. EPA–450/4–83–020. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Morgenstern, P., M.J. Geraghty, and A. McKnight, 1979. A Comparative Study of the RAM (Urban) and RAMR (Rural) Models for Short-term SO_2 Concentrations in Metropolitan Indianapolis. 72nd Annual Meeting of the Air Pollution Control Association, Cincinnati, OH.

Ruff, R.E., 1980. Evaluation of the RAM Using the RAPS Data Base. Contract 68–02–2770, SRI International, Menlo Park, CA.

A.5 Industrial Source Complex Model (ISC3)

Reference

Environmental Protection Agency, 1995. User's Guide for the Industrial Source Complex (ISC3) Dispersion Models, Volumes 1 and 2. EPA Publication Nos. EPA–454/B–95–003a & b. Environmental Protection Agency, Research Triangle Park, NC. (NTIS Nos. PB 95–222741 and PB 95–222758, respectively)

Availability

The model code is available on the Support Center for Regulatory Air Models Bulletin Board System. ISCST3 (as PB 96–502000) and ISCLT3 (PB 96–502018) are also available on diskette from the National Technical Information Service (see Section A.0).

Abstract

The ISC3 model is a steady-state Gaussian plume model which can be used to assess pollutant concentrations from a wide variety of sources associated with an industrial source complex. This model can account for the following: settling and dry deposition of particles; downwash; area, line and volume sources; plume rise as a function of downwind distance; separation of point sources; and limited terrain adjustment. ISC3 operates in both long-term and short-term modes.

a. Recommendations for Regulatory Use

ISC3 is appropriate for the following applications:

- Industrial source complexes;
- Rural or urban areas;
- Flat or rolling terrain;
- Transport distances less than 50 kilometers;
- 1-hour to annual averaging times; and
- Continuous toxic air emissions.

The following options should be selected for regulatory applications: For short term or long term modeling, set the regulatory ''default option''; i.e., use the keyword DFAULT, which automatically selects stack tip downwash, final plume rise, buoyancy induced dispersion (BID), the vertical potential temperature gradient, a treatment for calms, the appropriate wind profile exponents, the appropriate value for pollutant half-life, and a revised building wake effects algorithm; set the ''rural option'' (use the keyword RURAL) or ''urban option'' (use the keyword URBAN); and set the ''concentration option'' (use the keyword CONC).

b. Input Requirements

Source data: location, emission rate, physical stack height, stack gas exit velocity, stack inside diameter, and stack gas temperature. Optional inputs include source elevation, building dimensions, particle size distribution with corresponding settling velocities, and surface reflection coefficients.

Meteorological data: ISCST3 requires hourly surface weather data from the preprocessor program RAMMET, which provides hourly stability class, wind direction, wind speed, temperature, and mixing height. For ISCLT3, input includes

stability wind rose (STAR deck), average afternoon mixing height, average morning mixing height, and average air temperature.

Receptor data: coordinates and optional ground elevation for each receptor.

c. Output

Printed output options include:

- Program control parameters, source data, and receptor data;
- Tables of hourly meteorological data for each specified day;
- ''N''-day average concentration or total deposition calculated at each receptor for any desired source combinations;
- Concentration or deposition values calculated for any desired source combinations at all receptors for any specified day or time period within the day;
- Tables of highest and second highest concentration or deposition values calculated at each receptor for each specified time period during a(n) ''N''-day period for any desired source combinations, and tables of the maximum 50 concentration or deposition values calculated for any desired source combinations for each specified time period.

d. Type of Model

ISC3 is a Gaussian plume model. It has been revised to perform a double integration of the Gaussian plume kernel for area sources.

e. Pollutant Types

ISC3 may be used to model primary pollutants and continuous releases of toxic and hazardous waste pollutants. Settling and deposition are treated.

f. Source-Receptor Relationships

ISC3 applies user-specified locations for point, line, area and volume sources, and user-specified receptor locations or receptor rings.

User input topographic evaluation for each receptor is used. Elevations above stack top are reduced to the stack top elevation, i.e., ''terrain chopping''.

User input height above ground level may be used when necessary to simulate impact at elevated or ''flag pole'' receptors, e.g., on buildings.

Actual separation between each source-receptor pair is used.

g. Plume Behavior

ISC3 uses Briggs (1969, 1971, 1975) plume rise equations for final rise.

Stack tip downwash equation from Briggs (1974) is used.

Revised building wake effects algorithm is used. For stacks higher than building height plus one-half the lesser of the building height or building width, the building wake algorithm of Huber and Snyder (1976) is used. For lower stacks, the building wake algorithm of Schulman and Scire (Schulman and Hanna, 1986) is used, but stack tip downwash and BID are not used.

For rolling terrain (terrain not above stack height), plume centerline is horizontal at height of final rise above source.

Fumigation is not treated.

h. Horizontal Winds

Constant, uniform (steady-state) wind is assumed for each hour.

Straight line plume transport is assumed to all downwind distances.

Separate wind speed profile exponents (Irwin, 1979; EPA, 1980) for both rural and urban cases are used.

An optional treatment for calm winds is included for short term modeling.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion coefficients from Turner (1969) are used, with no adjustments for surface roughness or averaging time.

Urban dispersion coefficients from Briggs (Gifford, 1976) are used.

Buoyancy induced dispersion (Pasquill, 1976) is included.

Six stability classes are used.

k. Vertical Dispersion

Rural dispersion coefficients from Turner (1969) are used, with no adjustments for surface roughness.

Urban dispersion coefficients from Briggs (Gifford, 1976) are used.

Buoyancy induced dispersion (Pasquill, 1976) is included.

Six stability classes are used.

Mixing height is accounted for with multiple reflections until the vertical plume standard deviation equals 1.6 times the mixing height; uniform vertical mixing is assumed beyond that point.

Perfect reflection is assumed at the ground.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Time constant is input by the user.

m. Physical Removal

Dry deposition effects for particles are treated using a resistance formulation in which the deposition velocity is the sum of the resistances to pollutant transfer within the surface layer of the atmosphere, plus a gravitational settling term (EPA, 1994), based on the modified surface depletion scheme of Horst (1983).

n. Evaluation Studies

Bowers, J.F. and A.J. Anderson, 1981. An Evaluation Study for the Industrial Source Complex (ISC) Dispersion Model, EPA Publication No. EPA–450/4–81–002. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Bowers, J.F., A.J. Anderson and W.R. Hargraves, 1982. Tests of the Industrial Source Complex (ISC) Dispersion Model at the Armco Middletown, Ohio Steel Mill. EPA Publication No. EPA–450/4–82–006. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Environmental Protection Agency, 1992. Comparison of a Revised Area Source Algorithm for the Industrial Source Complex Short Term Model and Wind Tunnel Data. EPA Publication No. EPA–454/R–92–014. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 93–226751)

Environmental Protection Agency, 1992. Sensitivity Analysis of a Revised Area Source Algorithm for the Industrial Source Complex Short Term Model. EPA Publication No. EPA–454/R–92–015. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 93–226769)

Environmental Protection Agency, 1992. Development and Evaluation of a Revised Area Source Algorithm for the Industrial source complex Long Term Model. EPA Publication No. EPA–454/R–92–016. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 93–226777)

Environmental Protection Agency, 1994. Development and Testing of a Dry Deposition Algorithm (Revised). EPA Publication No. EPA–454/R–94–015. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 94–183100)

Scire, J.S. and L.L. Schulman, 1981. Evaluation of the BLP and ISC Models with SF_6 Tracer Data and SO_2 Measurements at Aluminum Reduction Plants. Air Pollution Control Association Specialty Conference on Dispersion Modeling for Complex Sources, St. Louis, MO.

Schulman, L.L. and S.R. Hanna, 1986. Evaluation of Downwash Modification to the Industrial Source Complex Model. Journal of the Air Pollution Control Association, 36: 258–264.

A.6 Urban Airshed Model (UAM)

Reference

Environmental Protection Agency, 1990. User's Guide for the Urban Airshed Model, Volume I–VIII. EPA Publication Nos. EPA–450/4–90–007a–c, d(R), e-g, and EPA–454/B–93–004, respectively. U.S. Environmental Protection Agency, Research Triangle Park, NC (NTIS Nos. PB 91–131227, PB 91–131235, PB 91–131243, PB 93–122380, PB 91–131268, PB 92–145382, and PB 92–224849, respectively, for Vols. I–VII).

Availability

The model code is available on the Support Center for Regulatory Air Models Bulletin Board System (see Section A.0).

Abstract

UAM is an urban scale, three dimensional, grid type numerical simulation model. The model incorporates a condensed photochemical kinetics mechanism for urban atmospheres. The UAM is designed for computing ozone (O_3) concentrations under short-term, episodic conditions lasting one or two days resulting from emissions of oxides of nitrogen (NO_x), volatile organic compounds (VOC), and carbon monoxide (CO). The model treats urban VOC emissions as their carbon-bond surrogates.

a. Recommendations for Regulatory Use

UAM is appropriate for the following applications: urban areas having significant ozone attainment problems and one hour averaging times.

UAM has many options but no specific recommendations can be made at this time on all options. The reviewing agency should be consulted on selection of options to be used in regulatory applications.

b. Input Requirements

Source data: gridded, hourly emissions of PAR, OLE, ETH, XYL, TOL, ALD2, FORM,

ISOR, ETOTH, MEOH, CO, NO, and NO_2 for low-level sources. For major elevated point sources, hourly emissions, stack height, stack diameter, exit velocity, and exit temperature.

Meteorological data: hourly, gridded, divergence free, u and v wind components for each vertical level; hourly gridded mixing heights and surface temperatures; hourly exposure class; hourly vertical potential temperature gradient above and below the mixing height; hourly surface atmospheric pressure; hourly water mixing ratio; and gridded surface roughness lengths.

Air quality data: concentration of all carbon bond 4 species at the beginning of the simulation for each grid cell; and hourly concentrations of each pollutant at each level along the inflow boundaries and top boundary of the modeling region.

Other data requirements are: hourly mixed layer average, NO_2 photolysis rates; and ozone surface uptake resistance along with associated gridded vegetation (scaling) factors.

c. Output

Printed output includes:

- Gridded instantaneous concentration fields at user-specified time intervals for user-specified pollutants and grid levels;
- Gridded time-average concentration fields for user-specified time intervals, pollutants, and grid levels.

d. Type of Model

UAM is a three dimensional, numerical, photochemical grid model.

e. Pollutant Types

UAM may be used to model ozone (O_3) formation from oxides of nitrogen (NO_x) and volatile organic compound (VOC) emissions.

f. Source-Receptor Relationship

Low-level area and point source emissions are specified within each surface grid cell. Emissions from major point sources are placed within cells aloft in accordance with calculated effective plume heights.

Hourly average concentrations of each pollutant are calculated for all grid cells at each vertical level.

g. Plume Behavior

Plume rise is calculated for major point sources using relationships recommended by Briggs (1971).

h. Horizontal Winds

See Input Requirements.

i. Vertical Wind Speed

Calculated at each vertical grid cell interface from the mass continuity relationship using the input gridded horizontal wind field.

j. Horizontal Dispersion

Horizontal eddy diffusivity is set to a user specified constant value (nominally 50 m^2/s).

k. Vertical Dispersion

Vertical eddy diffusivities for unstable and neutral conditions calculated using relationships of Lamb *et al.* (1977); for stable conditions, the relationship of Businger and Arya (1974) is employed. Stability class, friction velocity, and Monin-Obukhov length determined using procedure of Liu et al. (1976).

l. Chemical Transformation

UAM employs a simplified version of the Carbon-Bond IV Mechanism (CBM–IV) developed by Gery *et al.* (1988) employing various steady state approximations. The CBM–IV mechanism incorporated in UAM utilizes an updated simulation of PAN chemistry that includes a peroxy-peroxy radical termination reaction, significant when the atmosphere is NO_x-limited (Gery et al., 1989). The current CBM–IV mechanism accommodates 34 species and 82 reactions.

m. Physical Removal

Dry deposition of ozone and other pollutant species are calculated. Vegetation (scaling) factors are applied to the reference surface uptake resistance of each species depending on land use type.

n. Evaluation Studies

Builtjes, P.J.H., K.D. van der Hurt and S.D. Reynolds, 1982. Evaluation of the Performance of a Photochemical Dispersion Model in Practical Applications. 13th International Technical Meeting on Air Pollution Modeling and Its Application, Ile des Embiez, France.

Cole, H.S., D.E. Layland, G.K. Moss and C.F. Newberry, 1983. The St. Louis Ozone Modeling Project. EPA Publication No. EPA–450/4–83–019. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Dennis, R.L., M.W. Downton and R.S. Keil, 1983. Evaluation of Performance Measures for an Urban Photochemical Model. EPA Publication No. EPA–450/4–83–021. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Haney, J.L. and T.N. Braverman, 1985. Evaluation and Application of the Urban Airshed Model in the Philadelphia Air Quality Control Region. EPA Publication No. EPA–450/4–85–003. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Layland, D.E. and H.S. Cole, 1983. A Review of Recent Applications of the SAI Urban Airshed Model. EPA Publication No. EPA–450/4–84–004. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Layland, D.E., S.D. Reynolds, H. Hogo and W.R. Oliver, 1983. Demonstration of Photochemical Grid Model Usage for Ozone Control Assessment. 76th Annual Meeting of the Air Pollution Control Association, Atlanta, GA.

Morris, R.E. et al., 1990. Urban Airshed Model Study of Five Cities. EPA Publication No. EPA–450/4–90–006a-g. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Reynolds, S.D., H. Hogo, W.R. Oliver and L.E. Reid, 1982. Application of the SAI Airshed Model to the Tulsa Metropolitan Area, SAI No. 82004. Systems Applications, Inc., San Rafael, CA.

Schere, K.L. and J.H. Shreffler, 1982. Final Evaluation of Urban-Scale Photochemical Air Quality Simulation Models. EPA Publication No. EPA–600/3–82–094. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Seigneur C., T.W. Tesche, C.E. Reid, P.M. Roth, W.R. Oliver and J.C. Cassmassi, 1981. The Sensitivity of Complex Photochemical Model Estimates to Detail In Input Information, Appendix A—A Compilation of Simulation Results. EPA Publication No. EPA–450/4–81–031b. U.S. Environmental Protection Agency, Research Triangle Park, NC.

South Coast Air Quality Management District, 1989. Air Quality Management Plan—Appendix V–R (Urban Airshed Model Performance Evaluation). El Monte, CA.

Stern, R. and B. Scherer, 1982. Simulation of a Photochemical Smog Episode in the Rhine-Ruhr Area with a Three Dimensional Grid Model. 13th International Technical Meeting on Air Pollution Modeling and Its Application, Ile des Embiez, France.

Tesche, T.W., C. Seigneur, L.E. Reid, P.M. Roth, W.R. Oliver and J.C. Cassmassi, 1981. The Sensitivity of Complex Photochemical Model Estimates to Detail in Input Information. EPA Publication No. EPA–450/4–81–031a. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Tesche, T.W., W.R. Oliver, H. Hogo, P. Saxeena and J.L. Haney, 1983. Volume IV—Assessment of NO_x Emission Control Requirements in the South Coast Air Basin—Appendix A. Performance Evaluation of the Systems Applications Airshed Model for the 26–27 June 1974 O_3 Episode in the South Coast Air Basin, SYSAPP 83/037. Systems Applications, Inc., San Rafael, CA.

Tesche, T.W., W.R. Oliver, H. Hogo, P. Saxeena and J.L. Haney, 1983. Volume IV—Assessment of NO_x Emission Control Requirements in the South Coast Air Basin—Appendix B. Performance Evaluation of the Systems Applications Airshed Model for the 7–8 November 1978 NO_2 Episode in the South Coast Air Basin, SYSAPP 83/038. Systems Applications, Inc., San Rafael, CA.

Tesche, T.W., 1988. Accuracy of Ozone Air Quality Models. Journal of Environmental Engineering, 114(4): 739–752.

A.7 Offshore and Coastal Dispersion Model (OCD)

Reference

DiCristofaro, D.C. and S.R. Hanna, 1989. OCD: The Offshore and Coastal Dispersion Model, Version 4. Volume I: User's Guide, and Volume II: Appendices. Sigma Research Corporation, Westford, MA. (NTIS Nos. PB 93–144384 and PB 93–144392)

Availability

This model code is available on the Support Center for Regulatory Air Models Bulletin Board System and also on diskette (as PB 91–505230) from the National Technical Information Service (see Section A.0).

Technical Contact

Minerals Management Service, Attn: Mr. Dirk Herkhof, Parkway Atrium Building, 381 Elden Street, Herndon, VA 22070–4817, Phone: (703) 787–1735.

Abstract

OCD is a straight-line Gaussian model developed to determine the impact of offshore emissions from point, area or line sources on the air quality of coastal regions. OCD incorporates overwater plume transport

and dispersion as well as changes that occur as the plume crosses the shoreline. Hourly meteorological data are needed from both offshore and onshore locations. These include water surface temperature, overwater air temperature, mixing height, and relative humidity.

Some of the key features include platform building downwash, partial plume penetration into elevated inversions, direct use of turbulence intensities for plume dispersion, interaction with the overland internal boundary layer, and continuous shoreline fumigation.

a. Recommendations for Regulatory Use

OCD has been recommended for use by the Minerals Management Service for emissions located on the Outer Continental Shelf (50 FR 12248; 28 March 1985). OCD is applicable for overwater sources where onshore receptors are below the lowest source height. Where onshore receptors are above the lowest source height, offshore plume transport and dispersion may be modeled on a case-by-case basis in consultation with the EPA Regional Office.

b. Input Requirements

Source data: point, area or line source location, pollutant emission rate, building height, stack height, stack gas temperature, stack inside diameter, stack gas exit velocity, stack angle from vertical, elevation of stack base above water surface and gridded specification of the land/water surfaces. As an option, emission rate, stack gas exit velocity and temperature can be varied hourly.

Meteorological data (over water): wind direction, wind speed, mixing height, relative humidity, air temperature, water surface temperature, vertical wind direction shear (optional), vertical temperature gradient (optional), turbulence intensities (optional).

Meteorological data (over land): wind direction, wind speed, temperature, stability class, mixing height.

Receptor data: location, height above local ground-level, ground-level elevation above the water surface.

c. Output

All input options, specification of sources, receptors and land/Water map including locations of sources and receptors.

Summary tables of five highest concentrations at each receptor for each averaging period, and average concentration for entire run period at each receptor.

Optional case study printout with hourly plume and receptor characteristics. Optional table of annual impact assessment from non-permanent activities.

Concentration files written to disk or tape can be used by ANALYSIS postprocessor to produce the highest concentrations for each receptor, the cumulative frequency distributions for each receptor, the tabulation of all concentrations exceeding a given threshold, and the manipulation of hourly concentration files.

d. Type of Model

OCD is a Gaussian plume model constructed on the framework of the MPTER model.

e. Pollutant Types

OCD may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

Up to 250 point sources, 5 area sources, or 1 line source and 180 receptors may be used.

Receptors and sources are allowed at any location.

The coastal configuration is determined by a grid of up to 3600 rectangles. Each element of the grid is designated as either land or water to identify the coastline.

g. Plume Behavior

As in MPTER, the basic plume rise algorithms are based on Briggs' recommendations.

Momentum rise includes consideration of the stack angle from the vertical.

The effect of drilling platforms, ships, or any overwater obstructions near the source are used to decrease plume rise using a revised platform downwash algorithm based on laboratory experiments.

Partial plume penetration of elevated inversions is included using the suggestions of Briggs (1975) and Weil and Brower (1984).

Continuous shoreline fumigation is parametrized using the Turner method where complete vertical mixing through the thermal internal boundary layer (TIBL) occurs as soon as the plume intercepts the TIBL.

h. Horizontal Winds

Constant, uniform wind is assumed for each hour.

Overwater wind speed can be estimated from overland wind speed using relationship of Hsu (1981).

Wind speed profiles are estimated using similarity theory (Businger, 1973). Surface layer fluxes for these formulas are calculated from bulk aerodynamic methods.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Lateral turbulence intensity is recommended as a direct estimate of horizontal dispersion. If lateral turbulence intensity is not available, it is estimated from boundary layer theory. For wind speeds less than 8 m/s, lateral turbulence intensity is assumed inversely proportional to wind speed.

Horizontal dispersion may be enhanced because of obstructions near the source. A virtual source technique is used to simulate the initial plume dilution due to downwash.

Formulas recommended by Pasquill (1976) are used to calculate buoyant plume enhancement and wind direction shear enhancement.

At the water/land interface, the change to overland dispersion rates is modeled using a virtual source. The overland dispersion rates can be calculated from either lateral turbulence intensity or Pasquill-Gifford curves. The change is implemented where the plume intercepts the rising internal boundary layer.

k. Vertical Dispersion

Observed vertical turbulence intensity is not recommended as a direct estimate of vertical dispersion. Turbulence intensity should be estimated from boundary layer theory as default in the model. For very stable conditions, vertical dispersion is also a function of lapse rate.

Vertical dispersion may be enhanced because of obstructions near the source. A virtual source technique is used to simulate the initial plume dilution due to downwash.

Formulas recommended by Pasquill (1976) are used to calculate buoyant plume enhancement.

At the water/land interface, the change to overland dispersion rates is modeled using a virtual source. The overland dispersion rates can be calculated from either vertical turbulence intensity or the Pasquill-Gifford coefficients. The change is implemented where the plume intercepts the rising internal boundary layer.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Different rates can be specified by month and by day or night.

m. Physical Removal

Physical removal is also treated using exponential decay.

n. Evaluation Studies

DiCristofaro, D.C. and S.R. Hanna, 1989. OCD: The Offshore and Coastal Dispersion Model. Volume I: User's Guide. Sigma Research Corporation, Westford, MA.

Hanna, S.R., L.L. Schulman, R.J. Paine and J.E. Pleim, 1984. The Offshore and Coastal Dispersion (OCD) Model User's Guide, Revised. OCS Study, MMS 84–0069. Environmental Research & Technology, Inc., Concord, MA. (NTIS No. PB 86–159803)

Hanna, S.R., L.L. Schulman, R.J. Paine, J.E. Pleim and M. Baer, 1985. Development and Evaluation of the Offshore and Coastal Dispersion (OCD) Model. Journal of the Air Pollution Control Association, 35: 1039–1047.

Hanna, S.R. and D.C. DiCristofaro, 1988. Development and Evaluation of the OCD/API Model. Final Report, API Pub. 4461, American Petroleum Institute, Washington, D.C.

A.8 Emissions and Dispersion Modeling System (EDMS)

Reference

Segal, H.M., 1991. ''EDMS—Microcomputer Pollution Model for Civilian Airports and Air Force Bases: User's Guide.'' FAA Report No. FAA–EE–91–3; USAF Report No. ESL–TR–91–31, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. (NTIS No. ADA 240528)

Segal, H.M. and Hamilton, P.L., 1988. ''A Microcomputer Pollution Model for Civilian Airports and Air Force Bases—Model Description.'' FAA Report No. FAA–EE–88–4; USAF Report No. ESL–TR–88–53, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. (NTIS No. ADA 199003)

Segal, H.M., 1988. ''A Microcomputer Pollution Model for Civilian Airports and Air

Force Bases—Model Application and Background.'' FAA Report No. FAA–EE–88–5; USAF Report No. ESL–TR–88–55, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591. (NTIS No. ADA 199794)

Availability

EDMS is available for $40 from: Federal Aviation Administration, Attn: Ms. Diana Liang, AEE–120, 800 Independence Avenue, S.W., Washington, D.C. 20591, Phone: (202) 267–3494.

Abstract

EDMS is a combined emissions/dispersion model for assessing pollution at civilian airports and military air bases. This model, which was jointly developed by the Federal Aviation Administration (FAA) and the United States Air Force (USAF), produces an emission inventory of all airport sources and calculates concentrations produced by these sources at specified receptors. The system stores emission factors for fixed sources such as fuel storage tanks and incinerators and also for mobile sources such as automobiles or aircraft. EDMS incorporates an emissions model to calculate an emission inventory for each airport source and a dispersion model, the Graphical Input Microcomputer Model (GIMM) (Segal, 1983) to calculate pollutant concentrations produced by these sources at specified receptors. The GIMM, which processes point, area, and line sources, also incorporates a special meteorological preprocessor for processing up to one year of National Climatic Data Center (NCDC) hourly data. The model operates in both a screening and refined mode, accepting up to 170 sources and 10 receptors.

a. Recommendations for Regulatory Use

EDMS is appropriate for the following applications:

- Cumulative effect of changes in aircraft operations, point source and mobile source emissions at airports or air bases;
- Simple terrain;
- Transport distances less than 50 kilometers; and
- 1-hour to annual averaging times.

b. Input Requirements

All data are entered through a ''runtime'' version of the Condor data base which is an integral part of EDMS. Typical entry items are source and receptor coordinates, percent cold starts, vehicles per hour, etc. Some point sources, such as heating plants, require stack height, stack diameter, and effluent temperature inputs.

Wind speed, wind direction, hourly temperature, and Pasquill-Gifford stability category (P–G) are the meteorological inputs. They can be entered manually through the EDMS data entry screens or automatically through the processing of previously loaded NCDC hourly data.

c. Output

Printed outputs consist of:

- A monthly and yearly emission inventory report for each source entered; and
- A concentration summing report for up to 8760 hours (one year) of data.

d. Type of Model

For its emissions inventory calculations, EDMS uses algorithms consistent with the EPA Compilation of Air Pollutant Emission Factors, AP–42. For its dispersion calculations, EDMS uses the GIMM model which is described in reports FAA–EE–88–4 and FAA–EE–88–5, referenced above. GIMM uses a Gaussian plume algorithm.

e. Pollutant Types

EDMS inventories and calculates the dispersion of carbon monoxide, nitrogen oxides, sulphur oxides, hydrocarbons, and suspended particles.

f. Source-Receptor Relationship

Up to 170 sources and 10 receptors can be treated simultaneously. Area sources are treated as a series of lines that are positioned perpendicular to the wind.

Line sources (roadways, runways) are modeled as a series of points. Terrain elevation differences between sources and receptors are neglected.

Receptors are assumed to be at ground level.

g. Plume Behavior

Plume rise is calculated for all point sources (heating plants, incinerators, etc.) using Briggs plume rise equations (Catalano, 1986; Briggs, 1969; Briggs, 1971; Briggs, 1972).

Building and stack tip downwash effects are not treated.

Roadway dispersion employs a modification to the Gaussian plume algorithms as suggested by Rao and Keenan (1980) to account for close-in vehicle-induced turbulence.

h. Horizontal Winds

Steady state winds are assumed for each hour. Winds are assumed to be constant with altitude.

Winds are entered manually by the user or automatically by reading previously loaded NCC annual data files.

i. Vertical Wind Speed

Vertical wind speed is assumed to be zero.

j. Horizontal Dispersion

Four stability classes are used (P–G classes B through E).

Horizontal dispersion coefficients are computed using a table look-up and linear interpolation scheme. Coefficients are based on Pasquill (1976) as adapted by Petersen (1980).

A modified coefficient table is used to account for traffic-enhanced turbulence near roadways. Coefficients are based upon data included in Rao and Keenan (1980).

k. Vertical Dispersion

Four stability classes are used (P–G classes B through E).

Vertical dispersion coefficients are computed using a table look-up and linear interpolation scheme. Coefficients are based on Pasquill (1976) as adapted by Petersen (1980).

A modified coefficient table is used to account for traffic-enhanced turbulence near roadways. Coefficients are based upon data from Roa and Keenan (1980).

l. Chemical Transformation

Chemical transformations are not accounted for.

m. Physical Removal

Deposition is not treated.

n. Evaluation Studies

Segal, H.M. and P.L. Hamilton, 1988. A Microcomputer Pollution Model for Civilian Airports and Air Force Bases—Model Description. FAA Report No. FAA–EE–88–4; USAF Report No. ESL–TR–88–53, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591.

Segal, H.M., 1988. A Microcomputer Pollution Model for Civilian Airports and Air Force Bases—Model Application and Background. FAA Report No. FAA–EE–88–5; USAF Report No. ESL–TR–88–55, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C. 20591.

A.9 Complex Terrain Dispersion Model Plus Algorithms for Unstable Situations (CTDMPLUS)

Reference

Perry, S.G., D.J. Burns, L.H. Adams, R.J. Paine, M.G. Dennis, M.T. Mills, D.G. Strimaitis, R.J. Yamartino and E.M. Insley, 1989. User's Guide to the Complex Terrain Dispersion Model Plus Algorithms for Unstable Situations (CTDMPLUS). Volume 1: Model Descriptions and User Instructions. EPA Publication No. EPA–600/8–89–041. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 89–181–424)

Paine, R.J., D.G. Strimaitis, M.G. Dennis, R.J. Yamartino, M.T. Mills and E.M. Insley, 1987. User's Guide to the Complex Terrain Dispersion Model, Volume 1. EPA Publication No. EPA–600/8–87–058a. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 88–162169)

Availability

This model code is available on the Support Center for Regulatory Air Models Bulletin Board System and also on diskette (as PB 90–504119) from the National Technical Information Service (see Section A.0).

Abstract

CTDMPLUS is a refined point source Gaussian air quality model for use in all stability conditions for complex terrain applications. The model contains, in its entirety, the technology of CTDM for stable and neutral conditions. However, CTDMPLUS can also simulate daytime, unstable conditions, and has a number of additional capabilities for improved user friendliness. Its use of meteorological data and terrain information is different from other EPA models; considerable detail for both types of input data is required and is supplied by preprocessors specifically designed for CTDMPLUS. CTDMPLUS requires the parameterization of individual hill shapes using the terrain preprocessor and the association of each model receptor with a particular hill.

a. Recommendation for Regulatory Use

CTDMPLUS is appropriate for the following applications:

- Elevated point sources;
- Terrain elevations above stack top;
- Rural or urban areas;
- Transport distances less than 50 kilometers; and
- One hour to annual averaging times when used with a post-processor program such as CHAVG.

b. Input Requirements

Source data: For each source, user supplies source location, height, stack diameter, stack exit velocity, stack exit temperature, and emission rate; if variable emissions are appropriate, the user supplies hourly values for emission rate, stack exit velocity, and stack exit temperature.

Meteorological data: the user must supply hourly averaged values of wind, temperature and turbulence data for creation of the basic meteorological data file (''PROFILE''). Meteorological preprocessors then create a SURFACE data file (hourly values of mixed layer heights, surface friction velocity, Monin-Obukhov length and surface roughness length) and a RAWINsonde data file (upper air measurements of pressure, temperature, wind direction, and wind speed).

Receptor data: receptor names (up to 400) and coordinates, and hill number (each receptor must have a hill number assigned).

Terrain data: user inputs digitized contour information to the terrain preprocessor which creates the TERRAIN data file (for up to 25 hills).

c. Output

When CTDMPLUS is run, it produces a concentration file, in either binary or text format (user's choice), and a list file containing a verification of model inputs, i.e.,

- Input meteorological data from ''SURFACE'' and ''PROFILE''
- Stack data for each source
- Terrain information
- Receptor information
- Source-receptor location (line printer map).

In addition, if the case-study option is selected, the listing includes:

- Meteorological variables at plume height
- Geometrical relationships between the source and the hill
- Plume characteristics at each receptor, i.e.,

−> distance in along-flow and cross flow direction

−> effective plume-receptor height difference

−> effective σ_y & σ_z values, both flat terrain and hill induced (the difference shows the effect of the hill)

−> concentration components due to WRAP, LIFT and FLAT.

If the user selects the TOPN option, a summary table of the top 4 concentrations at each receptor is given. If the ISOR option is selected, a source contribution table for every hour will be printed.

A separate disk file of predicted (1-hour only) concentrations (''CONC'') is written if the user chooses this option. Three forms of output are possible:

(1) A binary file of concentrations, one value for each receptor in the hourly sequence as run;

(2) A text file of concentrations, one value for each receptor in the hourly sequence as run; or

(3) A text file as described above, but with a listing of receptor information (names, positions, hill number) at the beginning of the file.

Hourly information provided to these files besides the concentrations themselves includes the year, month, day, and hour information as well as the receptor number with the highest concentration.

d. Type of Model

CTDMPLUS is a refined steady-state, point source plume model for use in all stability conditions for complex terrain applications.

e. Pollutant Types

CTDMPLUS may be used to model non-reactive, primary pollutants.

f. Source-Receptor Relationship

Up to 40 point sources, 400 receptors and 25 hills may be used. Receptors and sources are allowed at any location. Hill slopes are assumed not to exceed 15°, so that the linearized equation of motion for Boussinesq flow are applicable. Receptors upwind of the impingement point, or those associated with any of the hills in the modeling domain, require separate treatment.

g. Plume Behavior

As in CTDM, the basic plume rise algorithms are based on Briggs' (1975) recommendations.

A central feature of CTDMPLUS for neutral/stable conditions is its use of a critical dividing-streamline height (H_c) to separate the flow in the vicinity of a hill into two separate layers. The plume component in the upper layer has sufficient kinetic energy to pass over the top of the hill while streamlines in the lower portion are constrained to flow in a horizontal plane around the hill. Two separate components of CTDMPLUS compute ground-level concentrations resulting from plume material in each of these flows.

The model calculates on an hourly (or appropriate steady averaging period) basis how the plume trajectory (and, in stable/neutral conditions, the shape) is deformed by each hill. Hourly profiles of wind and temperature measurements are used by CTDMPLUS to compute plume rise, plume penetration (a formulation is included to handle penetration into elevated stable layers, based on Briggs (1984)), convective scaling parameters, the value of H_c, and the Froude number above H_c.

h. Horizontal Winds

CTDMPLUS does not simulate calm meteorological conditions. Both scalar and vector wind speed observations can be read by the model. If vector wind speed is unavailable, it is calculated from the scalar wind speed. The assignment of wind speed (either vector or scalar) at plume height is done by either:

- Interpolating between observations above and below the plume height, or
- Extrapolating (within the surface layer) from the nearest measurement height to the plume height.

i. Vertical Wind Speed

Vertical flow is treated for the plume component above the critical dividing streamline height (H_c); see ''Plume Behavior''.

j. Horizontal Dispersion

Horizontal dispersion for stable/neutral conditions is related to the turbulence velocity scale for lateral fluctuations, σ_v, for which a minimum value of 0.2 m/s is used. Convective scaling formulations are used to estimate horizontal dispersion for unstable conditions.

k. Vertical Dispersion

Direct estimates of vertical dispersion for stable/neutral conditions are based on observed vertical turbulence intensity, e.g., σ_w (standard deviation of the vertical velocity fluctuation). In simulating unstable (convective) conditions, CTDMPLUS relies on a skewed, bi-Gaussian probability density function (PDF) description of the vertical velocities to estimate the vertical distribution of pollutant concentration.

l. Chemical Transformation

Chemical transformation is not treated by CTDMPLUS.

m. Physical Removal

Physical removal is not treated by CTDMPLUS (complete reflection at the ground/hill surface is assumed).

n. Evaluation Studies

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Appendix B to Appendix W of Part 61—Summaries of Alternative Air Quality Models

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B.0 Introduction and Availability

This appendix summarizes key features of refined air quality models that may be considered on a case-by-case basis for individual regulatory applications. For each model, information is provided on availability, approximate cost, regulatory use, data input, output format and options, simulation of atmospheric physics and accuracy. The models are listed by name in alphabetical order.

There are three separate conditions under which these models will normally be approved for use:

1. A demonstration can be made that the model produces concentration estimates equivalent to the estimates obtained using a preferred model (e.g., the maximum or high, second-high concentration is within 2% of the estimate using the comparable preferred model);

2. A statistical performance evaluation has been conducted using measured air quality data and the results of that evaluation indicate the model in Appendix B performs better for the application than a comparable model in Appendix A; and

3. There is no preferred model for the specific application but a refined model is needed to satisfy regulatory requirements.

Any one of these three separate conditions may warrant use of these models. See Section 3.2, Use of Alternative Models, for additional details.

Many of these models have been subject to a performance evaluation by comparison with observed air quality data. A summary of such comparisons for models contained in this appendix is included in Moore *et al.* (1982). Where possible, several of the models contained herein have been subjected to rigorous evaluation exercises, including (1) statistical performance measures recommended by the American Meteorological Society and (2) peer scientific reviews.

A source for some of these models and user's documentation is: Computer Products, National Technical Information Service (NTIS), U.S. Department of Commerce, Springfield, VA 22161, Phone: (703) 487–4650. A number of the model codes and selected, abridged user's guides are also available from the Support Center for Regulatory Air Models Bulletin Board System[19] (SCRAM BBS), Telephone (919) 541–5742. The SCRAM BBS is an electronic bulletin board system designed to be user friendly and accessible from anywhere in the country. Model users with personal computers are encouraged to use the SCRAM BBS to download current model codes and text files.

B.1 AVACTA II Model

Reference

Zannetti, P., G. Carboni and R. Lewis, 1985. AVACTA II User's Guide (Release 3). AeroVironment, Inc., Technical Report AV–OM–85/520.

Availability

A 3½'' diskette of the FORTRAN coding and the user's guide are available at a cost of $3,500 (non-profit organization) or $5,000 (other organizations) from: AeroVironment, Inc., 222 Huntington Drive, Monrovia, CA 91016, Phone: (818) 357–9983.

Abstract

The AVACTA II model is a Gaussian model in which atmospheric dispersion phenomena are described by the evolution of plume elements, either segments or puffs. The model can be applied for short time (e.g., one day) simulations in both transport and calm conditions.

The user is given flexibility in defining the computational domain, the three-dimensional meteorological and emission input, the receptor locations, the plume rise formulas, the sigma formulas, etc. Without explicit user's specifications, standard default values are assumed.

AVACTA II provides both concentration fields on the user specified receptor points, and dry/wet deposition patterns throughout the domain. The model is particularly oriented to the simulation of the dynamics and transformation of sulfur species (SO_2 and $SO_4^=$), but can handle virtually any pair of primary-secondary pollutants.

a. Recommendations for Regulatory Use

AVACTA II can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. AVACTA II must be executed in the equivalent mode.

AVACTA II can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2, that AVACTA II is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

A time-varying input is required at each computational step. Only those data which have changed need to be input by the user.

Source data requirements are: Coordinates, emission rates of primary and secondary pollutants, initial plume sigmas (for non-point sources), exit temperature, exit velocity, stack inside diameter.

Meteorological data requirements are: surface wind measurements, wind profiles (if available), atmospheric stability profiles, mixing heights.

Receptor data requirements are: receptor coordinates.

Other data requirements: coordinates of the computational domain, grid cell specification, terrain elevations, user's computational and printing options.

c. Output

The model's output is provided according to user's printing flags. Hourly, 3-hour and 24-hour concentration averages are computed, together with highest and highest-second-highest concentration values. Both partial and total concentrations are provided.

d. Type of Model

AVACTA II is Gaussian segment/puff model.

e. Pollutant Types

AVACTA II can handle any couple of primary-secondary pollutants (e.g., SO_2 and $SO_4^=$).

f. Source Receptor Relationship

The AVACTA II approach maintains the basic Gaussian formulation, but allows a numerical simulation of both nonstationary and nonhomogeneous meteorological conditions. The emitted pollutant material is divided into a sequence of ''elements,'' either segments or puffs, which are connected together but whose dynamics are a function of the local meteorological conditions. Since the meteorological parameters vary with time and space, each element evolves according to the different meteorological conditions encountered along its trajectory.

AVACTA II calculates the partial contribution of each source in each receptor during each interval. The partial concentration is the sum of the contribution of all existing puffs, plus that of the closest segment.

g. Plume Behavior

The user can select the following plume rise formulas:

Briggs (1969, 1971, 1972)
CONCAWE (Briggs, 1975)
Lucas-Moore (Briggs, 1975)
User's function, i.e., a subroutine supplied by the user

With cold plumes, the program uses a special routine for the computation of the jet plume rise. The user can also select several computational options that control plume behavior in complex terrain and its total/partial reflections.

h. Horizontal Winds

A 3D mass-consistent wind field is optionally generated.

i. Vertical Wind Speed

A 3D mass-consistent wind field is optionally generated.

j. Horizontal Dispersion

During each step, the sigmas of each element are increased. The user can select the following sigma functions:

Pasquill-Gifford-Turner (in the functional form specified by Green et al., 1980)
Brookhaven (Gifford, 1975)
Briggs, open country (Gifford, 1975)
Briggs, urban, i.e., McElroy-Pooler (Gifford, 1975)
Irwin (1979a)
LO–LOCAT (MacCready et al., 1974)
User-specified function, by points
User-specified function, with a user's subroutine

The virtual distance/age concept is used for incrementing the sigmas at each time step.

k. Vertical Dispersion

During each step, the sigmas of each element are increased. The user can select the following sigma functions:

Pasquill-Gifford-Turner (in the functional form specified by Green et al., 1980)
Brookhaven (Gifford, 1975)
Briggs, open country (Gifford, 1975)
Briggs, urban, i.e., McElroy-Pooler (Gifford, 1975)
LO–LOCAT (MacCready et al., 1974)
User-specified function, with a user's subroutine

The virtual distance/age concept is used for incrementing the sigmas at each time step.

l. Chemical Transformation

First order chemical reactions (primary-to-secondary pollutant)

m. Physical Removal

First order dry and wet deposition schemes

n. Evaluation Studies

Zannetti P., G. Carboni and A. Ceriani, 1985. AVACTA II Model Simulations of Worst-Case Air Pollution Scenarios in Northern Italy. 15th International Technical Meeting on Air Pollution Modeling and Its Application, St. Louis, Missouri, April 15–19.

B.2 Dense Gas Dispersion Model (DEGADIS)

Reference

Environmental Protection Agency, 1989. User's Guide for the DEGADIS 2.1—Dense Gas Dispersion Model. EPA Publication No. EPA–450/4–89–019. U.S. Environmental Protection Agency, Research Triangle Park, NC 27711. (NTIS No. PB 90–213893)

Availability

The model code is only available on the Support Center for Regulatory Air Models Bulletin Board System (see Section B.0).

Abstract

DEGADIS 2.1 is a mathematical dispersion model that can be used to model the transport of toxic chemical releases into the atmosphere. Its range of applicability includes continuous, instantaneous, finite duration, and time-variant releases; negatively-buoyant and neutrally-buoyant releases; ground-level, low-momentum area releases; ground-level or elevated upwardly-directed stack releases of gases or aerosols. The model simulates only one set of meteorological conditions, and therefore should not be considered applicable over time periods much longer than 1 or 2 hours. The simulations are carried out over flat, level, unobstructed terrain for which the characteristic surface roughness is not a significant fraction of the depth of the dispersion layer. The model does not characterize the density of aerosol-type releases; rather, the user must assess that independently prior to the simulation.

a. Recommendations for Regulatory Use

DEGADIS can be used as a refined modeling approach to estimate short-term ambient concentrations (1-hour or less averaging times) and the expected area of exposure to concentrations above specified threshold values for toxic chemical releases. The model is especially useful in situations where density effects are suspected to be important and where screening estimates of ambient concentrations are above levels of concern.

b. Input Requirements

Data may be input directly from an external input file or via keyboard using an interactive program module. The model is not set up to accept real-time meteorological

data or convert units of input values. Chemical property data must be input by the user. Such data for a few selected species are available within the model. Additional data may be added to this data base by the user.

Source data requirements are: emission rate and release duration; emission chemical and physical properties (molecular weight, density vs. concentration profile in the case of aerosol releases, and contaminant heat capacity in the case of a nonisothermal gas release; stack parameters (i.e., diameter, elevation above ground level, temperature at release point).

Meteorological data requirements are: wind speed at designated height above ground, ambient temperature and pressure, surface roughness, relative humidity, and ground surface temperature (which in most cases can be adequately approximated by the ambient temperature).

Receptor data requirements are: averaging time of interest, above-ground height of receptors, and maximum distance between receptors (since the model computes downwind receptor distances to optimize model performance, this parameter is used only for nominal control of the output listing, and is of secondary importance). No indoor concentrations are calculated by the model.

c. Output

Printed output includes in tabular form:

- Listing of model input data;
- Plume centerline elevation, mole fraction, concentration, density, and temperature at each downwind distance;
- σ_y and σ_z values at each downwind distance;
- Off-centerline distances to 2 specified concentration values at a specified receptor height at each downwind distance (these values can be used to draw concentration isopleths after model execution);
- Concentration vs. time histories for finite-duration releases (if specified by user).

The output print file is automatically saved and must be sent to the appropriate printer by the user after program execution.

No graphical output is generated by the current version of this program.

d. Type of Model

DEGADIS estimates plume rise and dispersion for vertically-upward jet releases using mass and momentum balances with air entrainment based on laboratory and field-scale data. These balances assume Gaussian similarity profiles for velocity, density, and concentration within the jet. Ground-level denser-than-air phenomena is treated using a power law concentration distribution profile in the vertical and a hybrid top hat-Gaussian concentration distribution profile in the horizontal. A power law specification is used for the vertical wind profile. Ground-level cloud slumping phenomena and air entrainment are based on laboratory measurements and field-scale observations.

e. Pollutant Types

Neutrally- or negatively-buoyant gases and aerosols. Pollutants are assumed to be non-reactive and non-depositing.

f. Source-Receptor Relationships

Only one source can be modeled at a time.

There is no limitation to the number of receptors; the downwind receptor distances are internally-calculated by the model. The DEGADIS calculation is carried out until the plume centerline concentration is 50% below the lowest concentration level specified by the user.

The model contains no modules for source calculations or release characterization.

g. Plume Behavior

Jet/plume trajectory is estimated from mass and momentum balance equations. Surrounding terrain is assumed to be flat, and stack tip downwash, building wake effects, and fumigation are not treated.

h. Horizontal Winds

Constant logarithmic velocity profile which accounts for stability and surface roughness is used.

The wind speed profile exponent is determined from a least squares fit of the logarithmic profile from ground level to the wind speed reference height. Calm winds can be simulated for ground-level low-momentum releases.

Along-wind dispersion of transient releases is treated using the methods of Colenbrander (1980) and Beals (1971).

i. Vertical Wind Speed

Not treated.

j. Horizontal Dispersion

When the plume centerline is above ground level, horizontal dispersion coefficients are based upon Turner (1969) and Slade (1968) with adjustments made for averaging time and plume density.

When the plume centerline is at ground level, horizontal dispersion also accounts for entrainment due to gravity currents as parameterized from laboratory experiments.

k. Vertical Dispersion

When the plume centerline is above ground level, vertical dispersion coefficients are based upon Turner (1969) and Slade (1968). Perfect ground reflection is applied.

In the ground-level dense-gas regime, vertical dispersion is also based upon results from laboratory experiments in density-stratified fluids.

l. Chemical Transformation

Not specifically treated.

m. Physical Removal

Not treated.

n. Evaluation Studies

Spicer, T.O. and J.A. Havens, 1986. Development of Vapor Dispersion Models for Nonneutrally Buoyant Gas Mixtures—Analysis of USAF/N_2O_4 Test Data. USAF Engineering and Services Laboratory, Final Report ESL–TR–86–24.

Spicer, T.O. and J.A. Havens, 1988. Development of Vapor Dispersion Models for Nonneutrally Buoyant Gas Mixtures—Analysis of TFI/NH_3 Test Data. USAF Engineering and Services Laboratory, Final Report.

o. Operating Information

The model requires either a VAX computer or an IBM®—compatible PC for its execution. The model currently does not require supporting software. A FORTRAN compiler is required to generate program executables in the VAX computing environment. PC executables are provided within the source code; however, a PC FORTRAN compiler may be used to tailor a PC executable to the user's PC environment.

B.3 ERT Visibility Model

Reference

ENSR Consulting and Engineering, 1990. ERT Visibility Model: Version 4; Technical Description and User's Guide. Document M2020–003. ENSR Consulting and Engineering, 35 Nagog Park, Acton, MA 01720.

Availability

The user's guide and model code on diskette are available as a package (as PB 96–501978) from the National Technical Information Service (see Section B.0).

Abstract

The ERT Visibility Model is a Gaussian dispersion model designed to estimate visibility impairment for arbitrary lines of sight due to isolated point source emissions by simulating gas-to-particle conversion, dry deposition, NO to NO_2 conversion and linear radiative transfer.

a. Recommendations for Regulatory Use

There is no specific recommendation at the present time. The ERT Visibility Model may be used on a case-by-case basis.

b. Input Requirements

Source data requirements are: stack height, stack temperature, emissions of SO_2, NO_x, TSP, fraction of NO_x as NO_2, fraction of TSP which is carbonaceous, exit velocity, and exit radius.

Meteorological data requirements are: hourly ambient temperature, mixing depth, wind speed at stack height, stability class, potential temperature gradient, and wind direction.

Receptor data requirements are: observer coordinates with respect to source, latitude, longitude, time zone, date, time of day, elevation, relative humidity, background visual range, line-of-sight azimuth and elevation angle, inclination angle of the observed object, distance from observer to object, object and surface reflectivity, number and spacing of integral receptor points along line of sight.

Other data requirements are: ambient concentrations of O_3 and NO_x, deposition velocity of TSP, sulfate, nitrate, SO_2 and NO_x, first-order transformation rate for sulfate and nitrate.

c. Output

Printed output includes both summary and detailed results as follows: Summary output: Page 1—site, observer and object parameters; Page 2—optical pollutants and associated extinction coefficients; Page 3—plume model input parameters; Page 4—total calculated visual range reduction, and each pollutant's contribution; Page 5—calculated plume contrast, object contrast and object contrast degradation at the 550nm wavelength; Page 6—calculated blue/red ratio and ΔE

(U*V*W*) values for both sky and object discoloration.

Detailed output: phase functions for each pollutant in four wavelengths (400, 450, 550, 650nm), concentrations for each pollutant along sight path, solar geometry contrast parameters at all wavelengths, intensities, tristimulus values and chromaticity coordinates for views of the object, sun, background sky and plume.

d. Type of Model

ERT Visibility model is a Gaussian plume model for estimating visibility impairment.

e. Pollutant Types

Optical activity of sulfate, nitrate (derived from SO_2 and NO_x emissions), primary TSP and NO_2 is simulated.

f. Source Receptor Relationship

Single source and hour is simulated. Unlimited number of lines-of-sight (receptors) is permitted per model run.

g. Plume Behavior

Briggs (1971) plume rise equations for final rise are used.

h. Horizontal Wind Field

A single wind speed and direction is specified for each case study. The wind is assumed to be spatially uniform.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion coefficients from Turner (1969) are used.

k. Vertical Dispersion

Rural dispersion coefficients from Turner (1969) are used. Mixing height is accounted for with multiple reflection handled by summation of series near the source, and Fourier representation farther downwind.

l. Chemical Transformation

First order transformations of sulfates and nitrates are used.

m. Physical Removal

Dry deposition is treated by the source depletion method.

n. Evaluation Studies

Seigneur, C., R.W. Bergstrom and A.B. Hudischewskyj, 1982. Evaluation of the EPA PLUVUE Model and the ERT Visibility Model Based on the 1979 VISTTA Data Base. EPA Publication No. EPA–450/4–82–008. U.S. Environmental Protection Agency, Research Triangle Park, NC.

White, W.H., C. Seigneur, D.W. Heinold, M.W. Eltgroth, L.W. Richards, P.T. Roberts, P.S. Bhardwaja, W.D. Conner and W.E. Wilson, Jr., 1985. Predicting the Visibility of Chimney Plumes: An Inter-comparison of Four Models with Observations at a Well-Controlled Power Plant. Atmospheric Environment, 19: 515–528.

B.4 HGSYSTEM

(Dispersion Models for Ideal Gases and Hydrogen Fluoride)

Reference

Post, L. (ed.), 1994. HGSYSTEM 3.0 Technical Reference Manual. Shell Research Limited, Thornton Research Centre, Chester, United Kingdom. (TNER 94.059)

Post, L., 1994. HGSYSTEM 3.0 User's Manual. Shell Research Limited, Thornton Research Centre, Chester, United Kingdom. (TNER 94.059)

Availability

The PC–DOS version of the HGSYSTEM software (HGSYSTEM: Version 3.0, Programs for modeling the dispersion of ideal gas and hydrogen fluoride releases, executable programs and source code can be installed from diskettes. These diskettes and all documentation are available as a package from API [(202) 682–8340] or from NTIS as PB 96–501960 (see Section B.0).

Technical Contacts

Doug N. Blewitt, AMOCO Corporation, 1670 Broadway/MC 2018, Denver, CO, 80201, (303) 830–5312.

Howard J. Feldman, American Petroleum Institute, 1220 L Street Northwest, Washington, DC 20005, (202) 682–8340.

Abstract

HGSYSTEM is a PC-based software package consisting of mathematical models for estimating of one or more consecutive phases between spillage and near-field and far-field dispersion of a pollutant. The pollutant can be either a two-phase, multi-compound mixture of non-reactive compounds or hydrogen fluoride (HF) with chemical reactions. The individual models are:

Database program:

DATAPROP Generates physical properties used in other HGSYSTEM models

Source term models:

SPILL Transient liquid release from a pressurized vessel

HFSPILL SPILL version specifically for HF

LPOOL Evaporating multi-compound liquid pool model

Near-field dispersion models:

AEROPLUME High-momentum jet dispersion model

HFPLUME AEROPLUME version specifically for HF

HEGABOX Dispersion of instantaneous heavy gas releases

Far-field dispersion models:

HEGADAS(S,T) Heavy gas dispersion (steady-state and transient version)

PGPLUME Passive Gaussian dispersion

Utility programs:

HFFLASH Flashing of HF from pressurized vessel

POSTHS/POSTHT Post-processing of HEGADAS(S,T) results

PROFILE Post-processor for concentration contours of airborne plumes

GET2COL Utility for data retrieval

The models assume flat, unobstructed terrain. HGSYSTEM can be used to model steady-state, finite-duration, instantaneous and time dependent releases, depending on the individual model used. The models can be run consecutively, with relevant data being passed on from one model to the next using link files. The models can be run in batch mode or using an iterative utility program.

a. Recommendations for Regulatory Use

HGSYSTEM can be used as a refined model to estimate short-term ambient concentrations. For toxic chemical releases (non-reactive chemicals or hydrogen fluoride; 1-hour or less averaging times) the expected area of exposure to concentrations above specified threshold values can be determined. For flammable non-reactive gases it can be used to determine the area in which the cloud may ignite.

b. Input Requirements

HFSPILL input data: reservoir data (temperature, pressure, volume, HF mass, mass-fraction water), pipe-exit diameter and ambient pressure.

EVAP input data: spill rate, liquid properties, and evaporation rate (boiling pool) or ambient data (non-boiling pool).

HFPLUME and PLUME input data: reservoir characteristics, pollutant parameters, pipe/release data, ambient conditions, surface roughness and stability class.

HEGADAS input data: ambient conditions, pollutant parameters, pool data or data at transition point, surface roughness, stability class and averaging time.

PGPLUME input data: link data provided by HFPLUME and the averaging time.

c. Output

The HGSYSTEM models contain three post-processor programs which can be used to extract modeling results for graphical display by external software packages. GET2COL can be used to extract data from the model output files. HSPOST can be used to develop isopleths, extract any 2 parameters for plotting and correct for finite release duration. HTPOST can be used to produce time history plots.

HFSPILL output data: reservoir mass, spill rate, and other reservoir variables as a function of time. For HF liquid, HFSPILL generates link data to HFPLUME for the initial phase of choked liquid flow (flashing jet), and link data to EVAP for the subsequent phase of unchoked liquid flow (evaporating liquid pool).

EVAP output data: pool dimensions, pool evaporation rate, pool mass and other pool variables for steady state conditions or as a function of time. EVAP generates link data to the dispersion model HEGADAS (pool dimensions and pool evaporation rate).

HFPLUME and PLUME output data: plume variables (concentration, width, centroid height, temperature, velocity, etc.) as a function of downwind distance.

HEGADAS output data: concentration variables and temperature as a function of downwind distance and (for transient case) time.

PGPLUME output data: concentration as a function of downwind distance, cross-wind distance and height.

d. Type of Model

HGSYSTEM is made up of four types of dispersion models. HFPLUME and PLUME simulate the near-field dispersion and PGPLUME simulates the passive-gas

dispersion downwind of a transition point. HEGADAS simulates the ground-level heavy-gas dispersion.

e. Pollutant Types

HGSYSTEM may be used to model non-reactive chemicals or hydrogen fluoride.

f. Source-Receptor Relationships

HGSYSTEM estimates the expected area of exposure to concentrations above user-specified threshold values. By imposing conservation of mass, momentum and energy the concentration, density, speed and temperature are evaluated as a function of downwind distance.

g. Plume Behavior

HFPLUME and PLUME: (1) are steady-state models assuming a top-hat profile with cross-section averaged plume variables; and (2) the momentum equation is taken into account for horizontal ambient shear, gravity, ground collision, gravity-slumping pressure forces and ground-surface drag.

HEGADAS: assumes the heavy cloud to move with the ambient wind speed, and adopts a power-law fit of the ambient wind speed for the velocity profile.

PGPLUME: simulates the passive-gas dispersion downwind of a transition point from HFPLUME or PLUME for steady-state and finite duration releases.

h. Horizontal Winds

A power law fit of the ambient wind speed is used.

i. Vertical Wind Speed

Not treated.

j. Horizontal Dispersion

HFPLUME and PLUME: Plume dilution is caused by air entrainment resulting from high plume speeds, trailing vortices in wake of falling plume (before touchdown), ambient turbulence and density stratification. Plume dispersion is assumed to be steady and momentum-dominated, and effects of downwind diffusion and wind meander (averaging time) are not taken into account.

HEGADAS: This model adopts a concentration similarity profile expressed in terms of an unknown center-line ground-level concentration and unknown vertical/cross-wind dispersion parameters. These quantities are determined from a number of basic equations describing gas-mass conservation, air entrainment (empirical law describing vertical top-entrainment in terms of global Richardson number), cross-wind gravity spreading (initial gravity spreading followed by gravity-current collapse) and cross-wind diffusion (Briggs formula).

PGPLUME: This model assumes a Gaussian concentration profile in which the cross-wind and vertical dispersion coefficients are determined by empirical expressions. All unknown parameters in this profile are determined by imposing appropriate matching criteria at the transition point.

k. Vertical Dispersion

See description above.

l. Chemical Transformation

Not treated.

m. Physical Removal

Not treated.

n. Evaluation Studies

PLUME has been validated against field data for releases of liquified propane, and wind tunnel data for buoyant and vertically-released dense plumes. HFPLUME and PLUME have been validated against field data for releases of HF (Goldfish experiments) and propane releases. In addition, the plume rise algorithms have been tested against Hoot, Meroney, and Peterka, Ooms and Petersen databases. HEGADAS has been validated against steady and transient releases of liquid propane and LNG over water (Maplin Sands field data), steady and finite-duration pressurized releases of HF (Goldfish experiments; linked with HFPLUME), instantaneous release of Freon (Thorney Island field data; linked with the box model HEGABOX) and wind tunnel data for steady, isothermal dispersion.

Validation studies are contained in the following references.

McFarlane, K., Prothero, A., Puttock, J.S., Roberts, P.T. and H.W.M. Witlox, 1990. Development and validation of atmospheric dispersion models for ideal gases and hydrogen fluoride, Part I: Technical Reference Manual. Report TNER.90.015. Thornton Research Centre, Shell Research, Chester, England. [EGG 1067–1151] (NTIS No. DE 93–000953)

Witlox, H.W.M., McFarlane, K., Rees, F.J. and J.S. Puttock, 1990. Development and validation of atmospheric dispersion models for ideal gases and hydrogen fluoride, Part II: HGSYSTEM Program User's Manual. Report TNER.90.016. Thornton Research Centre, Shell Research, Chester, England. [EGG 1067–1152] (NTIS No. DE 93–000954)

B.5 HOTMAC/RAPTAD

Reference

Mellor, G.L. and T. Yamada, 1974. A Hierarchy of Turbulence Closure Models for Planetary Boundary Layers. Journal of Atmospheric Sciences, 31: 1791–1806.

Mellor, G.L. and T. Yamada, 1982. Development of a Turbulence Closure Model for Geophysical Fluid Problems. Rev. Geophys. Space Phys., 20: 851–875.

Yamada, T. and S. Bunker, 1988. Development of a Nested Grid, Second Moment Turbulence Closure Model and Application to the 1982 ASCOT Brush Creek Data Simulation. Journal of Applied Meteorology, 27: 562–578.

Availability

For a cost to be negotiated with the model developer, a ¼–inch data cartridge or a 4mm DAT tape containing the HOTMAC/RAPTAD computer codes including pre- and post-processors and hard copies of user manuals (User's Manual, Maintenance Manual, Operations Manual, Maintenance Interface Manual, Topo Manual, and 3–Dimensional Plume Manual) are available from YSA Corporation, Rt. 4 Box 81–A, Santa Fe, NM 87501; Phone: (505) 989–7351; Fax: (505) 989–7965; e-mail: ysa@RT66.com

Abstract

YSA Corporation offers a comprehensive modeling system for environmental studies. The system includes a mesoscale meteorological code, a transport and diffusion code, and extensive Graphical User Interfaces (GUIs). This system is unique because the diffusion code uses time dependent, three-dimensional winds and turbulence distributions that are forecasted by a mesoscale weather prediction model. Consequently the predicted concentration distributions are more accurate than those predicted by traditional models when surface conditions are heterogeneous. In general, the modeled concentration distributions are not Gaussian because winds and turbulence distributions change considerably in time and space over complex terrain.

The models were originally developed by using super computers. However, recent advancement of computer hardware has made it possible to run complex three-dimensional meteorological models on desktop workstations. The present versions of the programs are running on super computers and workstations. GUIs are available on Sun Microsystems and Silicon Graphics workstations. The modeling system can also run on a laptop workstation which makes it possible to run the programs in the field or away from the office. As technology continues to advance, a version of HOTMAC/RAPTAD suitable for PC-based platforms will be considered for release by YSA.

HOTMAC, Higher Order Turbulence Model for Atmospheric Circulation, is a mesoscale weather prediction model that forecasts wind, temperature, humidity, and atmospheric turbulence distributions over complex surface conditions. HOTMAC has options to include non-hydrostatic pressure computation, nested grids, land-use distributions, cloud, fog, and precipitation physics. HOTMAC can interface with tower, rawinsonde, and large-scale weather data using a four-dimensional data assimilation method. RAPTAD, Random Puff Transport and Diffusion, is a Lagrangian random puff model that is used to forecast transport and diffusion of airborne materials over complex terrain. Concentrations are computed by summing the concentration of each puff at the receptor location. The random puff method is equivalent to the random particle method with a Gaussian kernel for particle distribution. The advantage of the puff method is the accuracy and speed of computation. The particle method requires the release of a large number of particles which could be computationally expensive. The puff method requires the release of a much less number of puffs, typically 1/10 to 1/100 of the number of particles required by the particle method.

The averaging time for concentration estimates is variable from 5 minutes to 15 minutes for each receptor. In addition to the concentration computation at the receptor sites, RAPTAD computes and graphically displays hourly concentration contours at the ground level. RAPTAD is applicable to point and area sources.

The meteorological data produced from HOTMAC are used as input to RAPTAD. RAPTAD can forecast concentration distributions for neutrally buoyant gas, buoyant gas and denser-than-air gas. The models are significantly advanced in both

their model physics and in their operational procedures. GUIs are provided to help the user prepare input files, run programs, and display the modeled results graphically in three dimensions.

a. Recommendation for Regulatory Use

There are no specific recommendations at the present time. The HOTMAC/RAPTAD modeling system may be used on a case-by-case basis.

b. Input Requirements

Meteorological Data: The modeling system is significantly different from the majority of regulatory models in terms of how meteorological data are provided and used in concentration simulations. Regulatory models use the wind data which are obtained directly from measurements or analyzed by using a simple constraint such as a mass conservation equation. Thus, the accuracy of the computation will depend significantly on the quantity and quality of the wind data. This approach is acceptable as long as the study area is flat and the simulation period is short. As the regulations become more stringent and more realistic surface conditions are required, a significantly large volume of meteorological data is required which could become very expensive.

An alternative approach is to augment the measurements with predicted values from a mesoscale meteorological model. This is the approach we have taken here. This approach has several advantages over the conventional method. First, concentration computations use the model forecast wind while the conventional method extrapolates the observed winds. Extrapolation of wind data over complex terrain and for an extended period of time quickly loses its accuracy. Secondly, the number of stations for upper air soundings is typically limited from none to at most a few stations in the study area. The corresponding number in a mesoscale model is the number of grid points in the horizontal plane which is typically 50 X 50. Consequently, concentration distributions using model forecasted winds would be much more accurate than those obtained by using winds which were extrapolated from the limited number of measurements.

HOTMAC requires meteorological data for initialization and to provide boundary conditions if the boundary conditions change significantly with time. The minimum amount of data required to run HOTMAC is wind and potential temperature profiles at a single station. HOTMAC forecasts wind and turbulence distributions in the boundary layer through a set of model equations for solar radiation, heat energy balance at the ground, conservation of momentum, conservation of internal energy, and conservation of mass.

Terrain Data: HOTMAC and RAPTAD use the digitized terrain data from the U.S. Geological Survey and the Defense Mapping Agency. Extraction of terrain data is greatly simplified by using YSA's GUI software called Topo. The user specifies the latitudes and longitudes of the southwest and northeast corner points of the study area. Then, Topo extracts the digitized elevation data within the area specified and converts from the latitudes and longitudes to the UTM (Universal Transverse Mercator) coordinates for up to three nested grids.

Emission Data: Emission data requirements are emission rate, stack height, stack diameter, stack location, stack gas exit velocity, and stack buoyancy.

Receptor Data: Receptor data requirements are names, location coordinates, and desired averaging time for concentration estimates, which is variable from 5 to 15 minutes.

c. Output

HOTMAC outputs include hourly winds, temperatures, and turbulence variables at every grid point. Ancillary codes graphically display vertical profiles of wind, temperature, and turbulence variables at selected locations and wind vector distributions at specified heights above the ground. These codes also produce graphic files of wind direction projected on vertical cross sections.

RAPTAD outputs include hourly values of surface concentration, time variations of mean and standard deviation of concentrations at selected locations, and coordinates of puff center locations. Ancillary codes produce color contour plots of surface concentration, time variations of mean concentrations and ratios of standard deviation to mean value at selected locations, and concentration distributions in the vertical cross sections. The averaging time of concentration at a receptor location is variable from 5 to 15 minutes. Color contour plots of surface concentration can be animated on the monitor to review time variations of high concentration areas.

d. Type of Model

HOTMAC is a 3-dimensional Eulerian model for weather forecasting, and RAPTAD is a 3-dimensional Lagrangian random puff model for pollutant transport and diffusion.

e. Pollutant types

RAPTAD may be used to model any inert pollutants, including dense and buoyant gases.

f. Source-Receptor Relationship

Up to six point or area sources are specified and up to 50 sampling locations are selected. Source and receptor heights are specified by the user.

g. Plume Behavior

Neutrally buoyant plumes are transported by mean and turbulence winds that are modeled by HOTMAC. Non-neutrally buoyant plume equations are based on Van Dop (1992). In general, plumes are non-Gaussian.

h. Horizontal Winds

RAPTAD uses wind speed, wind direction, and turbulence on a gridded array that is supplied hourly by HOTMAC. Stability effect and mixed layer height are incorporated through the intensity of turbulence which is a function of stability. HOTMAC predicts turbulence intensity by solving a turbulence kinetic energy equation and a length scale equation. RAPTAD interpolates winds and turbulence at puff center locations every 10 seconds from the values on a gridded array. RAPTAD can also use the winds observed at towers and by rawinsondes.

i. Vertical Wind Speed

RAPTAD uses vertical winds on a gridded array that are supplied hourly by HOTMAC. HOTMAC computes vertical wind either by solving an equation of motion for the vertical wind or a mass conservation equation. RAPTAD interpolates vertical winds at puff center locations every 10 seconds from the values on a gridded array.

j. Horizontal Dispersion

Horizontal dispersion is based on the standard deviations of horizontal winds that are computed by HOTMAC.

k. Vertical Dispersion

Vertical dispersion is based on the standard deviations of vertical wind that are computed by HOTMAC.

l. Chemical Transformation

HOTMAC can provide meteorological inputs to other models that handle chemical reactions, e.g., UAM.

m. Physical Removal

Not treated.

n. Evaluation Studies

Yamada, T., S. Bunker and M. Moss, 1992. A Numerical Simulation of Atmospheric Transport and Diffusion over Coastal Complex Terrain. Journal of Applied Meteorology, 31: 565–578.

Yamada, T. and T. Henmi, 1994. HOTMAC: Model Performance Evaluation by Using Project WIND Phase I and II Data. Mesoscale Modeling of the Atmosphere, American Meteorological Society, Monograph 47, pp. 123–135.

B.6 LONGZ

Reference

Bjorklund, J.R. and J.F. Bowers, 1982. User's Instructions for the SHORTZ and LONGZ Computer Programs, Volumes I and II, EPA Publication No. EPA–903/9–82–004. U.S. Environmental Protection Agency, Region III, Philadelphia, PA.

Availability

The computer code is available on the Support Center for Regulatory Air Models Bulletin Board System and on diskette (as PB 96–501994) from the National Technical Information Service (see Section B.0).

Abstract

LONGZ utilizes the steady-state univariate Gaussian plume formulation for both urban and rural areas in flat or complex terrain to calculate long-term (seasonal and/or annual) ground-level ambient air concentrations attributable to emissions from up to 14,000 arbitrarily placed sources (stacks, buildings and area sources). The output consists of the total concentration at each receptor due to emissions from each user-specified source or group of sources, including all sources. An option which considers losses due to deposition (see the description of SHORTZ) is deemed inappropriate by the authors for complex terrain, and is not discussed here.

a. Recommendations for Regulatory Use

LONGZ can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. LONGZ must be executed in the equivalent mode.

LONGZ can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2 of Appendix W, that LONGZ is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data requirements are: for point, building or area sources, location, elevation, total emission rate (optionally classified by gravitational settling velocity) and decay coefficient; for stack sources, stack height, effluent temperature, effluent exit velocity, stack radius (inner), emission rate, and ground elevation (optional); for building sources, height, length and width, and orientation; for area sources, characteristic vertical dimension, and length, width and orientation.

Meteorological data requirements are: wind speed and measurement height, wind profile exponents, wind direction standard deviations (turbulent intensities), mixing height, air temperature, vertical potential temperature gradient.

Receptor data requirements are: coordinates, ground elevation.

c. Output

Printed output includes total concentration due to emissions from user-specified source groups, including the combined emissions from all sources (with optional allowance for depletion by deposition).

d. Type of Model

LONGZ is a climatological Gaussian plume model.

e. Pollutant Types

LONGZ may be used to model primary pollutants. Settling and deposition are treated.

f. Source-Receptor Relationships

LONGZ applies user specified locations for sources and receptors. Receptors are assumed to be at ground level.

g. Plume Behavior

Plume rise equations of Bjorklund and Bowers (1982) are used.

Stack tip downwash (Bjorklund and Bowers, 1982) is included.

All plumes move horizontally and will fully intercept elevated terrain.

Plumes above mixing height are ignored.

Perfect reflection at mixing height is assumed for plumes below the mixing height.

Plume rise is limited when the mean wind at stack height approaches or exceeds stack exit velocity.

Perfect reflection at ground is assumed for pollutants with no settling velocity.

Zero reflection at ground is assumed for pollutants with finite settling velocity.

LONGZ does not simulate fumigation.

Tilted plume is used for pollutants with settling velocity specified.

Buoyancy-induced dispersion is treated (Briggs, 1972).

h. Horizontal Winds

Wind field is homogeneous and steady-state.

Wind speed profile exponents are functions of both stability class and wind speed. Default values are specified in Bjorklund and Bowers (1982).

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Pollutants are initially uniformly distributed within each wind direction sector. A smoothing function is then used to remove discontinuities at sector boundaries.

k. Vertical Dispersion

Vertical dispersion is derived from input vertical turbulent intensities using adjustments to plume height and rate of plume growth with downwind distance specified in Bjorklund and Bowers (1982).

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Time constant is input by the user.

m. Physical Removal

Gravitational settling and dry deposition of particulates are treated.

n. Evaluation Studies

Bjorklund, J.R. and J.F. Bowers, 1982. User's Instructions for the SHORTZ and LONGZ Computer Programs, Volume I and II. EPA Publication No. EPA–903/9–82–004. U.S. Environmental Protection Agency, Region III, Philadelphia, PA.

B.7 Maryland Power Plant Siting Program (PPSP) Model

Reference

Brower, R., 1982. The Maryland Power Plant Siting Program (PPSP) Air Quality Model User's Guide. Ref. No. PPSP–MP–38. Prepared for Maryland Department of Natural Resources by Environmental Center, Martin Marietta Corporation, Baltimore, MD. (NTIS No. PB 82–238387)

Weil, J.C. and R.P. Brower, 1982. The Maryland PPSP Dispersion Model for Tall Stacks. Ref. No. PPSP–MP–36. Prepared for Maryland Department of Natural Resources by Environmental Center, Martin Marietta Corporation, Baltimore, MD. (NTIS No. PB 82–219155)

Availability

The model code and test data are available on diskette for a nominal cost to defray shipping and handling charges from: Mr. Roger Brower, Versar, Inc., 9200 Rumsey Road, Columbia, MD 21045; Phone: (410) 964–9299.

Abstract

PPSP is a Gaussian dispersion model applicable to tall stacks in either rural or urban areas, but in terrain that is essentially flat (on a scale large compared to the ground roughness elements). The PPSP model follows the same general formulation and computer coding as CRSTER, also a Gaussian model, but it differs in four major ways. The differences are in the scientific formulation of specific ingredients or ''sub-models'' to the Gaussian model, and are based on recent theoretical improvements as well as supporting experimental data. The differences are: (1) stability during daytime is based on convective scaling instead of the Turner criteria; (2) Briggs' dispersion curves for elevated sources are used; (3) Briggs plume rise formulas for convective conditions are included; and (4) plume penetration of elevated stable layers is given by Briggs' (1984) model.

a. Recommendations for Regulatory Use

PPSP can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. PPSP must be executed in the equivalent mode.

PPSP can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2 of Appendix W, that PPSP is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data requirements are: emission rate (monthly rates optional), physical stack height, stack gas exit velocity, stack inside diameter, stack gas temperature.

Meteorological data requirements are: hourly surface weather data from the EPA meteorological preprocessor program. Preprocessor output includes hourly stability class, wind direction, wind speed, temperature, and mixing height. Actual anemometer height (a single value) is also required. Wind speed profile exponents (one for each stability class) are required if on-site data are input.

Receptor data requirements are: distance of each of the five receptor rings.

c. Output

Printed output includes:

Highest and second highest concentrations for the year at each receptor for averaging times of 1, 3, and 24-hours, plus a user-selected averaging time which may be 2, 4, 6, 8, or 12 hours;

Annual arithmetic average at each receptor; and

For each day, the highest 1-hour and 24-hour concentrations over the receptor field.

d. Type of Model

PPSP is a Gaussian plume model.

e. Pollutant Types

PPSP may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

Up to 19 point sources are treated.

All point sources are assumed at the same location.

Unique stack height and stack exit conditions are applied for each source.

Receptor locations are restricted to 36 azimuths (every 10 degrees) and five user-specified radial distances.

g. Plume Behavior

Briggs (1975) final rise formulas for buoyant plumes are used. Momentum rise is not considered.

Transitional or distance-dependent plume rise is not modeled.

Penetration (complete, partial, or zero) of elevated inversions is treated with Briggs (1984) model; ground-level concentrations are dependent on degree of plume penetration.

h. Horizontal Winds

Wind speeds are corrected for release height based on power law variation, with different exponents for different stability classes and variable reference height (7 meters is default). Wind speed power law exponents are 0.10, 0.15, 0.20, 0.25, 0.30, and 0.30 for stability classes A through F, respectively.

Constant, uniform (steady-state) wind assumed within each hour.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion parameters are Briggs (Gifford, 1975), with stability class defined by u/w* during daytime, and by the method of Turner (1964) at night.

Urban dispersion is treated by changing all stable cases to stability class D.

Buoyancy-induced dispersion (Pasquill, 1976) is included (using $\Delta H/3.5$).

k. Vertical Dispersion

Rural dispersion parameters are Briggs (Gifford, 1975), with stability class defined by u/w* during daytime, and by the method of Turner (1964).

Urban dispersion is treated by changing all stable cases to stability class D.

Buoyancy-induced dispersion (Pasquill, 1976) is included (using $\Delta H/3.5$).

l. Chemical Transformation

Not treated.

m. Physical Removal

Not treated.

n. Evaluation Studies

Londergan, R., D. Minott, D. Wackter, T. Kincaid and D. Bonitata, 1983. Evaluation of Rural Air Quality Simulation Models, Appendix G: Statistical Tables for PPSP. EPA Publication No. EPA–450/4–83–003. Environmental Protection Agency, Research Triangle Park, NC.

Weil, J.C. and R.P. Brower, 1982. The Maryland PPSP dispersion model for tall stacks. Ref. No. PPSP MP–36. Prepared for Maryland Department of Natural Resources. Prepared by Environmental Center, Martin Marietta Corporation, Baltimore, Maryland. (NTIS No. PB 82–219155)

B.8 Mesoscale Puff Model (MESOPUFF II)

Reference

Scire, J.S., F.W. Lurmann, A. Bass and S.R. Hanna, 1984. User's Guide to the Mesopuff II Model and Related Processor Programs. EPA Publication No. EPA–600/8–84–013. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 84–181775)

A Modeling Protocol for Applying MESOPUFF II to Long Range Transport Problems, 1992. EPA Publication No. EPA–454/R–92–021. U.S. Environmental Protection Agency, Research Triangle Park, NC.

Availability

This model code is available on the Support Center for Regulatory Air Models Bulletin Board System and also on diskette (as PB 93–500247) from the National Technical Information Service (see Section B.0).

Abstract

MESOPUFF II is a short term, regional scale puff model designed to calculate concentrations of up to 5 pollutant species (SO_2, SO_4, NO_X, HNO_3, NO_3). Transport, puff growth, chemical transformation, and wet and dry deposition are accounted for in the model.

a. Recommendations for Regulatory Use

There is no specific recommendation at the present time. The model may be used on a case-by-case basis.

b. Input Requirements

Required input data include four types: (1) input control parameters and selected technical options, (2) hourly surface meteorological data and twice daily upper air measurements, hourly precipitation data are optional, (3) surface land use classification information, (4) source and emissions data.

Data from up to 25 surface National Weather Service stations and up to 10 upper air stations may be considered. Spatially variable fields at hour intervals of winds, mixing height, stability class, and relevant turbulence parameters are derived by MESOPAC II, the meteorological preprocessor program described in the User Guide.

Source and emission data for up to 25 point sources and/or up to 5 area sources can be included. Required information are: location in grid coordinates, stack height, exit velocity and temperature, and emission rates for the pollutant to be modeled.

Receptor data requirements: up to a 40×40 grid may be used and non-gridded receptor locations may be considered.

c. Output

Line printer output includes: all input parameters, optionally selected arrays of ground-level concentrations of pollutant species at specified time intervals.

Line printer contour plots output from MESOFILE II post-processor program. Computer readable output of concentration array to disk/tape for each hour.

d. Type of Model

MESOPUFF II is a Gaussian puff superposition model.

e. Pollutant Types

Up to five pollutant species may be modeled simultaneously and include: SO_2, SO_4, NO_x, HNO_3, NO_3.

f. Source-Receptor Relationship

Up to 25 point sources and/or up to 5 area sources are permitted.

g. Plume Behavior

Briggs (1975) plume rise equations are used, including plume penetration with buoyancy flux computed in the model.

Fumigation of puffs is considered and may produce immediate mixing or multiple reflection calculations at user option.

h. Horizontal Winds

Gridded wind fields are computed for 2 layers; boundary layer and above the mixed layer. Upper air rawinsonde data and hourly surface winds are used to obtain spatially variable u,v component fields at hourly intervals. The gridded fields are computed by interpolation between stations in the MESOPAC II preprocessor.

i. Vertical Wind Speed

Vertical winds are assumed to be zero.

j. Horizontal Dispersion

Incremental puff growth is computed over discrete time steps with horizontal growth parameters determined from power law equations fit to sigma y curves of Turner out to 100km. At distances greater than 100km, puff growth is determined by the rate given by Heffter (1965).

Puff growth is a function of stability class and changes in stability are treated. Optionally, user input plume growth coefficients may be considered.

k. Vertical Dispersion

For puffs emitted at an effective stack height which is less than the mixing height, uniform mixing of the pollutant within the mixed layer is performed. For puffs centered above the mixing height, no effect at the ground occurs.

l. Chemical Transformation

Hourly chemical rate constants are computed from empirical expressions derived from photochemical model simulations.

m. Physical Removal

Dry deposition is treated with a resistance method.

Wet removal may be considered if hourly precipitation data are input.

n. Evaluation Studies

Results of tests for some model parameters are discussed in:

Scire, J.S., F.W. Lurmann, A. Bass and S.R. Hanna, 1984. Development of the MESOPUFF II Dispersion Model. EPA Publication No. EPA–600/3–84–057. U.S. Environmental Protection Agency, Research Triangle Park, NC.

B.9 Mesoscale Transport Diffusion and Deposition Model for Industrial Sources (MTDDIS)

Reference

Wang, I.T. and T.L. Waldron, 1980. User's Guide for MTDDIS Mesoscale Transport, Diffusion, and Deposition Model for Industrial Sources. EMSC6062.1UR(R2). Combustion Engineering, Newbury Park, CA.

Availability

A diskette copy of the FORTRAN coding and the user's guide are available for a cost of $100 from: Dr. I. T. Wang, Environmental Modeling & Analysis, 2219 E. Thousand Oaks Blvd., Suite 435, Thousand Oaks, CA 91362.

Abstract

MTDDIS is a variable-trajectory Gaussian puff model applicable to long-range transport of point source emissions over level or rolling terrain. The model can be used to determine 3-hour maximum and 24-hour average concentrations of relatively nonreactive pollutants from up to 10 separate stacks.

a. Recommendations for Regulatory Use

There is no specific recommendation at the present time. The MTDDIS Model may be used on a case-by-case basis.

b. Input Requirements

Source data requirements are: emission rate, physical stack height, stack gas exit velocity, stack inside diameter, stack gas temperature, and location.

Meteorological data requirements are: hourly surface weather data, from up to 10 stations, including cloud ceiling, wind direction, wind speed, temperature, opaque cloud cover and precipitation. For long-range applications, user-analyzed daily mixing heights are recommended. If these are not available, the NWS daily mixing heights will be used by the program. A single upper air sounding station for the region is assumed. For each model run, air trajectories are generated for a 48-hour period, and therefore, the afternoon mixing height of the day before and the mixing heights of the day after are also required by the model as input, in order to generate hourly mixing heights for the modeled period.

Receptor data requirements are: up to three user-specified rectangular grids.

c. Output

Printed output includes:

Tabulations of hourly meteorological parameters include both input surface observations and calculated hourly stability classes and mixing heights for each station;

Printed air trajectories for the two consecutive 24-hour periods for air parcels generated 4 hours apart starting at 0000 LST; and

3-hour maximum and 24-hour average grid concentrations over user-specified rectangular grids are output for the second 24-hour period.

d. Type of Model

MTDDIS is a Gaussian puff model.

e. Pollutant Types

MTDDIS can be used to model primary pollutants. Dry deposition is treated. Exponential decay can account for some reactions.

f. Source-Receptor Relationship

MTDDIS treats up to 10 point sources.

Up to three rectangular receptor grids may be specified by the user.

g. Plume Behavior

Briggs (1971, 1972) plume rise formulas are used.

If plume height exceeds mixing height, ground level concentration is assumed zero.

Fumigation and downwash are not treated.

h. Horizontal Winds

Wind speeds and wind directions at each station are first corrected for release height. Speed conversions are based on power law variation and direction conversions are based on linear height dependence as recommended by Irwin (1979b).

Converted wind speeds and wind directions are then weighted according to the algorithms of Heffter (1980) to calculate the effective transport wind speed and direction.

i. Vertical Wind Field

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Transport-time-dependent dispersion coefficients from Heffter (1980) are used.

k. Vertical Dispersion

Transport-time-dependent dispersion coefficients from Heffter (1980) are used.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Half-life is input by the user.

m. Physical Removal

Dry deposition is treated. User input deposition velocity is required.

Wet deposition is treated. User input hourly precipitation rate and precipitation layer depth or cloud ceiling height are required.

n. Evaluation Studies

Carhart, R.A., A.J. Policastro, M. Wastag and L. Coke, 1989. Evaluation of Eight Short-Term Long-Range Transport Models Using Field Data. Atmospheric Environment, 23: 85–105.

B.10 Multi-Source (SCSTER) Model

Reference

Malik, M.H. and B. Baldwin, 1980. Program Documentation for Multi-Source (SCSTER) Model. Program Documentation EN7408SS. Southern Company Services, Inc., Technical Engineering Systems, 64 Perimeter Center East, Atlanta, GA.

Availability

The SCSTER model and user's manual are available at no charge on a limited basis through Southern Company Services. The computer code may be provided on a diskette. Requests should be directed to: Mr. Stanley S. Vasa, Senior Environmental Specialist, Southern Company Services, P.O. Box 2625, Birmingham, AL 35202.

Abstract

SCSTER is a modified version of the EPA CRSTER model. The primary distinctions of SCSTER are its capability to consider multiple sources that are not necessarily collocated, its enhanced receptor specifications, its variable plume height terrain adjustment procedures and plume distortion from directional wind shear.

a. Recommendations for Regulatory Use

SCSTER can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. SCSTER must be executed in the equivalent mode.

SCSTER can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2 of Appendix W, that SCSTER is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data requirements are: emission rate, stack gas exit velocity, stack gas temperature, stack exit diameter, physical stack height, elevation of stack base, and coordinates of stack location. The variable emission data can be monthly or annual averages.

Meteorological data requirements are: hourly surface weather data from the EPA meteorological preprocessor program. Preprocessor output includes hourly stability class wind direction, wind speed, temperature, and mixing height. Actual anemometer height (a single value) is optional. Wind speed profile exponents (one for each stability class) are optional.

Receptor data requirements are: cartesian coordinates and elevations of individual receptors; distances of receptor rings, with elevation of each receptor; receptor grid networks, with elevation of each receptor.

Any combination of the three receptor input types may be used to consider up to 600 receptor locations.

c. Output

Printed output includes:

Highest and second highest concentrations for the year at each receptor for averaging times of 1-, 3-, and 24-hours, a user-selected averaging time which may be 2–12 hours, and a 50 high table for 1-, 3-, and 24-hours;

Annual arithmetic average at each receptor; and the highest 1-hour and 24-hour concentrations over the receptor field for each day considered.

Optional tables of source contributions of individual point sources at up to 20 receptor locations for each averaging period;

Optional magnetic tape output in either binary or fixed block format includes:

All 1-hour concentrations.

Optional card/disk output includes for each receptor:

Receptor coordinates; receptor elevation; highest and highest, second-highest, 1-, 3-,

and 24-hour concentrations; and annual average concentration.

d. Type of Model

SCSTER is a Gaussian plume model.

e. Pollutant Types

SCSTER may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

SCSTER can handle up to 60 separate stacks at varying locations and up to 600 receptors, including up to 15 receptor rings.

User input topographic elevation for each receptor is used.

g. Plume Behavior

SCSTER uses Briggs (1969, 1971, 1972) final plume rise formulas.

Transitional plume rise is optional.

SCSTER contains options to incorporate wind directional shear with a plume distortion method described in Appendix A of the User's Guide.

SCSTER provides four terrain adjustments including the CRSTER full terrain height adjustment and a user-input, stability-dependent plume path coefficient adjustment for receptors above stack height.

h. Horizontal Winds

Wind speeds are corrected for release height based on power law exponents from DeMarrais (1959), different exponents for different stability classes; default reference height of 7m. Default exponents are 0.10, 0.15, 0.20, 0.25, 0.30, and 0.30 for stability classes A through F, respectively.

Steady-state wind is assumed within a given hour.

Optional consideration of plume distortion due to user-input, stability-dependent wind-direction shear gradients.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion coefficients from Turner (1969) are used.

Six stability classes are used.

k. Vertical Dispersion

Rural dispersion coefficients from Turner (1969) are used.

Six stability classes are used.

An optional test for plume height above mixing height before terrain adjustment is included.

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Half-life is input by the user.

m. Physical Removal

Physical removal is treated using exponential decay. Half-life is input by the user.

n. Evaluation Studies

Londergan, R., D. Minott, D. Wackter, T. Kincaid and D. Bonitata, 1983. Evaluation of Rural Air Quality Simulation Models. EPA Publication No. EPA–450/4–83–003. U.S. Environmental Protection Agency, Research Triangle Park, NC.

B.11 PANACHE

Reference

Transoft Group, 1994. User's Guide of Fluidyn-PANACHE, a Three-Dimensional Deterministic Simulation of Pollutants Dispersion Model for Complex Terrain; Cary, North Carolina.

Availability

For a cost to be negotiated with the model developer, the computer code is available from: Transoft US, Inc., 818 Reedy Creek Road, Cary, NC 27513–3307; Phone: (919) 380–7500, Fax: (919) 380–7592.

Abstract

PANACHE is an Eulerian (and Lagrangian for particulate matter), 3-dimensional finite volume fluid mechanics code designed to simulate continuous and short-term pollution dispersion in the atmosphere, in simple or complex terrain. For single or multiple sources, pollutant emissions from stack, point, area, volume, general sources and distant sources are treated. The model automatically treats obstacles, effects of vegetation and water bodies, the effects of vertical temperature stratification on the wind and diffusion fields, and turbulent shear flows caused by atmospheric boundary layer or terrain effects. The code solves Navier Stokes equations in a curvilinear mesh espousing the terrain and obstacles. A 2nd order resolution helps keep the number of cells limited in case of shearing flow. An initial wind field is computed by using a Lagrangian multiplier to interpolate wind data collected on site. The mesh generator, the solver and the numerical schemes have been adopted for atmospheric flows with or without chemical reactions. The model code operates on any workstation or IBM—compatible PC (486 or higher). Gaussian and puff modes are available in PANACHE for fast, preliminary simulation.

a. Recommendations for Regulatory Use

On a case-by-case basis, PANACHE may be appropriate for the following types of situations: industrial or urban zone on a flat or complex terrain, transport distance from a few meters to 50km, continuous releases with hourly, monthly or annual averaging times, chemically reactive or non-reactive gases or particulate emissions for stationary or roadway sources.

b. Input Requirements

Data may be input directly from an external source (e.g., GIS file) or interactively. The model provides the option to use default values when input parameters are unavailable.

PANACHE user environment integrates the pre- and post-processor with the solver. The calculations can be done interactively or in batch mode. An inverse scheme is provided to estimate missing data from a few measured values of the wind.

Terrain data requirements:

- Location, surface roughness estimates, and altitude contours.
- Location and dimensions of obstacles, forests, fields, and water bodies.

Source data requirements:

For all types of sources, the exit temperature and plume mass flow rates and concentration of each of the pollutants are required. External sources require mass flow rate. For roadways, estimated traffic volume and vehicular emissions are required.

Meteorological data requirements:

Hourly stability class, wind direction, wind speed, temperature, cloud cover, humidity, and mixing height data with lapse rate below and above it.

Primary meteorological variables available from the National Weather Service can be processed using PCRAMMET (see Section 9.3.3.2 of Appendix W) to an input file.

Data required at the domain boundary:

Wind profile (uniform, log or power law), depending on the terrain conditions (e.g., residential area, forest, sea, etc.).

Chemical source data requirements:

A database of selected species with specific heats and molecular weights can be extended by the user. For heavy gases the database includes a compressibility coefficients table.

Solar reflection:

For natural convection simulation with low wind on a sunny day, approximate values of temperature for fields, forests, water bodies, shadows and their variations with the time of the day are determined automatically.

c. Output

Printed output option: pollutant concentration at receptor points, and listing of input data (terrain, chemical, weather, and source data) with turbulence and precision control data.

Graphical output includes: In 3-dimensional perspective or in any crosswind, downwind or horizontal plane: wind velocity, pollutant concentration, 3-dimensional isosurface. The profile of concentration can be obtained along any line on the terrain. The concentration contours can be either instantaneous or time integrated for the emission from a source or a source combination. A special utility is included to help prepare a report or a video animation. The user can select images, put in annotations, or do animation.

d. Type of Model

The model uses an Eulerian (and Lagrangian for particulate matter) 3-dimensional finite volume model solving full Navier-Stokes equations. The numerical diffusion is low with appropriate turbulence models for building wakes. A second order resolution may be sought to limit the diffusion. Gaussian and puff modes are available. The numerical scheme is self adaptive for the following situations:

- A curvilinear mesh or a chopped Cartesian mesh is generated automatically or manually;
- Thermal and gravity effects are simulated by full gravity (heavy gases), no gravity (well mixed light gases at ambient temperature), and Boussinesq approximation methods;
- K-diff, K-e or a boundary layer turbulence models are used for turbulence calculations. The flow behind obstacles such

as buildings, is calculated by using a modified K-e.

• For heavy gases, a 3-dimensional heat conduction from the ground and a stratification model for heat exchange from the atmosphere are used (with anisotropic turbulence).

• If local wind data are available, an initial wind field with terrain effects can be computed using a Lagrangian multiplier, which substantially reduces computation time.

e. Pollutant Types

• Scavenging, Acid Rain: A module for water droplets traveling through a plume considers the absorption and de-absorption effects of the pollutants by the droplet. Evaporation and chemical reactions with gases are also taken into account.

• Visibility: Predicts plume visibility and surface deposition of aerosol.

• Particulate matter: Calculates settling and dry deposition of particles based on a Probability Density Function (PDF) of their diameters. The exchange of mass, momentum and heat between particles and gas is treated with implicit coupling procedures.

• Ozone formation and dispersion: The photochemical model computes ozone formation and dispersion at street level in the presence of sunlight.

• Roadway Pollutants: Accounts for heat and turbulence due to vehicular movement. Emissions are based on traffic volume and emission factors.

• Odor Dispersion: Identifies odor sources for waste water plants.

• Radon Dispersion: Simulates natural radon accumulation in valleys and mine environments.

PANACHE may also be used in emergency planning and management for episodic emissions, and fire and soot spread in forested and urban areas or from combustible pools.

f. Source-Receptor Relationship

Simultaneous use of multiple kinds of sources at user defined locations. Any number of user defined receptors can identify pollutants from each source individually.

g. Plume Behavior

The options influencing the behavior are full gravity, Boussinesq approximation or no gravity.

h. Horizontal Winds

Horizontal wind speed approximations are made only at the boundaries based on National Weather Service data. Inside the domain of interest, full Navier-Stokes resolution with natural viscosity is used for 3-dimensional terrain and temperature dependent wind field calculation.

i. Vertical Wind Speed

Vertical wind speed approximations are made only at the boundaries based on National Weather Service data. The domain of interest is treated as for horizontal winds.

j. Horizontal Dispersion

Diffusion is calculated using appropriate turbulence models. A 2nd order solution for shearing flow can be sought when the number of meshes is limited between obstacles.

k. Vertical Dispersion

Dispersion by full gravity unless Boussinesq approximation or no gravity requested. Vertical dispersion is treated as above for horizontal dispersion.

l. Chemical Transformation

PANCHEM, an atmospheric chemistry module for chemical reactions, is available. Photochemical reactions are used for tropospheric ozone calculations.

m. Physical Removal

Physical removal is treated using dry deposition coefficients

n. Evaluation Studies

Goldwire, H.C. Jr, T.G. McRae, G.W. Johnson, D.L. Hipple, R.P. Koopman, J.W. McClure, L.K. Morris and R.T. Cederhall, 1985. Desert Tortoise Series Data Report: 1983 Pressurized Ammonia Spills. UCID 20562, Lawrence Livermore National Laboratory; Livermore, California.

Green, S.R., 1992. Modeling Turbulent Air Flow in a Stand of Widely Spaced Trees, The PHOENICS Journal of Computational Fluid Dynamics and Its Applications, 5: 294–312.

Gryning, S.E. and E. Lyck, 1984. Atmospheric Dispersion from Elevated Sources in an Urban Area: Comparison Between Tracer Experiments and Model Calculations. Journal of Climate and Applied Meteorology, 23: 651–660.

Havens, J., T. Spicer, H. Walker and T. Williams, 1995. Validation of Mathematical Models Using Wind-Tunnel Data Sets for Dense Gas Dispersion in the Presence of Obstacles. University of Arkansas, 8th International Symposium-Loss Prevention and Safety Promotion in the Process Industries; Antwerp, Belgium.

McQuaid, J. (ed), 1985. Heavy Gas Dispersion Trials at Thorney Island. Proc. of a Symposium held at the University of Sheffield, Great Britain.

Pavitskiy, N.Y., A.A. Yakuskin and S.V. Zhubrin, 1993. Vehicular Exhaust Dispersion Around Group of Buildings. The PHOENICS Journal of Computational Fluid Dynamics and Its Applications, 6: 270–285.

Tripathi, S., 1994. Evaluation of Fluidyn-PANACHE on Heavy Gas Dispersion Test Case. Seminar on Evaluation of Models of Heavy Gas Dispersion Organized by European Commission; Mol, Belgium.

B.12 Plume Visibility Model (PLUVUE II)

Reference

Environmental Protection Agency, 1992. User's Manual for the Plume Visibility Model, PLUVUE II (Revised). EPA Publication No. EPA–454/B–92–008, (NTIS PB93–188233). U.S. Environmental Protection Agency, Research Triangle Park, NC.

Availability

This model code is available on the Support Center for Regulatory Air Models Bulletin Board System and also on diskette (as PB 90–500778) from the National Technical Information Service (see Section B.0).

Abstract

The Plume Visibility Model (PLUVUE II) is used for estimating visual range reduction and atmospheric discoloration caused by plumes consisting of primary particles, nitrogen oxides and sulfur oxides emitted from a single emission source. PLUVUE II uses Gaussian formulations to predict transport and dispersion. The model includes chemical reactions, optical effects and surface deposition. Four types of optics calculations are made: horizontal and non-horizontal views through the plume with a sky viewing background; horizontal views through the plume with white, gray and black viewing backgrounds; and horizontal views along the axis of the plume with a sky viewing background.

a. Recommendations for Regulatory Use

The Plume Visibility Model (PLUVUE II) may be used on a case-by-case basis as a third level screening model. When applying PLUVUE II, the following precautions should be taken:

1. Treat the optical effects of NO_2 and particles separately as well as together to avoid cancellation of NO_2 absorption with particle scattering.

2. Examine the visual impact of the plume in 0.1 (or 0), 0.5, and 1.0 times the expected level of particulate matter in the background air.

3. Examine the visual impact of the plume over the full range of observer-plume sun angles.

4. The user should consult the appropriate Federal Land Manager when using PLUVUE II to assess visibility impacts in a Class I area.

b. Input Requirements

Source data requirements are: location and elevation; emission rates of SO_2, NO_X, and particulates; flue gas flow rate, exit velocity, and exit temperature; flue gas oxygen content; properties (including density, mass median and standard geometric deviation of radius) of the emitted aerosols in the accumulation (0.1–1.0μm) and coarse (1.0–10.μm) size modes; and deposition velocities for SO_2, NO_X, coarse mode aerosol, and accumulations mode aerosol.

Meteorological data requirements are: stability class, wind direction (for an observer-based run), wind speed, lapse rate, air temperature, relative humidity, and mixing height.

Other data requirements are: ambient background concentrations of NO_X, NO_2, O_3, and SO_2, and background visual range of sulfate and nitrate concentrations.

Receptor (observer) data requirements are: location, terrain elevation at points along plume trajectory, white, gray, and black viewing backgrounds, the distance from the observer to the terrain observed behind the plume.

c. Output

Printed output includes plume concentrations and visual effects at specified downwind distances for calculated or specified lines of sight.

d. Type of Model

PLUVUE II is a Gaussian plume model. Visibility impairment is quantified once the

spectral light intensity has been calculated for the specific lines of sight. Visibility impairment includes visual range reduction, plume contrast, relative coloration of a plume to its viewing background, and plume perceptibility due to its contrast and color with respect to a viewing background.

e. Pollutant Types

PLUVUE II treats NO, NO_2, SO_2, H_2SO_4, HNO_3, O_3, primary and secondary particles to calculate effects on visibility.

f. Source Receptor Relationship

For performing the optics calculations at selected points along the plume trajectory, PLUVUE II has two modes: plume based and observer based calculations. The major difference is the orientation of the viewer to the source and the plume.

g. Plume Behavior

Briggs (1969, 1971, 1972) final plume rise equations are used.

h. Horizontal Winds

User-specified wind speed (and direction for an observer-based run) are assumed constant for the calculation.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

Constant, uniform (steady-state) wind is assumed for each hour. Straight line plume transport is assumed to all downwind distances.

k. Vertical Dispersion

Rural dispersion coefficients from Turner (1969) are used, with no adjustment for surface roughness. Six stability classes are used.

l. Chemical Transformation

The chemistry of NO, NO_2, O_3, OH, $O(^1D)$, SO_2, HNO_3, and H_2SO_4 is treated by means of nine reactions. Steady state approximations are used for radicals and for the $NO/NO_2/O_3$ reactions.

m. Physical Removal

Dry deposition of gaseous and particulate pollutants is treated using deposition velocities.

n. Evaluation Studies

Bergstrom, R.W., C. Seigneur, B.L. Babson, H.Y. Holman and M.A. Wojcik, 1981. Comparison of the Observed and Predicted Visual Effects Caused by Power Plant Plumes. Atmospheric Environment, 15: 2135–2150.

Bergstrom, R.W., Seigneur, C.D. Johnson and L.W. Richards, 1984. Measurements and Simulations of the Visual Effects of Particulate Plumes. Atmospheric Environment, 18(10): 2231–2244.

Seigneur, C., R.W. Bergstrom and A.B. Hudischewskyj, 1982. Evaluation of the EPA PLUVUE Model and the ERT Visibility Model Based on the 1979 VISTTA Data Base. EPA Publication No. EPA–450/4–82–008. U.S. Environmental Protection Agency, Research Triangle Park, NC.

White, W.H., C. Seigneur, D.W. Heinold, M.W. Eltgroth, L.W. Richards, P.T. Roberts, P.S. Bhardwaja, W.D. Conner and W.E. Wilson, Jr, 1985. Predicting the Visibility of Chimney Plumes: An Inter-comparison of Four Models with Observations at a Well-Controlled Power Plant. Atmospheric Environment, 19: 515–528.

B.13 Point, Area, Line Source Algorithm (PAL–DS)

Reference

Petersen, W.B, 1978. User's Guide for PAL—A Gaussian-Plume Algorithm for Point, Area, and Line Sources. EPA Publication No. EPA–600/4–78–013. Office of Research and Development, Research Triangle Park, NC. (NTIS No. PB 281306)

Rao, K.S. and H.F. Snodgrass, 1982. PAL–DS Model: The PAL Model Including Deposition and Sedimentation. EPA Publication No. EPA–600/8–82–023. Office of Research and Development, Research Triangle Park, NC. (NTIS No. PB 83–117739)

Availability

The computer code is available on diskette (as PB 90–500802) from the National Technical Information Service (see Section B.0).

Abstract

PAL–DS is an acronym for this point, area, and line source algorithm and is a method of estimating short-term dispersion using Gaussian-plume steady-state assumptions. The algorithm can be used for estimating concentrations of non-reactive pollutants at 99 receptors for averaging times of 1 to 24 hours, and for a limited number of point, area, and line sources (99 of each type). This algorithm is not intended for application to entire urban areas but is intended, rather, to assess the impact on air quality, on scales of tens to hundreds of meters, of portions of urban areas such as shopping centers, large parking areas, and airports. Level terrain is assumed. The Gaussian point source equation estimates concentrations from point sources after determining the effective height of emission and the upwind and crosswind distance of the source from the receptor. Numerical integration of the Gaussian point source equation is used to determine concentrations from the four types of line sources. Subroutines are included that estimate concentrations for multiple lane line and curved path sources, special line sources (line sources with endpoints at different heights above ground), and special curved path sources. Integration over the area source, which includes edge effects from the source region, is done by considering finite line sources perpendicular to the wind at intervals upwind from the receptor. The crosswind integration is done analytically; integration upwind is done numerically by successive approximations.

The PAL–DS model utilizes Gaussian plume-type diffusion-deposition algorithms based on analytical solutions of a gradient-transfer model. The PAL–DS model can treat deposition of both gaseous and suspended particulate pollutants in the plume since gravitational settling and dry deposition of the particles are explicitly accounted for. The analytical diffusion-deposition expressions listed in this report in the limit when pollutant settling and deposition velocities are zero, they reduce to the usual Gaussian plume diffusion algorithms in the PAL model.

a. Recommendations for Regulatory Use

PAL–DS can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. PAL–DS must be executed in the equivalent mode.

PAL–DS can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2, that PAL–DS is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data: point-sources—emission rate, physical stack height, stack gas temperature, stack gas velocity, stack diameter, stack gas volume flow, coordinates of stack, initial σ_y and σ_z; area sources—source strength, size of area source, coordinates of S.W. corner, and height of area source; and line sources—source strength, number of lanes, height of source, coordinates of end points, initial σ_y and σ_z, width of line source, and width of median. Diurnal variations in emissions are permitted. When applicable, the settling velocity and deposition velocity are also permitted.

Meteorological data: wind profile exponents, anemometer height, wind direction and speed, stability class, mixing height, air temperature, and hourly variations in emission rate.

Receptor data: receptor coordinates.

c. Output

Printed output includes:

Hourly concentration and deposition flux for each source type at each receptor; and

Average concentration for up to 24 hours for each source type at each receptor.

d. Type of Model

PAL–DS is a Gaussian plume model.

e. Pollutant Types

PAL–DS may be used to model non-reactive pollutants.

f. Source-Receptor Relationships

Up to 99 sources of each of 6 source types: point, area, and 4 types of line sources.

Source and receptor coordinates are uniquely defined.

Unique stack height for each source.

Coordinates of receptor locations are user defined.

g. Plume Behavior

Briggs final plume rise equations are used.

Fumigation and downwash are not treated.

If plume height exceeds mixing height, concentrations are assumed equal to zero.

Surface concentrations are set to zero when the plume centerline exceeds mixing height.

h. Horizontal Winds

User-supplied hourly wind data are used.

Constant, uniform (steady-state) wind is assumed within each hour. Wind is assumed to increase with height.

i. Vertical Wind Speeds

Assumed equal to zero.

j. Horizontal Dispersion

Rural dispersion coefficients from Turner (1969) are used with no adjustments made for surface roughness.

Six stability classes are used.

Dispersion coefficients (Pasquill-Gifford) are assumed based on a 3cm roughness height.

k. Vertical Dispersion

Six stability classes are used.

Rural dispersion coefficients from Turner (1969) are used; no further adjustments are made for variation in surface roughness, transport or averaging time.

Multiple reflection is handled by summation of series until the vertical standard deviation equals 1.6 times mixing height. Uniform vertical mixing is assumed thereafter.

l. Chemical Transformation

Not treated.

m. Physical Removal

PAL–DS can treat deposition of both gaseous and suspended particulates in the plume since gravitational settling and dry deposition of the particles are explicitly accounted for.

n. Evaluation Studies

None Cited.

B.14 Reactive Plume Model (RPM–IV)

Reference

Environmental Protection Agency, 1993. Reactive Plume Model IV (RPM–IV) User's Guide. EPA Publication No. EPA–454/B–93–012. U.S. Environmental Protection Agency (ESRL), Research Triangle Park, NC. (NTIS No. PB 93–217412)

Availability

The above report and model computer code are available on the Support Center for Regulatory Air Models Bulletin Board System. The model code is also available on diskette (as PB 96–502026) from the National Technical Information Service (see Section B.0).

Abstract

The Reactive Plume Model, RPM–IV, is a computerized model used for estimating short-term concentrations of primary and secondary reactive pollutants resulting from single or, in some special cases, multiple sources if they are aligned with the mean wind direction. The model is capable of simulating the complex interaction of plume dispersion and non-linear photochemistry. If Carbon Mechanism IV (CBM–IV) is used, emissions must be disaggregated into carbon bond classes prior to model application. The model can be run on a mainframe computer, workstation, or IBM-compatible PC with at least 2 megabytes of memory. A major feature of RPM–IV is its ability to interface with input and output files from EPA's Regional Oxidant Model (ROM) and Urban Airshed Model (UAM) to provide an internally consistent set of modeled ambient concentrations for various pollutant species.

a. Recommendations for Regulatory Use

There is no specific recommendation at the present time. RPM–IV may be used on a case-by-case basis.

b. Input Requirements

Source data requirements are: emission rates, name, and molecular weight of each species of pollutant emitted; ambient pressure, ambient temperature, stack height, stack diameter, stack exit velocity, stack gas temperature, and location.

Meteorological data requirements are: wind speeds, plume widths or stability classes, photolytic rate constants, and plume depths or stability classes.

Receptor data requirements are: downwind distances or travel times at which calculations are to be made.

Initial concentration of all species is required, and the specification of downwind ambient concentrations to be entrained by the plume is optional.

c. Output

Short-term concentrations of primary and secondary pollutants at either user specified time increments, or user specified downwind distances.

d. Type of Model

Reactive Gaussian plume model.

e. Pollutant Types

Currently, using the Carbon Bond Mechanism (CBM–IV), 34 species are simulated (82 reactions), including NO, NO_2, O_3, SO_2, SO_4, five categories of reactive hydrocarbons, secondary nitrogen compounds, organic aerosols, and radical species.

f. Source-Receptor Relationships

Single point source.

Single area or volume source.

Multiple sources can be simulated if they are lined up along the wind trajectory.

Predicted concentrations are obtained at a user specified time increment, or at user specified downwind distances.

g. Plume Behavior

Briggs (1971) plume rise equations are used.

h. Horizontal Winds

User specifies wind speeds as a function of time.

i. Vertical Wind Speed

Not treated.

j. Horizontal Dispersion

User specified plume widths, or user may specify stability and widths will be computed using Turner (1969).

k. Vertical Dispersion

User specified plume depths, or user may specify stability in which case depths will be calculated using Turner (1969). Note that vertical uniformity in plume concentration is assumed.

l. Chemical Transformation

RPM–IV has the flexibility of using any user input chemical kinetic mechanism. Currently it is run using the chemistry of the Carbon Bond Mechanism, CBM–IV (Gery et al., 1988). The CBM–IV mechanism, as incorporated in RPM–IV, utilizes an updated simulation of PAN chemistry that includes a peroxy-peroxy radical termination reaction, significant when the atmosphere is NO_X-limited (Gery et al., 1989). As stated above, the current CBM–IV mechanism accommodates 34 species and 82 reactions focusing primarily on hydrocarbon/nitrogen oxides and ozone photochemistry.

m. Physical Removal

Not treated.

n. Evaluation Studies

Stewart, D.A. and M–K Liu, 1981. Development and Application of a Reactive Plume Model. Atmospheric Environment, 15: 2377–2393.

B.15 Shoreline Dispersion Model (SDM)

Reference

PEI Associates, 1988. User's Guide to SDM–A Shoreline Dispersion Model. EPA Publication No. EPA–450/4–88–017. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS No. PB 89–164305)

Availability

The model code is available on the Support Center for Regulatory Air Models Bulletin Board System (see Section B.0).

Abstract

SDM is a hybrid multi-point Gaussian dispersion model that calculates source impact for those hours during the year when fumigation events are expected using a special fumigation algorithm and the MPTER regulatory model for the remaining hours (see Appendix A).

a. Recommendations for Regulatory Use

SDM may be used on a case-by-case basis for the following applications:

- Tall stationary point sources located at a shoreline of any large body of water;
- Rural or urban areas;
- Flat terrain;
- Transport distances less than 50 km;
- 1-hour to 1-year averaging times.

b. Input Requirements

Source data: location, emission rate, physical stack height, stack gas exit velocity, stack inside diameter, stack gas temperature and shoreline coordinates.

Meteorological data: hourly values of mean wind speed within the Thermal Internal Boundary Layer (TIBL) and at stack height; mean potential temperature over land and over water; over water lapse rate; and surface sensible heat flux. In addition to these meteorological data, SDM access standard NWS surface and upper air meteorological data through the RAMMET preprocessor.

Receptor data: coordinates for each receptor.

c. Output

Printed output includes the MPTER model output as well as: special shoreline

fumigation applicability report for each day and source; high-five tables on the standard output with ''F'' designation next to the concentration if that averaging period includes a fumigation event.

d. Type of Model

SDM is hybrid Gaussian model.

e. Pollutant Types

SDM may be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationships

SDM applies user-specified locations of stationary point sources and receptors. User input stack height, shoreline orientation and source characteristics for each source. No topographic elevation is input; flat terrain is assumed.

g. Plume Behavior

SDM uses Briggs (1975) plume rise for final rise. SDM does not treat stack tip or building downwash.

h. Horizontal Winds

Constant, uniform (steady-state) wind is assumed for an hour. Straight line plume transport is assumed to all downwind distances. Separate wind speed profile exponents (EPA, 1980) for both rural and urban cases are assumed.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Horizontal Dispersion

For the fumigation algorithm coefficients based on Misra (1980) and Misra and McMillan (1980) are used for plume transport in stable air above TIBL and based on Lamb (1978) for transport in the unstable air below the TIBL. An effective horizontal dispersion coefficient based on Misra and Onlock (1982) is used. For nonfumigation periods, algorithms contained in the MPTER model are used (see Appendix A).

k. Vertical Dispersion

For the fumigation algorithm, coefficients based on Misra (1980) and Misra and McMillan (1980) are used.

l. Chemical Transformation

Chemical transformation is not included in the fumigation algorithm.

m. Physical Removal

Physical removal is not explicitly treated.

n. Evaluation Studies

Environmental Protection Agency, 1987. Analysis and Evaluation of Statistical Coastal Fumigation Models. EPA Publication No. EPA–450/4–87–002. U.S. Environmental Protection Agency, Research Triangle Park, NC. (NTIS PB 87–175519)

B.16 SHORTZ

Reference

Bjorklund, J.R. and J.F. Bowers, 1982. User's Instructions for the SHORTZ and LONGZ Computer Programs, Volumes I and II. EPA Publication No. EPA–903/9–82–004a and b. U.S. Environmental Protection Agency, Region III, Philadelphia, PA.

Availability

The computer code is available on the Support Center for Regulatory Air Models Bulletin Board System and on diskette (as PB 96–501986) from the National Technical Information Service (see Section B.0).

Abstract

SHORTZ utilizes the steady state bivariate Gaussian plume formulation for both urban and rural areas in flat or complex terrain to calculate ground-level ambient air concentrations. The model can calculate 1-hour, 2-hour, 3-hour etc. average concentrations due to emissions from stacks, buildings and area sources for up to 300 arbitrarily placed sources. The output consists of total concentration at each receptor due to emissions from each user-specified source or group of sources, including all sources. If the option for gravitational settling is invoked, analysis cannot be accomplished in complex terrain without violating mass continuity.

a. Recommendations for Regulatory Use

SHORTZ can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. SHORTZ must be executed in the equivalent mode.

SHORTZ can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using the criteria in Section 3.2, that SHORTZ is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data requirements are: for point, building or area sources, location, elevation, total emission rate (optionally classified by gravitational settling velocity) and decay coefficient; for stack sources, stack height, effluent temperature, effluent exit velocity, stack radius (inner), actual volumetric flow rate, and ground elevation (optional); for building sources, height, length and width, and orientation; for area sources, characteristic vertical dimension, and length, width and orientation.

Meteorological data requirements are: wind speed and measurement height, wind profile exponents, wind direction, standard deviations of vertical and horizontal wind directions, (i.e., vertical and lateral turbulent intensities), mixing height, air temperature, and vertical potential temperature gradient.

Receptor data requirements are: coordinates, ground elevation.

c. Output

Printed output includes total concentration due to emissions from user-specified source groups, including the combined emissions from all sources (with optional allowance for depletion by deposition).

d. Type of Model

SHORTZ is a Gaussian plume model.

e. Pollutant Types

SHORTZ may be used to model primary pollutants. Settling and deposition of particulates are treated.

f. Source-Receptor Relationships

User specified locations for sources and receptors are used.

Receptors are assumed to be at ground level.

g. Plume Behavior

Plume rise equations of Bjorklund and Bowers (1982) are used.

Stack tip downwash (Bjorklund and Bowers, 1982) is included.

All plumes move horizontally and will fully intercept elevated terrain.

Plumes above mixing height are ignored.

Perfect reflection at mixing height is assumed for plumes below the mixing height.

Plume rise is limited when the mean wind at stack height approaches or exceeds stack exit velocity.

Perfect reflection at ground is assumed for pollutants with no settling velocity.

Zero reflection at ground is assumed for pollutants with finite settling velocity.

Tilted plume is used for pollutants with settling velocity specified. Buoyancy-induced dispersion (Briggs, 1972) is included.

h. Horizontal Winds

Winds are assumed homogeneous and steady-state.

Wind speed profile exponents are functions of both stability class and wind speed. Default values are specified in Bjorklund and Bowers (1982).

i. Vertical Wind Speed

Vertical winds are assumed equal to zero.

j. Horizontal Dispersion

Horizontal plume size is derived from input lateral turbulent intensities using adjustments to plume height, and rate of plume growth with downwind distance specified in Bjorklund and Bowers (1982).

k. Vertical Dispersion

Vertical plume size is derived from input vertical turbulent intensities using adjustments to plume height and rate of plume growth with downwind distance specified in Bjorklund and Bowers (1982).

l. Chemical Transformation

Chemical transformations are treated using exponential decay. Time constant is input by the user.

m. Physical Removal

Settling and deposition of particulates are treated.

n. Evaluation Studies

Bjorklund, J.R. and J.F. Bowers, 1982. User's Instructions for the SHORTZ and LONGZ Computer Programs. EPA Publication No. EPA–903/9–82–004. EPA Environmental Protection Agency, Region III, Philadelphia, PA.

Wackter, D. and R. Londergan, 1984. Evaluation of Complex Terrain Air Quality Simulation Models. EPA Publication No. EPA–450/4–84–017. U.S. Environmental

Protection Agency, Research Triangle Park, NC.

B.17 Simple Line-Source Model

Reference

Chock, D.P., 1980. User's Guide for the Simple Line-Source Model for Vehicle Exhaust Dispersion Near a Road. Ford Research Laboratory, Dearborn, MI.

Availability

Copies of the above reference are available without charge from: Dr. D.P. Chock, Ford Research Laboratory, P.O. Box 2053; MD–3083, Dearborn, MI 48121–2053. The short model algorithm is contained in the User's Guide.

Abstract

The Simple Line-Source Model is a simple steady-state Gaussian plume model which can be used to determine hourly (or half-hourly) averages of exhaust concentrations within 100m from a roadway on a relatively flat terrain. The model allows for plume rise due to the heated exhaust, which can be important when the crossroad wind is very low. The model also utilizes a new set of vertical dispersion parameters which reflects the influence of traffic-induced turbulence.

a. Recommendations for Regulatory Use

The Simple Line-Source Model can be used if it can be demonstrated to estimate concentrations equivalent to those provided by the preferred model for a given application. The model must be executed in the equivalent mode.

The Simple Line-Source Model can be used on a case-by-case basis in lieu of a preferred model if it can be demonstrated, using criteria in Section 3.2, that it is more appropriate for the specific application. In this case the model options/modes which are most appropriate for the application should be used.

b. Input Requirements

Source data requirements are: emission rate per unit length per lane, the number of lanes on each road, distances from lane centers to the receptor, source and receptor heights.

Meteorological data requirements are: buoyancy flux, ambient stability condition, ambient wind and its direction relative to the road.

Receptor data requirements are: distance and height above ground.

c. Output

Printed output includes hourly or (half-hourly) concentrations at the receptor due to exhaust emission from a road (or a system of roads by summing the results from repeated model applications).

d. Type of Model

The Simple Line-Source Model is a Gaussian plume model.

e. Pollutant Types

The Simple Line-Source Model can be used to model primary pollutants. Settling and deposition are not treated.

f. Source-Receptor Relationship

The Simple Line-Source Model treats arbitrary location of line sources and receptors.

g. Plume Behavior

Plume-rise formula adequate for a heated line source is used.

h. Horizontal Winds

The Simple Line-Source Model uses user-supplied hourly (or half-hourly) ambient wind speed and direction. The wind measurements are from a height of 5 to 10m.

i. Vertical Wind Speed

Vertical wind speed is assumed equal to zero.

j. Dispersion Parameters

Horizontal dispersion parameter is not used.

k. Vertical Dispersion

A vertical dispersion parameter is used which is a function of stability and wind-road angle. Three stability classes are used: unstable, neutral and stable. The parameters take into account the effect of traffic-generated turbulence (Chock, 1980).

l. Chemical Transformation

Not treated.

m. Physical Removal

Not treated.

n. Evaluation Studies

Chock, D.P., 1978. A Simple Line-Source Model for Dispersion Near Roadways. Atmospheric Environment, 12: 823–829.

Sistla, G., P. Samson, M. Keenan and S.T. Rao, 1979. A Study of Pollutant Dispersion Near Highways. Atmospheric Environment, 13: 669–685.

B.18 SLAB

Reference:

Ermak, D.L., 1990. User's Manual for SLAB: An Atmospheric Dispersion Model for Denser-than-Air Releases (UCRL–MA–105607), Lawrence Livermore National Laboratory.

Availability

The computer code can be obtained from: Energy Science and Technology Center, P.O. Box 1020, Oak Ridge, TN 37830, Phone (615) 576–2606.

The User's Manual (as DE 91–008443) can be obtained from the National Technical Information Service. The computer code is also available on the Support Center for Regulatory Air Models Bulletin Board System (Public Upload/ Download Area; see Section B.0.)

Abstract

The SLAB model is a computer model, PC-based, that simulates the atmospheric dispersion of denser-than-air releases. The types of releases treated by the model include a ground-level evaporating pool, an elevated horizontal jet, a stack or elevated vertical jet and an instantaneous volume source. All sources except the evaporating pool may be characterized as aerosols. Only one type of release can be processed in any individual simulation. Also, the model simulates only one set of meteorological conditions; therefore direct application of the model over time periods longer than one or two hours is not recommended.

a. Recommendations for use

The SLAB model should be used as a refined model to estimate spatial and temporal distribution of short-term ambient concentration (e.g., 1-hour or less averaging times) and the expected area of exposure to concentrations above specified threshold values for toxic chemical releases where the release is suspected to be denser than the ambient air.

b. Input Requirements

The SLAB model is executed in the batch mode. Data are input directly from an external input file. There are 29 input parameters required to run each simulation. These parameters are divided into 5 categories by the user's guide: source type, source properties, spill properties, field properties, and meteorological parameters. The model is not designed to accept real-time meteorological data or convert units of input values. Chemical property data are not available within the model and must be input by the user. Some chemical and physical property data are available in the user's guide.

Source type is chosen as one of the following: evaporating pool release, horizontal jet release, vertical jet or stack release, or instantaneous or short duration evaporating pool release.

Source property data requirements are physical and chemical properties (molecular weight, vapor heat capacity at constant pressure; boiling point; latent heat of vaporization; liquid heat capacity; liquid density; saturation pressure constants), and initial liquid mass fraction in the release.

Spill properties include: source temperature, emission rate, source dimensions, instantaneous source mass, release duration, and elevation above ground level.

Required field properties are: desired concentration averaging time, maximum downwind distance (to stop the calculation), and four separate heights at which the concentration calculations are to be made.

Meteorological parameter requirements are: ambient measurement height, ambient wind speed at designated ambient measurement height, ambient temperature, surface roughness, relative humidity, atmospheric stability class, and inverse Monin-Obukhov length (optional, only used as an input parameter when stability class is unknown).

c. Output

No graphical output is generated by the current version of this program. The output print file is automatically saved and must be sent to the appropriate printer by the user after program execution. Printed output includes in tabular form:

Listing of model input data;

Instantaneous spatially-averaged cloud parameters—time, downwind distance, magnitude of peak concentration, cloud dimensions (including length for puff-type

simulations), volume (or mole) and mass fractions, downwind velocity, vapor mass fraction, density, temperature, cloud velocity, vapor fraction, water content, gravity flow velocities, and entrainment velocities;

Time-averaged cloud parameters—parameters which may be used externally to calculate time-averaged concentrations at any location within the simulation domain (tabulated as functions of downwind distance);

Time-averaged concentration values at plume centerline and at five off-centerline distances (off-centerline distances are multiples of the effective cloud half-width, which varies as a function of downwind distance) at four user-specified heights and at the height of the plume centerline.

d. Type of Model

As described by Ermak (1989), transport and dispersion are calculated by solving the conservation equations for mass, species, energy, and momentum, with the cloud being modeled as either a steady-state plume, a transient puff, or a combination of both, depending on the duration of the release. In the steady-state plume mode, the crosswind-averaged conservation equations are solved and all variables depend only on the downwind distance. In the transient puff mode, the volume-averaged conservation equations are solved, and all variables depend only on the downwind travel time of the puff center of mass. Time is related to downwind distance by the height-averaged ambient wind speed. The basic conservation equations are solved via a numerical integration scheme in space and time.

e. Pollutant Types

Pollutants are assumed to be non-reactive and non-depositing dense gases or liquid-vapor mixtures (aerosols). Surface heat transfer and water vapor flux are also included in the model.

f. Source-Receptor Relationships

Only one source can be modeled at a time.

There is no limitation to the number of receptors; the downwind receptor distances are internally-calculated by the model. The SLAB calculation is carried out up to the user-specified maximum downwind distance.

The model contains submodels for the source characterization of evaporating pools, elevated vertical or horizontal jets, and instantaneous volume sources.

g. Plume Behavior

Plume trajectory and dispersion is based on crosswind-averaged mass, species, energy, and momentum balance equations. Surrounding terrain is assumed to be flat and of uniform surface roughness. No obstacle or building effects are taken into account.

h. Horizontal Winds

A power law approximation of the logarithmic velocity profile which accounts for stability and surface roughness is used.

i. Vertical Wind Speed

Not treated.

j. Vertical Dispersion

The crosswind dispersion parameters are calculated from formulas reported by Morgan et al. (1983), which are based on experimental data from several sources. The formulas account for entrainment due to atmospheric turbulence, surface friction, thermal convection due to ground heating, differential motion between the air and the cloud, and damping due to stable density stratification within the cloud.

k. Horizontal Dispersion

The horizontal dispersion parameters are calculated from formulas similar to those described for vertical dispersion, also from the work of Morgan et al. (1983).

l. Chemical Transformation

The thermodynamics of the mixing of the dense gas or aerosol with ambient air (including water vapor) are treated. The relationship between the vapor and liquid fractions within the cloud is treated using the local thermodynamic equilibrium approximation. Reactions of released chemicals with water or ambient air are not treated.

m. Physical Removal

Not treated.

n. Evaluation Studies

Blewitt, D.N., J.F. Yohn and D.L. Ermak, 1987. An Evaluation of SLAB and DEGADIS Heavy Gas Dispersion Models Using the HF Spill Test Data. Proceedings, AIChE International Conference on Vapor Cloud Modeling, Boston, MA, November, pp. 56–80.

Ermak, D.L., S.T. Chan, D.L. Morgan and L.K. Morris, 1982. A Comparison of Dense Gas Dispersion Model Simulations with Burro Series LNG Spill Test Results. J. Haz. Matls., 6: 129–160.

Zapert, J.G., R.J. Londergan and H. Thistle, 1991. Evaluation of Dense Gas Simulation Models. EPA Publication No. EPA–450/4–90–018. U.S. Environmental Protection Agency, Research Triangle Park, NC.

B.19 WYNDvalley Model

Reference

Harrison, Halstead, 1992. ''A User's Guide to WYNDvalley 3.11, an Eulerian-Grid Air-Quality Dispersion Model with Versatile Boundaries, Sources, and Winds,'' WYNDsoft Inc., Mercer Island, WA.

Availability

Copies of the user's guide and the executable model computer codes are available at a cost of $295.00 from: WYNDsoft, Incorporated, 6333 77th Avenue, Mercer Island, WA 98040, Phone: (206) 232–1819.

Abstract

WYNDvalley 3.11 is a multi-layer (up to five vertical layers) Eulerian grid dispersion model that permits users flexibility in defining borders around the areas to be modeled, the boundary conditions at these borders, the intensities and locations of emissions sources, and the winds and diffusivities that affect the dispersion of atmospheric pollutants. The model's output includes gridded contour plots of pollutant concentrations for the highest brief episodes (during any single time step), the highest and second-highest 24-hour averages, averaged dry and wet deposition fluxes, and a colored ''movie'' showing evolving dispersal of pollutant concentrations, together with temporal plots of the concentrations at specified receptor sites and statistical inference of the probabilities that standards will be exceeded at those sites. WYNDvalley is implemented on IBM compatible microcomputers, with interactive data input and color graphics display.

a. Recommendations for Regulatory Use

WYNDvalley may be used on a case-by-case basis to estimate concentrations during valley stagnation periods of 24 hours or longer. Recommended inputs are listed below.

Variable	Recommended value
Horizontal cell dimension.	250 to 500 meters.
Vertical layers	3 to 5.
Layer depth	50 to 100 meters.
Background (internal to model).	Zero (background should be added externally to model estimates).
Lateral meander velocity.	Default.
Diffusivities	Default.
Ventilation parameter (upper boundary condition).	Default.
Dry deposition velocity.	Zero (site-specific).
Washout ratio	Zero (site-specific).

b. Input Requirements

Input data, including model options, modeling domain boundaries, boundary conditions, receptor locations, source locations, and emission rates, may be entered interactively, or through existing template files from a previous run. Meteorological data, including wind speeds, wind directions, rain rates (optionally, for wet deposition calculations), and time of day and year, may be of arbitrary time increment (usually an hour) and are entered into the model through an external meteorological data file. Optionally, users may specify diffusivities and upper boundary conditions for each time increment. Source emission rates may be constant or modulated on a daily, weekly, and/or seasonal basis.

c. Output

Output from WYNDvalley includes gridded contour maps of the highest pollutant concentrations at each time step and the highest and second-highest 24-hour average concentrations. Output also includes the deposition patterns for wet, dry, and total fluxes of the pollutants to the surface, integrated over the simulation period. A running ''movie'' of the concentration patterns is displayed on the screen (with optional printout) as they evolve during the simulation. Output files include tables of daily-averaged pollutant concentrations at

every modeled grid cell, and of hourly concentrations at up to eight specified receptors. Statistical analyses are performed on the hourly and daily data to estimate the probabilities that specified levels will be exceeded more than once during an arbitrary number of days with similar weather.

d. Type of Model

WYNDvalley is a three dimensional Eulerian grid model.

e. Pollutant Types

WYNDvalley may be used to model any inert pollutant.

f. Source-Receptor Relationships

Source and receptors may be located anywhere within the user-defined modeling domain. All point and area sources, or portions of an area source, within a given grid cell are summed to define a representative emission rate for that cell. Concentrations are calculated for each and every grid cell in the modeling domain. Up to eight grid cells may be selected as receptors, for which time histories of concentration and deposition fluxes are determined, and probabilities of exceedance are calculated.

g. Plume Behavior

Emissions for buoyant point sources are placed by the user in a grid cell which best reflects the expected effective plume height during stagnation conditions. Five vertical layers are available to the user.

h. Horizontal Winds

During each time step in the model, the winds are assumed to be uniform throughout the modeling domain. Numerical diffusion is minimized in the advection algorithm. To account for terrain effects on winds and dispersion, an ad hoc algorithm is employed in the model to distribute concentrations near boundaries.

i. Vertical Wind Speed

Winds are assumed to be constant with height.

j. Horizontal Dispersion

Horizontal eddy diffusion coefficients may be entered explicitly by the user at every time step. Alternatively, a default algorithm may be invoked to estimate these coefficients from the wind velocities and their variances.

k. Vertical Dispersion

Vertical eddy diffusion coefficients and a top-of-model boundary condition may be entered explicitly by the user at every time step. Alternatively, a default algorithm may be invoked to estimate these coefficients from the horizontal wind velocities and their variances, and from an empirical time-of-day correction derived from temperature gradient measurements and Monin-Obukhov similarities.

l. Chemical Transformation

Chemical transformation is not explicitly treated by WYNDvalley.

m. Physical Removal

WYNDvalley optionally simulates both wet and dry deposition. Dry deposition is proportional to concentration in the lowest layer, while wet deposition is proportional to rain rate and concentration in each layer. Appropriate coefficients (deposition velocities and washout ratios) are input by the user.

n. Evaluation Studies

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Maykut, N. et al., 1990. Evaluation of the Atmospheric Deposition of Toxic Contaminants to Puget Sound. State of Washington, Puget Sound Water Quality Authority, Seattle, WA.

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Turner, D.B., 1969. Workbook of Atmospheric Dispersion Estimates. PHS Publication No. 999–AP–26. U.S. Environmental Protection Agency, Research Triangle Park, NC.

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Appendix C to Appendix W of Part 51—Example Air Quality Analysis Checklist

C.0 Introduction

This checklist recommends a standardized set of data and a standard basic level of analysis needed for PSD applications and SIP revisions. The checklist implies a level of detail required to assess both PSD increments and the NAAQS. Individual cases may require more or less information and the Regional Meteorologist should be consulted at an early stage in the development of a data base for a modeling analysis.

At pre-application meetings between source owner and reviewing authority, this checklist should prove useful in developing a consensus on the data base, modeling techniques and overall technical approach prior to the actual analyses. Such agreement will help avoid misunderstandings concerning the final results and may reduce the later need for additional analyses.

EXAMPLE AIR QUALITY ANALYSIS CHECKLIST [1]

1. Source location map(s) showing location with respect to:
- Urban areas [2]
- PSD Class I areas
- Nonattainment areas [2]
- Topographic features (terrain, lakes, river valleys, etc.) [2]
- Other major existing sources [2]
- Other major sources subject to PSD requirements
- NWS meteorological observations (surface and upper air)
- On-site/local meteorological observations (surface and upper air)
- State/local/on-site air quality monitoring locations [2]
- Plant layout on a topographic map covering a 1km radius of the source with information sufficient to determine GEP stack heights

2. Information on urban/rural characteristics:
- Land use within 3km of source classified according to Auer (1978): Correlation of land use and cover with meteorological anomalies. Journal of Applied Meteorology, 17: 636–643.
- Population
  –> total
  –> density
- Based on current guidance determination of whether the area should be addressed using urban or rural modeling methodology

3. Emission inventory and operating/design parameters for major sources within region of significant impact of proposed site (same as required for applicant)
- Actual and allowable annual emission rates (g/s) and operating rates [3]
- Maximum design load short-term emission rate (g/s) [3]
- Associated emissions/stack characteristics as a function of load for maximum, average, and nominal operating conditions if stack height is less than GEP or located in complex terrain. Screening analyses as footnoted above or detailed analyses, if necessary, must be employed to determine the constraining load condition (e.g., 50%, 75%, or 100% load) to be relied upon in the short-term modeling analysis.
  —location (UTM's)
  —height of stack (m) and grade level above MSL
  —stack exit diameter (m)
  —exit velocity (m/s)
  —exit temperature (°K)
- Area source emissions (rates, size of area, height of area source)[3]
- Location and dimensions of buildings (plant layout drawing)
  —to determine GEP stack height
  —to determine potential building downwash considerations for stack heights less than GEP
- Associated parameters
  —boiler size (megawatts, pounds/hr. steam, fuel consumption, etc.)
  —boiler parameters (% excess air, boiler type, type of firing, etc.)
  —operating conditions (pollutant content in fuel, hours of operation, capacity factor, % load for winter, summer, etc.)
  —pollutant control equipment parameters (design efficiency, operation record, e.g., can it be bypassed?, etc.)
- Anticipated growth changes

4. Air quality monitoring data:
- Summary of existing observations for latest five years (including any additional quality assured measured data which can be obtained from any state or local agency or company) [4]
- Comparison with standards
- Discussion of background due to uninventoried sources and contributions from outside the inventoried area and description of the method used for determination of background (should be consistent with the Guideline)

5. Meteorological data:
- Five consecutive years of the most recent representative sequential hourly National Weather Service (NWS) data, or one or more years of hourly sequential on-site data
- Discussion of meteorological conditions observed (as applied or modified for the site-specific area, i.e., identify possible variations due to difference between the monitoring site and the specific site of the source)
- Discussion of topographic/land use influences

6. Air quality modeling analyses:
- Model each individual year for which data are available with a recommended model or model demonstrated to be acceptable on a case-by-case basis
  —urban dispersion coefficients for urban areas
  —rural dispersion coefficients for rural areas
- Evaluate downwash if stack height is less than GEP
- Define worst case meteorology
- Determine background and document method
  —long-term
  —short-term
- Provide topographic map(s) of receptor network with respect to location of all sources
- Follow current guidance on selection of receptor sites for refined analyses
- Include receptor terrain heights (if applicable) used in analyses
- Compare model estimates with measurements considering the upper ends of the frequency distribution
- Determine extent of significant impact; provide maps
- Define areas of maximum and highest, second-highest impacts due to applicant source (refer to format suggested in Air Quality Summary Tables)
  –> long-term
  –> short-term

7. Comparison with acceptable air quality levels:
- NAAQS
- PSD increments
- Emission offset impacts if nonattainment

8. Documentation and guidelines for modeling methodology:
- Follow guidance documents
  –> Appendix W to 40 CFR Part 51
  –> "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised" (EPA–450/R–92–019), 1992
  –> "Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)" (EPA–450/4–80–023R), 1985
  –> "Ambient Monitoring Guidelines for PSD" (EPA–450/4–87–007), 1987
  –> Applicable sections of 40 CFR Parts 51 and 52.

[1] The "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October 1992 (EPA–450/R–92–019), should be used as a screening tool to determine whether modeling analyses are required. Screening procedures should be refined by the user to be site/problem specific.

[2] Within 50km or distance to which source has a significant impact, whichever is less.

[3] Particulate emissions should be specified as a function of particulate diameter and density ranges.

[4] See footnote 2 of this Appendix C.

AIR QUALITY SUMMARY—FOR NEW SOURCE ALONE

	Highest	Highest 2d high	Highest	Highest 2d high	Annual
Pollutant:	_____ [1]	_____ [2]	_____ [2]		
Concentration due to modeled source (μg/m³).					
Background concentration (μg/m³)					
Total concentration (μg/m³)					
Receptor distance (km) (or UTM easting).					
Receptor direction (°) (or UTM northing).					
Receptor elevation (m)					
Wind speed (m/s)					
Wind direction (°)					
Mixing depth (m)					
Temperature (°K)					
Stability					
Day/month/year of occurrence					
Surface air data from					
Surface station elevation (m)					
Anemometer height above local ground level (m).					
Upper air data from					
Period of record analyzed					
Model used					
Recommended model					

[1] Use separate sheet for each pollutant (SO_2, PM–10, CO, NO_X, HC, Pb, Hg, Asbestos, etc.).
[2] List all appropriate averaging periods (1-hr, 3-hr, 8-hr, 24-hr, 30-day, 90-day, etc.) for which an air quality standard exists.

AIR QUALITY SUMMARY—FOR ALL NEW SOURCES

	Highest	Highest 2nd high	Highest	Highest 2nd high	Annual
Pollutant:	_____ [1]	_____ [2]	_____ [2]		
Concentration due to modeled source (μg/m³).					
Background concentration (μg/m³)					
Total concentration (μg/m³)					
Receptor distance (km) (or UTM easting).					
Receptor direction (°) (or UTM northing).					
Receptor elevation (m)					
Wind speed (m/s)					
Wind direction (°)					
Mixing depth (m)					
Temperature (°K)					
Stability					
Day/month/year of occurrence					
Surface air data from					
Surface station elevation (m)					
Anemometer height above local ground level (m).					
Upper air data from					
Period of record analyzed					
Model used					
Recommended model					

[1] Use separate sheet for each pollutant (SO_2, PM–10, CO, NO_x, HC, Pb, Hg, Asbestos, etc.).
[2] List all appropriate averaging periods (l-hr, 3-hr, 8-hr, 24-hr, 30-day, 90-day, etc.) for which an air quality standard exists.

AIR QUALITY SUMMARY—FOR ALL SOURCES

	Highest	Highest 2nd high	Highest	Highest 2nd high	Annual
Pollutant:	_____ [1]	_____ [2]	_____ [2]		
Concentration due to modeled source (μg/m³).	.....	.....	.....	.....	
Background concentration (μg/m³)	.....	.....	.....	.....	
Total concentration (μg/m³)	.....	.....	.....	.....	

AIR QUALITY SUMMARY—FOR ALL SOURCES—Continued

	Highest	Highest 2nd high	Highest	Highest 2nd high	Annual
Receptor distance (km) (or UTM easting).	.....	.....	.....	.....	
Receptor direction (°) (or UTM northing).	.....	.....	.....	.....	
Receptor elevation (m)	.....	.....	.....	.....	
Wind speed (m/s)	.....	.....	.....	.....	
Wind direction (°)	.....	.....	.....	.....	
Mixing depth (m)	.....	.....	.....	.....	
Temperature (°K)	.....	.....	.....	.....	
Stability	.....	.....	.....	.....	
Day/month/year of occurrence	.....	.....	.....	.....	
Surface air data from	.....	.....	.....	.....	
Surface station elevation (m)	.....	.....	.....	.....	
Anemometer height above local ground level (m).	.....	.....	.....	.....	
Upper air data from	.....	.....	.....	.....	
Period of record analyzed	.....	.....	.....	.....	
Model used	.....	.....	.....	.....	
Recommended model	.....	.....	.....	.....	

[1] Use separate sheet for each pollutant (SO_2, PM–10, CO, NO_X, HC, Pb, Hg, Asbestos, etc.)
[2] List all appropriate averaging periods (1-hr, 3-hr, 8-hr, 24-hr, 30-day, 90-day, etc.) for which an air quality standard exists.

STACK PARAMETERS FOR ANNUAL MODELING

Stack No.	Serving	Emission rate for each pollutant (g/s)	Stack exit diameter (m)	Stack exit velocity (m/s)	Stack exit temperature (°K)	Physical height	Stack (m)	GEP stack ht. (m)	Stack base elevation (m)	Building dimensions (m)		
										Height	Width	Length

STACK PARAMETERS FOR SHORT-TERM MODELING [1]

Stack No.	Serving	Emission rate for each pollutant (g/s)	Stack exit diameter (m)	Stack exit velocity (m/s)	Stack exit temperature (°K)	Physical height	Stack (m)	GEP stack ht. (m)	Stack base elevation (m)	Building dimensions (m)		
										Height	Width	Length

[1] Separate tables for 50%, 75%, 100% of full operating condition (and any other operating conditions as determined by screening or detailed modeling analyses to represent constraining operating conditions) should be provided.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. § 52.21 is amended by revising paragraph (l)(1) and the first sentence of paragraph (l)(2) to read as follows:

§ 52.21 Prevention of significant deterioration of air quality.

* * * * *

(l) * * *

(1) All estimates of ambient concentrations required under this paragraph shall be based on applicable air quality models, data bases, and other requirements specified in appendix W of part 51 of this chapter (Guideline on Air Quality Models).

(2) Where an air quality model specified in appendix W of part 51 of this chapter (Guideline on Air Quality Models) is inappropriate, the model may be modified or another model substituted. * * *

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Part III

Department of Health and Human Services

Administration for Children and Families

Developmental Disabilities: Availability of Financial Assistance for Projects of National Significance for Fiscal Year 1996; Notice

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. 93631–96–03]

Developmental Disabilities: Availability of Financial Assistance for Projects of National Significance for Fiscal Year 1996

AGENCY: Administration on Developmental Disabilities (ADD), Administration for Children and Families (ACF).

ACTION: Announcement of availability of financial assistance for Projects of National Significance for fiscal year 1996.

SUMMARY: The Administration on Developmental Disabilities, Administration for Children and Families, announces that applications are being accepted for funding of Fiscal Year 1996 Projects of National Significance.

This program announcement consists of five parts. Part I, the Introduction, discusses the goals and objectives of ACF and ADD. Part II provides the necessary background information on ADD for applicants. Part III describes the review process. Part IV describes the priority under which ADD solicits applications for Fiscal Year 1996 funding of projects. Part V describes in detail how to prepare and submit an application. All of the forms and instructions necessary to submit an application are published as part of this announcement following Part V.

No separate application kit is either necessary or available for submitting an application. If you have a copy of this announcement, you have all the information and forms required to submit an application.

Grants will be awarded under this program announcement subject to the availability of funds for support of these activities.

DATE: The closing date for submittal of applications under this announcement is September 11, 1996.

ADDRESSES: Applications should be mailed to: Department of Health and Human Services, ACF/Division of Discretionary Grants, Sixth Floor, 370 L'Enfant Promenade SW, Washington, DC 20447, Attn: 93.631 ADD—Projects of National Significance.

Applications handcarried by applicants, applicant couriers, or by overnight/express mail couriers shall be considered as meeting an announced deadline if they are received on or before the deadline date, between the hours of 8:00 a.m. and 4:30 p.m., at the U.S. Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, ACF Mailroom, 2nd Floor Loading Dock, Aerospace Center, 901 D Street, S.W., Washington, D.C. 20024, between Monday and Friday (excluding weekends and Federal holidays). Any applications received after 4:30 p.m. on the deadline date will not be considered for competition. Applicants using express/overnight services should allow two working days prior to the deadline date for receipt of applications. (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.)

FOR FURTHER INFORMATION CONTACT: Adele Gorelick, Program Development Division, Administration on Developmental Disabilities, (202) 690–5982.

SUPPLEMENTARY INFORMATION:

Part I. General Information

A. Goals of the Administration on Developmental Disabilities

The Administration on Developmental Disabilities (ADD) is located within the Administration for Children and Families (ACF), Department of Health and Human Services (DHHS). Although different from the other ACF program administrations in the specific populations it serves, ADD shares a common set of goals that promote the economic and social well-being of families, children, individuals and communities. Through national leadership, ACF and ADD envision:

- Families and individuals empowered to increase their own economic independence and productivity;
- Strong, healthy, supportive communities having a positive impact on the quality of life and the development of children;
- Partnerships with individuals, front-line service providers, communities, States and Congress that enable solutions which transcend traditional agency boundaries;
- Services planned and integrated to improve client access;
- A strong commitment to working with Native Americans, persons with developmental disabilities, refugees and migrants to address their needs, strengths and abilities; and
- A community-based approach that recognizes and expands on the resources and benefits of diversity.

Emphasis on these goals and progress toward them will help more individuals, including people with developmental disabilities, to live productive and independent lives integrated into their communities. The Projects of National Significance Program is one means through which ADD promotes the achievement of these goals.

B. Purpose of the Administration on Developmental Disabilities

The Administration on Developmental Disabilities (ADD) is the lead agency within ACF and DHHS responsible for planning and administering programs which promote the self-sufficiency and protect the rights of persons with developmental disabilities.

The Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6000, *et seq.*) (the Act) supports and provides assistance to States and public and private nonprofit agencies and organizations to assure that individuals with developmental disabilities and their families participate in the design of and have access to culturally competent services, supports, and other assistance and opportunities that promote independence, productivity, integration and inclusion into the community.

In the Act, Congress expressly found that:

- Disability is a natural part of the human experience that does not diminish the right of individuals with developmental disabilities to enjoy the opportunity for independence, productivity, integration and inclusion into the community;
- Individuals whose disabilities occur during their developmental period frequently have severe disabilities that are likely to continue indefinitely;
- Individuals with developmental disabilities often require lifelong specialized services and assistance, provided in a coordinated and culturally competent manner by many agencies, professionals, advocates, community representatives, and others to eliminate barriers and to meet the needs of such individuals and their families;

The Act further established as the policy of the United States:

- Individuals with developmental disabilities, including those with the most severe developmental disabilities, are capable of achieving independence, productivity, integration and inclusion into the community, and often require the provision of services, supports and other assistance to achieve such;
- Individuals with developmental disabilities have competencies, capabilities and personal goals that

should be recognized, supported, and encouraged, and any assistance to such individuals should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual;

• Individuals with developmental disabilities and their families are the primary decision makers regarding the services and supports such individuals and their families receive; and play decision making roles in policies and programs that affect the lives of such individuals and their families; and

• It is in the nation's interest for people with developmental disabilities to be employed, and to live conventional and independent lives as a part of families and communities.

Toward these ends, ADD seeks to enhance the capabilities of families in assisting people with developmental disabilities to achieve their maximum potential to support the increasing ability of people with developmental disabilities to exercise greater choice and self-determination; to engage in leadership activities in their communities; as well as to ensure the protection of their legal and human rights.

The four programs funded under the Act are:

• Federal assistance to State developmental disabilities councils;

• State system for the protection and advocacy of individual rights;

• Grants to University Affiliated Programs for interdisciplinary training, exemplary services, technical assistance, and information dissemination; and

• Grants for Projects of National Significance.

C. Statutory Authorities Covered Under This Announcement

The Developmental Disabilities Assistance and Bill of Rights Act of 1994, 42 U.S.C. 6000, *et seq.* The Projects of National Significance is Part E of the Developmental Disabilities Assistance and Bill of Rights Act of 1994, 42 U.S.C. 6081, *et seq.*

Part II. Background Information For Applicants

A. Description of Projects of National Significance

Under Part E of the Act, grants and contracts are awarded for projects of national significance that support the development of national and State policy to enhance the independence, productivity, and integration and inclusion of individuals with developmental disabilities through:

• Data collection and analysis;

• Technical assistance to enhance the quality of State developmental disabilities councils, protection and advocacy systems, and university affiliated programs; and

• Other projects of sufficient size and scope that hold promise to expand or improve opportunities for people with developmental disabilities, including:

—Technical assistance for the development of information and referral systems;

—Educating policy makers;

—Federal interagency initiatives;

—The enhancement of participation of minority and ethnic groups in public and private sector initiatives in developmental disabilities;

—Transition of youth with developmental disabilities from school to adult life; and

—Special pilots and evaluation studies to explore the expansion of programs under part B (State developmental disabilities councils) to individuals with severe disabilities other than developmental disabilities.

B. Comments on FY 1996 Proposed Priority Areas

The notice soliciting comments on the FY 1996 proposed priority areas was published in the Federal Register on April 12, 1996 (60 FR 2760). A 60-day period was required to allow the public to comment on the proposed areas. After review and analysis of these comments, ADD is publishing its final priority in this announcement.

The public comment notice requested specific comments and suggestions on the proposed funding priority and recommendations for additional priority areas to help bring about the increased independence, productivity, and integration into the community of people with developmental disabilities.

ADD received 105 letters by the closing date in response to the public comment notice. Commentary was from the following sources:

• Advocacy agencies, including national organizations and associations, national advocacy groups and State/local advocacy groups;

• Service organizations, including agencies that provide services for individuals with developmental disabilities as well as providing advocacy services on behalf of a particular disability, including developmental disabilities councils;

• Educational systems, including schools, colleges, and universities, programs located within a university setting and University Affiliated Programs;

• Private agencies, including national, State, and local nonprofit organizations;

• Government agencies, including Federal, State, county, and local government agencies;

• Private individuals; and

• Foundations.

Comments ranged from requests for copies of the final application solicitation, to general support, to substantive, insightful responses for this year's proposed funding priority and recommendations for other priority areas. The vast majority supported and expanded upon what we proposed in the announcement, in addition to relating specifically to the program goals and priorities of the particular agencies submitting the comments.

The comments helped highlight the concerns of the developmental disabilities field and have been used in refining the final priority area.

Comment: Twenty-two letters recommended additional funding priorities for FY 1996. Suggestions included projects addressing: the need for best practices in service delivery as related to direct care/supports and the development of curriculum; inclusion activities in the adult population that empower adults and family members; information on the impact of creative arts experiences on children and adults with developmental disabilities; effective models of community-based support or community building; data collection and analysis on the employment and economic status of adults with mental retardation who participate in sheltered workshop programs; providing on-going support services to individuals who don't need intensive services; the use of personal futures planning with youths with developmental disabilities in juvenile institutions; exploring inclusion within generic community development; support to the rehabilitation, training, and service delivery networks which serve children at-risk and with special needs; exploring the applicability of the Baldridge principles to Developmental Disabilities Councils; developing a system to identify clinical guidelines/pathways/protocols appropriate to the long-term health needs of persons with disabilities who receive medicaid managed care services; collecting consumer input on major topics through electronic town meetings; interdisciplinary training and coordination of medical and educational professionals to promote early and accurate diagnosis and treatment of individuals with learning disabilities; consumers and families having access to information on services and programs at

the local, state, and federal levels; studying the characteristics of successful systems change activities; studies on rare disorders and orphan diseases; and pilot testing and further development of outcome measures model for ADD's component programs.

Response: Inclusion and integration of individuals with developmental disabilities is a key element in the mission and purpose of ADD. ADD funding priorities have always required projects to be implemented in an inclusive manner and inclusiveness is a thread that runs through all facets of ADD.

The comments on the need for continued efforts to promote and achieve inclusiveness whether in building bridges with generic community resources, assisting those to return to their communities after incarceration, or exploring total quality management principles to improve our programs and services represent the gauges/measures that indicate directions for change. Our commitment to inclusiveness is reflected in ADD's existing PNS projects in child care, criminal justice, first jobs and others.

Managed care is an emerging trend that is rapidly becoming the major means to secure health care services for low-income, publicly assisted individuals. ADD is very much aware of the issues and problems encountered by people with developmental disabilities and their families. We share the concerns of many people in the field of developmental disabilities and will explore ways for ADD to play a role in assisting States and others to ensure that managed care plans are equitable and appropriate for *all*.

There were a few inquiries about the technical assistance projects for the three developmental disabilities programs not being included in this announcement. These contracts are not expiring this year; thus they do not need to be competed.

ADD appreciates the suggestions for additional priority areas. It is a valuable process that allows ADD to gain insight into the strengths and weaknesses of programs and services at the community level, and identify avenues to explore for improvement. These comments are a reminder that the goals of independence, integration, productivity, and integration of individuals with developmental disabilities have not been fulfilled and that we must be vigilant in their pursuit. We hope that the next fiscal year will allow us to offer an array of project possibilities and at that time your suggestions for new priority areas will be most helpful.

Comment: ADD received 83 comments on the Proposed Priority Area, Ongoing Data Collection and Information Dissemination. There was strong support for the data collection projects; especially the National Study of Public Spending. Many letters cited the usefulness of the data in comparing progress with other States; as a benchmark for measuring effectiveness; in preparing legislative budget requests; and in analyzing trends and project future needs and service costs. One commenter noted, ''The current projects funded under this priority area are essential to policy makers, state planning agencies, advocates, educational institutions and service providers.'' Others stated that the information isn't available from any other source, no one State or organization has the capability to collect and assess such data, and it's vital for developing of both State and national policy. A common concern expressed by many was that the current effort to curtail spending makes it more critical to keep track of where money is going and how it's being used. Another reported that the ''Data is particularly important as we try to address cultural competence and service equity within our state.''

The need to develop employment models involving trends and analyses that accurately predict employment outcomes of persons with developmental disabilities was a suggested addition to the employment data study. Systemic factors that both impede and motivate organizations and agencies to restructure in order to provide integrated employment should be studied.

Dissemination is a critical piece of these data collection projects and the importance of making this information available and accessible to a broader community via the internet or by some other means was suggested as a focus for these projects. New data bases were suggested; one that would study the use by young families of generic community resources versus the existing special delivery system; another on the outcomes experienced by individuals with disabilities who receive publicly funded residential services; and a third that would examine the impact of managed care and changes in Federal-State partnerships. The comprehensiveness and comparability of the data bases to capture such information as the environments where people receive services and how much is spent per person served and how one State compares with other States was expressed as a needed change.

Response: ADD was very pleased to receive such positive comments about its three data collection projects. At this time when we are moving toward outcome measurements that indicate impact and quality we can look toward the work of these projects as examples. Yet we know we must continue striving to improve the lives of persons with developmental disabilities and their families; your suggestions have given ADD ideas for doing so.

Because the Internet has enormous potential for accessing and sharing information, we would expect these projects, along with newly funded PNS initiatives, to explore this and other forms of effective, accessible, and affordable communication and technical assistance to those who may have an interest.

Part III. The Review Process

A. Eligible Applicants

Before applications are reviewed, each will be screened to determine that the applicant is eligible for funding as specified under the selected priority area. Applications from organizations which do not meet the eligibility requirements for the priority area will not be considered or reviewed in the competition, and the applicant will be so informed.

Only public or non-profit private entities, not individuals, are eligible to apply under any of the priority areas. All applications developed jointly by more than one agency or organization must identify only one organization as the lead organization and official applicant. The other participating agencies and organizations can be included as co-participants, subgrantees or subcontractors.

Nonprofit organizations must submit proof of nonprofit status in their applications at the time of submission. One means of accomplishing this is by providing a copy of the applicant's listing in the Internal Revenue Service's most recent list of tax-exempt organizations described in section 501 (c)(3) of the IRS code or by providing a copy of the currently valid IRS tax exemption certificate, *or* by providing a copy of the articles of incorporation bearing the seal of the State in which the corporation or association is domiciled.

ADD cannot fund a nonprofit applicant without acceptable proof of its nonprofit status.

B. Review Process and Funding Decisions

Timely applications from eligible applicants received by the deadline date

will be reviewed and scored competitively. Experts in the field, generally persons from outside of the Federal government, will use the appropriate evaluation criteria listed later in this Part to review and score the applications. The results of this review are a primary factor in making funding decisions.

ADD reserves the option of discussing applications with, or referring them to, other Federal or non-Federal funding sources when this is determined to be in the best interest of the Federal government or the applicant. It may also solicit comments from ADD Regional Office staff, other Federal agencies, interested foundations, national organizations, specialists, experts, States and the general public. These comments, along with those of the expert reviewers, will be considered by ADD in making funding decisions.

In making decisions on awards, ADD will consider whether applications focus on or feature: services to culturally diverse or ethnic populations among others; a substantially innovative strategy with the potential to improve theory or practice in the field of human services; a model practice or set of procedures that holds the potential for replication by organizations administering or delivering of human services; substantial involvement of volunteers; substantial involvement (either financial or programmatic) of the private sector; a favorable balance between Federal and non-Federal funds available for the proposed project; the potential for high benefit for low Federal investment; a programmatic focus on those most in need; and/or substantial involvement in the proposed project by national or community foundations.

To the greatest extent possible, efforts will be made to ensure that funding decisions reflect an equitable distribution of assistance among the States and geographical regions of the country, rural and urban areas, and ethnic populations. In making these decisions, ADD may also take into account the need to avoid unnecessary duplication of effort.

C. Evaluation Criteria

Using the evaluation criteria below, a panel of at least three reviewers (primarily experts from outside the Federal government) will review the applications. To facilitate this review, applicants should ensure that they address each minimum requirement in the priority area description under the appropriate section of the Program Narrative Statement.

Reviewers will determine the strengths and weaknesses of each application in terms of the evaluation criteria, provide comments, and assign numerical scores. The point value following each criterion heading indicates the maximum numerical weight that each section may be given in the review process.

All applications will be evaluated against the following criteria:

1. Objectives and Need for Assistance (20 points)

The extent to which the application pinpoints any relevant physical, economic, social, financial, institutional or other problems requiring a solution; demonstrates the need for the assistance; states the principal and subordinate objectives of the project; provides supporting documentation or other testimonies from concerned interests other than the applicant; and includes and/or footnotes relevant data based on the results of planning studies. The application must identify the precise location of the project and area to be served by the proposed project. Maps and other graphic aids should be attached.

2. Results or Benefits Expected (20 points)

The extent to which the application identifies the results and benefits to be derived, the extent to which they are consistent with the objectives of the application, and the extent to which the application indicates the anticipated contributions to policy, practice, theory and/or research. The extent to which the proposed project costs are reasonable in view of the expected results.

3. Approach (35 points)

The extent to which the application outlines a sound and workable plan of action pertaining to the scope of the project, and details how the proposed work will be accomplished; cites factors which might accelerate or decelerate the work, giving acceptable reasons for taking this approach as opposed to others; describes and supports any unusual features of the project, such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvements; and provides for projections of the accomplishments to be achieved. Activities to be carried out should be listed in chronological order, showing a reasonable schedule of accomplishments and target dates.

The extent to which, when applicable, the application identifies the kinds of data to be collected and maintained, and discusses the criteria to be used to evaluate the results and successes of the project. The extent to which the application describes the evaluation methodology that will be used to determine if the needs identified and discussed are being met and if the results and benefits identified are being achieved. The application also lists each organization, agency, consultant, or other key individuals or groups who will work on the project, along with a description of the activities and nature of their effort or contribution.

4. Staff Background and Organization's Experience (25 points)

The application identifies the background of the project director/principal investigator and key project staff (including name, address, training, educational background and other qualifying experience) and the experience of the organization to demonstrate the applicant's ability to effectively and efficiently administer this project. The application describes the relationship between this project and other work planned, anticipated or under way by the applicant which is being supported by Federal assistance.

D. Structure of Priority Area Descriptions

The priority area description is composed of the following sections:

- Eligible Applicants: This section specifies the type of organization which is eligible to apply under the particular priority area. Specific restrictions are also noted, where applicable.
- Purpose: This section presents the basic focus and/or broad goal(s) of the priority area.
- Background Information: This section briefly discusses the legislative background as well as the current state-of-the-art and/or current state-of-practice that supports the need for the particular priority area activity. Relevant information on projects previously funded by ACF and/or other State models are noted, where applicable.
- Minimum Requirements for Project Design: This section presents the basic set of issues that must be addressed in the application. Typically, they relate to project design, evaluation, and community involvement. This section also asks for specific information on the proposed project. Inclusion and discussion of these items is important since they will be used by the reviewers to evaluate the applications against the evaluation criteria. Project products, continuation of the project after Federal support ceases, and dissemination/utilization activities, if appropriate, are also addressed.

• Project Duration: This section specifies the maximum allowable length of the project period; it refers to the amount of time for which Federal funding is available.

• Federal Share of Project Costs: This section specifies the maximum amount of Federal support for the project.

• Matching Requirement: This section specifies the minimum non-Federal contribution, either cash or in-kind match, required.

• Anticipated Number of Projects To Be Funded: This section specifies the number of projects ADD anticipates funding under the priority area.

• CFDA: This section identifies the Catalog of Federal Domestic Assistance (CFDA) number and title of the program under which applications in this priority area will be funded. This information is needed to complete item 10 on the SF 424.

Please note that applications that do not comply with the specific priority area requirements in the section on ''Eligible Applicants'' will not be reviewed.

Applicants must clearly identify the specific priority area under which they wish to have their applications considered, and tailor their applications accordingly. Experience has shown that an application which is broader and more general in concept than outlined in the priority area description is less likely to score as well as an application more clearly focused on, and directly responsive to, the concerns of that specific priority area.

E. Available Funds

ADD intends to award new grants resulting from this announcement during the fourth quarter of fiscal year 1996, subject to the availability of funding. The size of the awards will vary. Each priority area description includes information on the maximum Federal share of the project costs and the anticipated number of projects to be funded.

The term ''budget period'' refers to the interval of time (usually 12 months) into which a multi-year period of assistance (project period) is divided for budgetary and funding purposes. The term ''project period'' refers to the total time a project is approved for support, including any extensions.

Where appropriate, applicants may propose shorter project periods than the maximums specified in the various priority areas. Non-Federal share contributions may exceed the minimums specified in the various priority areas.

For multi-year projects, continued Federal funding beyond the first budget period, but within the approved project period, is subject to the availability of funds, satisfactory progress of the grantee and a determination that continued funding would be in the best interest of the Government.

F. Grantee Share of Project Costs

Grantees must provide at least 25% of the total approved cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting $100,000 in Federal funds (based on an award of $100,000 per budget period) must include a match of at least $33,333 (25% total project cost).

Applications originating from American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands are exempted from the grantee cost-sharing requirements. Applications from these jurisdictions are covered under Section 501(d) of Public Law 95–134, which requires that the Department waive ''any requirement for local matching funds for grants under $200,000.''

The applicant contribution must generally be secured from non-Federal sources. Except as provided by Federal statute, a cost-sharing or matching requirement may not be met by costs borne by another Federal grant. However, funds from some Federal programs benefitting Tribes and Native American organizations have been used to provide valid sources of matching funds. If this is the case for a Tribe or Native American organization submitting an application to ADD, that organization should identify the programs which will be providing the funds for the match in its application. If the application successfully competes for PNS grant funds, ADD will determine whether there is statutory authority for this use of the funds. The Administration for Native Americans and the DHHS Office of General Counsel will assist ADD in making this determination.

G. Cooperation in Evaluation Efforts

Grantees funded by ADD may be requested to cooperate in evaluation efforts funded by ADD. The purpose of these evaluation activities is to learn from the combined experience of multiple projects funded under a particular priority area.

H. Closed Captioning for Audiovisual Efforts

Applicants are encouraged to include ''closed captioning'' in the development of any audiovisual products.

Part IV. Fiscal Year 1996 Priority Area for Projects of National Significance—Description and Requirements

The following section presents the final priority area for Fiscal Year 1996 Projects of National Significance (PNS) and solicits the appropriate applications.

Fiscal Year 1996 Priority Area: Ongoing Data Collection and Information Dissemination

• *Eligible Applicants:* State agencies, public or private nonprofit organizations, institutions or agencies.

• *Purpose:* Under this priority area, ADD will award grant funds through a cooperative agreement which will collect data on public expenditures, employment and economic status, residential services, and other factors as they impact the independence, productivity, integration and inclusion into the community of persons with developmental disabilities. ADD is particularly interested in the maximum use of existing data bases and in fostering the broadest dissemination to, and use of, the data by consumers, families and advocacy audiences. Examples of successful projects that ADD has funded include:

University of Minnesota: National Recurring Data Set Project on Residential Services—Ongoing National and State-by-State Data Collection and Policy/Impact Analysis on Residential Services for Persons with Developmental Disabilities (Charles Lakin: 612/624–2097)

University of Illinois at Chicago: Fourth National Study of Public Mental Retardation/Developmental Disabilities Spending (David Braddock: 312/413–1647)

Boston Children's Hospital: Ongoing National Collection on Data and Employment Services for Citizens with Developmental Disabilities (Bill Kiernan: 617/735–6506)

Examples of projects include activities which would:

• Identify, collect and disseminate new data bases.

• Modify, expand and/or reformulate existing data bases.

• Connect, integrate or analyze available data bases.

• Project and model the cost-benefit impact of alternative future decisions based on the analysis of discrete programmatic options in the areas of residential services and employment.

• Allow for the comprehensiveness and comparability of data bases.

• Minimum Requirements for Project Design: Given its interest in promoting the increased independence, productivity, integration and inclusion of people with developmental disabilities in a cost-beneficial manner, ADD is open to applications that address additional quantitative and qualitative analysis in the following areas:

• Trends in the movement of people with developmental disabilities from institutional to community settings (especially domiciles of their own) and the outcomes experienced by individuals with disabilities who receive publicly funded residential services.

• The impact of managed care plans on the delivery and efficacy of residential and support services to individuals with developmental disabilities, and on the relationship between Federal and State governments.

• The efficacy of various approaches to the full inclusion of people with developmental disabilities in local community activities where the majority of participants do not have a disability.

• The employment status of people with developmental disabilities on a state and national basis.

• Employment models that accurately predict employment outcomes of persons with developmental disabilities, and the systemic factors that lead to integrated employment.

• The use of generic community resources versus the existing special delivery system by people with developmental disabilities and their families.

Any sampling techniques used as part of this analysis should be broadly representative of persons with developmental disabilities of employment age on a national basis, including people with severe disabilities. Quantitative data should provide statistical information on current placement patterns and their cost as well as projections regarding future placement options and associated costs. It is also recognized that certain areas may be more appropriate for qualitative analysis, although a summary of any quantitative data (if available) should be included in the proposal.

All projects funded under this priority area must provide evidence of the soundness of their proposed research methods and analytic techniques. In addition, proposals should clearly delineate (via a comprehensive literature review) existing data sets, how these data sets will be incorporated into the research design, and what new knowledge will be gained through the proposed project.

All projects shall provide for the widespread distribution of their products (reports, summary documents, audio-visual materials, and the like) in accessible formats to a national audience consisting of, at a minimum, people with developmental disabilities and their families, advocacy groups, State Developmental Disabilities Councils, Protection and Advocacy Systems, University Affiliated Programs, State Mental Retardation/ Developmental Disabilities Directors, State Governor's Offices, Federal agencies represented on the Interagency Committee on Developmental Disabilities, as well as the Secretaries of Health and Human Services and Education at the federal level.

Applications should also include provisions for the travel of two key personnel during the first and last years of the project to Washington, DC for a one-day meeting with ADD staff.

The application must also respond to the following:

• Describe the physical setting, the administrative and organizational structure within which the program will function, and internal and external organizational relationships relevant to this project. Include charts outlining these relationships, and any formal agreements defining them in the appendices.

• Describe staff, space, equipment, research facilities, and other supports available to carry out the project.

• Describe briefly how the additional resources sought to accomplish the purposes of this effort will be integrated into, and augmented by, other resources available to, or accessible by, the applicant.

• Develop and implement an evaluation process to ensure that systematic, objective information is available about the utilization and effectiveness of the products of this project. Specific outcomes must be built into the project for evaluation. The evaluation should be performed by an independent evaluator.

As noted earlier, the award will be made as a cooperative agreement. While an organization receiving an award will not be conducting its project on behalf of ADD, ADD and the awardee will work cooperatively in developing and implementing the project's agenda as described below.

Under the cooperative agreement mechanism, ADD and the awardees will share responsibility for planning the objectives of the projects. Awardees will have the primary responsibility for developing and implementing the activities of the project. ADD will jointly participate with awardees in such activities as: clarifying the specific issue areas to be addressed through periodic briefings and ongoing consultation; sharing with awardees its knowledge of the issues addressed by past and current projects; and providing feedback to awardees about the usefulness to the field of written products and information sharing activities. Details of the relationship between ADD and awardees will be set forth in the cooperative agreement to be developed and signed prior to issuance of the award.

• Project Duration: This announcement solicits applications for project periods up to three years. Awards, on a competitive basis, will be for a one-year budget period, although project periods may be for three years. Applications for continuation grants funded under this priority area beyond the one-year budget period, but within the three year project period, will be entertained in subsequent years on a non-competitive basis, subject to the availability of funds, satisfactory progress of the grantee and determination that continued funding would be in the best interest of the Government.

• Federal Share of Project Costs: The maximum Federal share is not to exceed $200,000 for the first 12-month budget period or a maximum of $600,000 for a 3-year project period.

• Matching Requirement: The minimum non-Federal matching requirement in proportion to the maximum Federal share of $600,000 is $200,000 for a 3-year project period. This constitutes 25 percent of the total project budget.

• Anticipated Number of Projects to be Funded: It is anticipated that at least three data collection projects will be funded.

• CFDA: ADD's CFDA (Code of Federal Domestic Assistance) number is 93.631—Developmental Disabilities—Projects of National Significance. This information is needed to complete item 10 on the SF 424.

Part V. Instructions for the Development and Submission of Applications

This Part contains information and instructions for submitting applications in response to this announcement. Application forms are provided along with a checklist for assembling an application package. Please copy and use these forms in submitting an application.

Potential applicants should read this section carefully in conjunction with the information contained within the specific priority area under which the application is to be submitted. The priority area descriptions are in Part IV.

A. Required Notification of the State Single Point of Contact

All applications under the ADD priority areas are required to follow the Executive Order (E.O.) 12372 process, ''Intergovernmental Review of Federal Programs,'' and 45 CFR Part 100, ''Intergovernmental Review of Department of Health and Human Services Program and Activities.'' Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

All States and territories, except Alaska, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Virginia, Washington, American Samoa and Palau, have elected to participate in the Executive Order process and have established a State Single Point of Contact (SPOC). Applicants from these 19 jurisdictions need take no action regarding E.O. 12372. Applications for projects to be administered by Federally-recognized Indian Tribes are also exempt from the requirements of E.O. 12372. Otherwise, applicants should contact their SPOCs as soon as possible to alert them of the prospective applications and receive any necessary instructions.

Applicants must submit all required materials to the SPOC as soon as possible so that the program office can obtain and review SPOC comments as part of the award process. It is imperative that the applicant submit all required materials and indicate the date of this submittal (or date SPOC was contacted, if no submittal is required) on the SF 424, item 16a.

Under 45 CFR 100.8(a), a SPOC has 60 days from the application due date to comment on proposed new or competing continuation awards. However, there is insufficient time to allow for a complete SPOC comment period. Therefore under 45 CFR 100.8(a), we have reduced the comment period to 45 days from the closing date for applications. These comments are reviewed as part of the award process. Failure to notify the SPOC can result in delays in awarding grants.

SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which may trigger the ''accommodate or explain'' rule.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, Sixth Floor, 370 L'Enfant Promenade, SW, Washington, DC 20447, Attn: 93.631 ADD—Projects of National Significance.

Contact information for each State's SPOC is found at the end of this Part.

B. Notification of State Developmental Disabilities Planning Councils

A copy of the application must also be submitted for review and comment to the State Developmental Disabilities Council in each State in which the applicant's project will be conducted. A list of the State Developmental Disabilities Councils is included at the end of this announcement.

C. Deadline for Submittal of Applications

Deadline: Mailed applications shall be considered as meeting an announced deadline if they are received on or before the deadline time and date at the U.S. Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, S.W., Mail Stop 6C–462, Washington, D.C. 20447, Attention: Application for [insert Program Name]. Applicants are responsible for mailing applications well in advance, when using all mail services, to ensure that the applications are received on or before the deadline time and date. Applications handcarried by applicants, applicant couriers, or by overnight/express mail couriers shall be considered as meeting an announced deadline if they are received on or before the deadline date, between the hours of 8:00 a.m. and 4:30 p.m., at the U.S. Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, ACF Mailroom, 2nd Floor Loading Dock, Aerospace Center, 901 D Street, S.W., Washington, D.C. 20024, between Monday and Friday (excluding weekends and Federal holidays). Any applications received after 4:30 p.m. on the deadline date will not be considered for competition. Applicants using express/overnight services should allow two working days prior to the deadline date for receipt of applications. (Applicants are cautioned that express/overnight mail services do not always deliver as agreed.)

ACF cannot accommodate transmission of applications by fax or through other electronic media. Therefore, applications transmitted to ACF electronically will not be accepted regardless of date or time of submission and time of receipt.

Late applications: Applications which do not meet the criterion stated above are considered late applications. ACF/ADD shall notify each late applicant that its application will not be considered in the current competition.

Extension of deadlines: ACF may extend the deadline for all applicants because of acts of God such as floods, hurricanes, etc., or when there is a widespread disruption of the mails. However, if ACF does not extend the deadline for all applicants, it may not waive or extend the deadline for any applicants.

D. Instructions for Preparing the Application and Completing Application Forms

The SF 424, SF 424A, SF 424A, Page 2 and Certifications have been reprinted for your convenience in preparing the application. You should reproduce single-sided copies of these forms from the reprinted forms in the announcement, typing your information onto the copies. Please do not use forms directly from the Federal Register announcement, as they are printed on both sides of the page.

Please prepare your application in accordance with the following instructions:

1. SF 424 Page 1, Application Cover Sheet

Please read the following instructions before completing the application cover sheet. An explanation of each item is included. Complete only the items specified.

Top of Page. Enter the single priority area number under which the application is being submitted. An application should be submitted under only one priority area.

Item 1. ''Type of Submission''—Preprinted on the form.

Item 2. ''Date Submitted'' and ''Applicant Identifier'' —Date application is submitted to ACF and applicant's own internal control number, if applicable.

Item 3. ''Date Received By State''—State use only (if applicable).

Item 4. ''Date Received by Federal Agency''—Leave blank.

Item 5. ''Applicant Information''.

''Legal Name''—Enter the legal name of applicant organization. For applications developed jointly, enter the name of the lead organization only.

There must be a single applicant for each application.

''Organizational Unit''—Enter the name of the primary unit within the applicant organization which will actually carry out the project activity. Do not use the name of an individual as the applicant. If this is the same as the applicant organization, leave the organizational unit blank.

''Address''—Enter the complete address that the organization actually uses to receive mail, since this is the address to which all correspondence will be sent. Do not include both street address and P.O. box number unless both must be used in mailing.

''Name and telephone number of the person to be contacted on matters involving this application (give area code)''—Enter the full name (including academic degree, if applicable) and telephone number of a person who can respond to questions about the application. This person should be accessible at the address given here and will receive all correspondence regarding the application.

Item 6. ''Employer Identification Number (EIN)''—Enter the employer identification number of the applicant organization, as assigned by the Internal Revenue Service, including, if known, the Central Registry System suffix.

Item 7. ''Type of Applicant''—Self-explanatory.

Item 8. ''Type of Application''—Preprinted on the form.

Item 9. ''Name of Federal Agency''—Preprinted on the form.

Item 10. ''Catalog of Federal Domestic Assistance Number and Title''—Enter the Catalog of Federal Domestic Assistance (CFDA) number assigned to the program under which assistance is requested and its title. For all of ADD's priority areas, the following should be entered, ''93.631—Developmental Disabilities: Projects of National Significance.''

Item 11. ''Descriptive Title of Applicant's Project''—Enter the project title. The title is generally short and is descriptive of the project, not the priority area title.

Item 12. ''Areas Affected by Project''—Enter the governmental unit where significant and meaningful impact could be observed. List only the largest unit or units affected, such as State, county, or city. If an entire unit is affected, list it rather than subunits.

Item 13. ''Proposed Project''—Enter the desired start date for the project and projected completion date.

Item 14. ''Congressional District of Applicant/Project''—Enter the number of the Congressional district where the applicant's principal office is located and the number of the Congressional district(s) where the project will be located. If Statewide, a multi-State effort, or nationwide, enter ''00.''

Items 15. Estimated Funding Levels. In completing 15a through 15f, the dollar amounts entered should reflect, for a 17-month or less project period, the total amount requested. If the proposed project period exceeds 17 months, enter only those dollar amounts needed for the first 12 months of the proposed project.

Item 15a. Enter the amount of Federal funds requested in accordance with the preceding paragraph. This amount should be no greater than the maximum amount specified in the priority area description.

Items 15b–e. Enter the amount(s) of funds from non-Federal sources that will be contributed to the proposed project. Items b–e are considered cost-sharing or ''matching funds.'' The value of third party in-kind contributions should be included on appropriate lines as applicable. For more information regarding funding as well as exceptions to these rules, see Part III, Sections E and F, and the specific priority area description.

Item 15f. Enter the estimated amount of program income, if any, expected to be generated from the proposed project. Do not add or subtract this amount from the total project amount entered under item 15g. Describe the nature, source and anticipated use of this program income in the Project Narrative Statement.

Item 15g. Enter the sum of items 15a–15e.

Item 16a. ''Is Application Subject to Review By State Executive Order 12372 Process? Yes.''—Enter the date the applicant contacted the SPOC regarding this application. Select the appropriate SPOC from the listing provided at the end of Part IV. The review of the application is at the discretion of the SPOC. The SPOC will verify the date noted on the application.

Item 16b. ''Is Application Subject to Review By State Executive Order 12372 Process? No.''—Check the appropriate box if the application is not covered by E.O. 12372 or if the program has not been selected by the State for review.

Item 17. ''Is the Applicant Delinquent on any Federal Debt?''—Check the appropriate box. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include audit disallowances, loans and taxes.

Item 18. ''To the best of my knowledge and belief, all data in this application/preapplication are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.''—To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for signature of this application by this individual as the official representative must be on file in the applicant's office, and may be requested from the applicant.

Item 18a–c. ''Typed Name of Authorized Representative, Title, Telephone Number''—Enter the name, title and telephone number of the authorized representative of the applicant organization.

Item 18d. ''Signature of Authorized Representative'' —Signature of the authorized representative named in Item 18a. At least one copy of the application must have an original signature. Use colored ink (not black) so that the original signature is easily identified.

Item 18e. ''Date Signed''—Enter the date the application was signed by the authorized representative.

2. SF 424A—Budget Information—Non-Construction Programs

This is a form used by many Federal agencies. For this application, Sections A, B, C, E and F are to be completed. Section D does not need to be completed.

Sections A and B should include the Federal as well as the non-Federal funding for the proposed project covering (1) the total project period of 17 months or less or (2) the first year budget period, if the proposed project period exceeds 17 months.

Section A—Budget Summary. This section includes a summary of the budget. On line 5, enter total Federal costs in column (e) and total non-Federal costs, including third party in-kind contributions, but not program income, in column (f). Enter the total of (e) and (f) in column (g).

Section B—Budget Categories. This budget, which includes the Federal as well as non-Federal funding for the proposed project, covers (1) the total project period of 17 months or less or (2) the first-year budget period if the proposed project period exceeds 17 months. It should relate to item 15g, total funding, on the SF 424. Under column (5), enter the total requirements for funds (Federal and non-Federal) by object class category.

A separate budget justification should be included to explain fully and justify major items, as indicated below. The types of information to be included in the justification are indicated under each category. For multiple year

projects, it is desirable to provide this information for each year of the project. The budget justification should immediately follow the second page of the SF 424A.

Personnel—Line 6a. Enter the total costs of salaries and wages of applicant/grantee staff. Do not include the costs of consultants, which should be included on line 6h, ''Other.''

Justification: Identify the principal investigator or project director, if known. Specify by title or name the percentage of time allocated to the project, the individual annual salaries, and the cost to the project (both Federal and non-Federal) of the organization's staff who will be working on the project.

Fringe Benefits—Line 6b. Enter the total costs of fringe benefits, unless treated as part of an approved indirect cost rate.

Justification: Provide a break-down of amounts and percentages that comprise fringe benefit costs, such as health insurance, FICA, retirement insurance, etc.

Travel—6c. Enter total costs of out-of-town travel (travel requiring per diem) for staff of the project. Do not enter costs for consultant's travel or local transportation, which should be included on Line 6h, ''Other.''

Justification: Include the name(s) of traveler(s), total number of trips, destinations, length of stay, transportation costs and subsistence allowances.

Equipment—Line 6d. Enter the total costs of all equipment to be acquired by the project. For State and local governments, including Federally recognized Indian Tribes, ''equipment'' is tangible, non-expendable personal property having a useful life of more than one year and acquisition cost of $5,000 or more per unit.

Justification: Equipment to be purchased with Federal funds must be justified. The equipment must be required to conduct the project, and the applicant organization or its subgrantees must not have the equipment or a reasonable facsimile available to the project. The justification also must contain plans for future use or disposal of the equipment after the project ends.

Supplies—Line 6e. Enter the total costs of all tangible expendable personal property (supplies) other than those included on Line 6d.

Justification: Specify general categories of supplies and their costs.

Contractual—Line 6f. Enter the total costs of all contracts, including (1) procurement contracts (except those which belong on other lines such as equipment, supplies, etc.) and (2) contracts with secondary recipient organizations, including delegate agencies. Also include any contracts with organizations for the provision of technical assistance. Do not include payments to individuals on this line. If the name of the contractor, scope of work, and estimated total costs are not available or have not been negotiated, include on Line 6h, ''Other.''

Justification: Attach a list of contractors, indicating the names of the organizations, the purposes of the contracts, and the estimated dollar amounts of the awards as part of the budget justification. Whenever the applicant/grantee intends to delegate part or all of the program to another agency, the applicant/grantee must complete this section (Section B, Budget Categories) for each delegate agency by agency title, along with the supporting information. The total cost of all such agencies will be part of the amount shown on Line 6f. Provide backup documentation identifying the name of contractor, purpose of contract, and major cost elements.

Construction—Line 6g. Not applicable. New construction is not allowable.

Other—Line 6h. Enter the total of all other costs. Where applicable, such costs may include, but are not limited to: insurance; medical and dental costs; noncontractual fees and travel paid directly to individual consultants; local transportation (all travel which does not require per diem is considered local travel); space and equipment rentals; printing and publication; computer use; training costs, including tuition and stipends; training service costs, including wage payments to individuals and supportive service payments; and staff development costs. Note that costs identified as ''miscellaneous'' and ''honoraria'' are not allowable.

Justification: Specify the costs included.

Total Direct Charges—Line 6i. Enter the total of Lines 6a through 6h.

Indirect Charges—6j. Enter the total amount of indirect charges (costs). If no indirect costs are requested, enter ''none.'' Generally, this line should be used when the applicant (except local governments) has a current indirect cost rate agreement approved by the Department of Health and Human Services or another Federal agency.

Local and State governments should enter the amount of indirect costs determined in accordance with HHS requirements. When an indirect cost rate is requested, these costs are included in the indirect cost pool and should not be charged again as direct costs to the grant.

In the case of training grants to other than State or local governments (as defined in title 45, Code of Federal Regulations, part 74), the Federal reimbursement of indirect costs will be limited to the lesser of the negotiated (or actual) indirect cost rate or 8 percent of the amount allowed for direct costs, exclusive of any equipment charges, rental of space, tuition and fees, post-doctoral training allowances, contractual items, and alterations and renovations.

For training grant applications, the entry under line 6j should be the total indirect costs being charged to the project. The Federal share of indirect costs is calculated as shown above. The applicant's share is calculated as follows:

(a) Calculate total project indirect costs (a*) by applying the applicant's approved indirect cost rate to the total project (Federal and non-Federal) direct costs.

(b) Calculate the Federal share of indirect costs (b*) at 8 percent of the amount allowed for total project (Federal and non-Federal) direct costs exclusive of any equipment charges, rental of space, tuition and fees, post-doctoral training allowances, contractual items, and alterations and renovations.

(c) Subtract (b*) from (a*). The remainder is what the applicant can claim as part of its matching cost contribution.

Justification: Enclose a copy of the indirect cost rate agreement. Applicants subject to the limitation on the Federal reimbursement of indirect costs for training grants should specify this.

Total—Line 6k. Enter the total amounts of lines 6i and 6j.

Program Income—Line 7. Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount.

Justification: Describe the nature, source, and anticipated use of program income in the Program Narrative Statement.

Section C—Non-Federal Resources. This section summarizes the amounts of non-Federal resources that will be applied to the grant. Enter this information on line 12 entitled ''Totals.'' In-kind contributions are defined in title 45 of the Code of Federal Regulations, Parts 74.51 and 92.24, as ''property or services which benefit a grant-supported project or program and which are contributed by non-Federal third parties without charge to the grantee, the subgrantee, or a cost-type contractor under the grant or subgrant.''

Justification: Describe third party in-kind contributions, if included.

Section D—Forecasted Cash Needs. Not applicable.

Section E—Budget Estimate of Federal Funds Needed For Balance of the Project. This section should only be completed if the total project period exceeds 17 months.

Totals—Line 20. For projects that will have more than one budget period, enter the estimated required Federal funds for the second budget period (months 13 through 24) under column ''(b) First.'' If a third budget period will be necessary, enter the Federal funds needed for months 25 through 36 under ''(c) Second.'' Columns (d) and (e) are not applicable in most instances, since ACF funding is almost always limited to a three-year maximum project period. They should remain blank.

Section F—Other Budget Information.

Direct Charges—Line 21. Not applicable.

Indirect Charges—Line 22. Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Remarks—Line 23. If the total project period exceeds 17 months, you must enter your proposed non-Federal share of the project budget for each of the remaining years of the project.

3. Project Summary Description

Clearly mark this separate page with the applicant name as shown in item 5 of the SF 424, the priority area number as shown at the top of the SF 424, and the title of the project as shown in item 11 of the SF 424. The summary description should not exceed 300 words. These 300 words become part of the computer database on each project.

Care should be taken to produce a summary description which accurately and concisely reflects the proposal. It should describe the objectives of the project, the approaches to be used and the outcomes expected. The description should also include a list of major products that will result from the proposed project, such as software packages, materials, management procedures, data collection instruments, training packages, or videos (please note that audiovisuals should be closed captioned). The project summary description, together with the information on the SF 424, will constitute the project ''abstract.'' It is the major source of information about the proposed project and is usually the first part of the application that the reviewers read in evaluating the application.

4. Program Narrative Statement

The Program Narrative Statement is a very important part of an application. It should be clear, concise, and address the specific requirements mentioned under the priority area description in Part IV. The narrative should also provide information concerning how the application meets the evaluation criteria, using the following headings:

(a) Objectives and Need for Assistance;

(b) Results and Benefits Expected;

(c) Approach; and

(d) Staff Background and Organization's Experience.

The specific information to be included under each of these headings is described in Section C of Part III, Evaluation Criteria.

The narrative should be typed double-spaced on a single-side of an 8½″ x 11″ plain white paper, with 1'' margins on all sides. All pages of the narrative (including charts, references/footnotes, tables, maps, exhibits, etc.) must be sequentially numbered, beginning with ''Objectives and Need for Assistance'' as page number one. Applicants should not submit reproductions of larger size paper, reduced to meet the size requirement.

The length of the application, including the application forms and all attachments, should not exceed 60 pages. A page is a single side of an 8½″ x 11″ sheet of paper. Applicants are requested not to send pamphlets, brochures or other printed material along with their application as these pose xeroxing difficulties. These materials, if submitted, will not be included in the review process if they exceed the 60-page limit. Each page of the application will be counted to determine the total length.

5. Organizational Capability Statement

The Organizational Capability Statement should consist of a brief (two to three pages) background description of how the applicant organization (or the unit within the organization that will have responsibility for the project) is organized, the types and quantity of services it provides, and/or the research and management capabilities it possesses. This description should cover capabilities not included in the Program Narrative Statement. It may include descriptions of any current or previous relevant experience, or describe the competence of the project team and its demonstrated ability to produce a final product that is readily comprehensible and usable. An organization chart showing the relationship of the project to the current organization should be included.

6. Part V—Assurances/Certifications

Applicants are required to file an SF 424B, Assurances—Non-Construction Programs and the Certification Regarding Lobbying. Both must be signed and returned with the application. Applicants must also provide certifications regarding: (1) Drug-Free Workplace Requirements; and (2) Debarment and Other Responsibilities. These two certifications are self-explanatory. Copies of these assurances/certifications are reprinted at the end of this announcement and should be reproduced, as necessary. A duly authorized representative of the applicant organization must certify that the applicant is in compliance with these assurances/certifications. A signature on the SF 424 indicates compliance with the Drug Free Workplace Requirements, and Debarment and Other Responsibilities certifications, and need not be mailed back with the application.

In addition, applicants are required under Section 162(c)(3) of the Act to provide assurances that the human rights of all individuals with developmental disabilities (especially those individuals without familial protection) who will receive services under projects assisted under Part E will be protected consistent with section 110 (relating to the rights of individuals with developmental disabilities). Each application must include a statement providing this assurance.

For research projects in which human subjects may be at risk, a Protection of Human Subjects Assurance may be required. If there is a question regarding the applicability of this assurance, contact the Office for Research Risks of the National Institutes of Health at (301) 496–7041.

E. Checklist for a Complete Application

The checklist below is for your use to ensure that your application package has been properly prepared.

—One original, signed and dated application, plus two copies.

—Applications for different priority areas are packaged separately;

—Application is from an organization which is eligible under the eligibility requirements defined in the priority area description (screening requirement);

—Application length does not exceed 60 pages, unless otherwise specified in the priority area description.

—A complete application consists of the following items in this order:

—Application for Federal Assistance (SF 424, REV 4–88);

—A completed SPOC certification with the date of SPOC contact entered in line 16, page 1 of the SF 424 if applicable.

—Budget Information—Non-Construction Programs (SF 424A, REV 4–88);

—Budget justification for Section B—Budget Categories;

—Table of Contents;

—Letter from the Internal Revenue Service, etc. to prove non-profit status, if necessary;

—Copy of the applicant's approved indirect cost rate agreement, if appropriate;

—Project summary description and listing of key words;

—Program Narrative Statement (See Part III, Section C);

—Organizational capability statement, including an organization chart;

—Any appendices/attachments;

—Assurances—Non-Construction Programs (Standard Form 424B, REV 4–88);

—Certification Regarding Lobbying; and

—Certification of Protection of Human Subjects, if necessary.

—Certification of the Pro-Children Act of 1994; signature on the application represents certification.

F. The Application Package

Each application package must include an original and two copies of the complete application. Each copy should be stapled securely (front and back if necessary) in the upper left-hand corner. All pages of the narrative (including charts, tables, maps, exhibits, etc.) must be sequentially numbered, beginning with page one. In order to facilitate handling, please do not use covers, binders or tabs. Do not include extraneous materials as attachments, such as agency promotion brochures, slides, tapes, film clips, minutes of meetings, survey instruments or articles of incorporation.

G. Paper Reduction Act

Under the Paperwork Reduction Act of 1995 (Pub. L. 104–13), the Department is required to submit to OMB for review and approval any reporting and record keeping requirements or program announcements. This program announcement meets all information collection requirements approved for ACF grant applications under OMB Control Number 0970–0139.

(Federal Catalog of Domestic Assistance Number 93.631 Developmental Disabilities—Projects of National Significance)

Dated: July 3, 1996.

Bob Williams,

Commissioner, Administration on Developmental Disabilities.

Executive Order 12372—State Single Points of Contact

Alabama

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Arizona

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Arkansas

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California

Grants Coordinator, Office of Planning & Research, 1400 Tenth Street, Room 121, Sacramento, California 95814, Telephone (916) 323–7480, FAX # (916) 323–3018.

Colorado

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Delaware

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District of Columbia

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Florida

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Georgia

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Illinois

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Indiana

Frances E. Williams, State Budget Agency, 212 State House, Indianapolis, Indiana 46204, Telephone: (317) 232–2972. FAX # (317) 233–3323.

Iowa

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Kentucky

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Maine

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Maryland

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Michigan

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Mississippi

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Missouri

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Nevada

Department of Administration, State Clearinghouse, Capitol Complex, Carson City, Nevada 89710, Telephone: (702) 687–4065, FAX # (702) 687–3983.

New Hampshire

Jeffrey H. Taylor, Director, New Hampshire Office of State Planning, Attn: Intergovernmental Review Process, James E. Bieber, 2½ Beacon Street, Concord, New Hampshire 03301, Telephone: (603) 271–2155, FAX # (603) 271–1728.

New Jersey

Gregory W. Adkins, Director, Division of Community Resources, New Jersey Department of Community Affairs.

Please direct all correspondence and questions about intergovernmental review to: Andrew J. Jaskolka, State Review Process, Division of Community Resources, CN 814, Room 609, Trenton, New Jersey 08625–0814, Telephone: (609) 292–9025, FAX # (609) 984–0386.

New Mexico

George Elliott, Deputy Director, State Budget Division, Room 190, Bataan Memorial Building, Santa Fe, New Mexico 87503, Telephone: (505) 827–3640.

New York

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North Carolina

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North Dakota

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Ohio

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Rhode Island

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South Carolina

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Texas

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Utah

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Vermont

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Wisconsin

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Puerto Rico

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Northern Mariana Islands

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Virgin Islands

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Please direct all questions and correspondence about intergovernmental review to: Linda Clarke, Telephone: (809) 774–0750, FAX # (809) 776–0069.

State Developmental Disabilities Planning Councils

Alabama

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Alaska

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Montana

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Nebraska

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North Dakota

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Ohio

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Wisconsin

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Wyoming

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Territories (DDCs)

American Samoa

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Commonwealth of the Northern Mariana Islands

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Government of Federated State of Micronesia

Yosiro Suta, Gov't of Federated States of Micronesia, Dept of Ed., Palikir, Pohnpei, FM 96941, (691) 320–2609, FAX # (691) 320–5500.

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Northern Mariana Islands

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Puerto Rico

Maria Luisa Mendia, Executive Director, Puerto Rico Developmental Disabilities State Council, P.O. Box 9543, Santurce, Puerto Rico 00908, (809) 722–0595 FAX # (809) 721–3622.

Virgin Islands

Mark Vinzant, Director, VI Developmental Disabilities Council, P.O. Box 2671 Kings Hill, St. Croix, U.S. Virgin Islands 00850–9999, (809) 772–2133.

Western Carolina Islands (Trust Territories of the Pacific)

Minoru Ueki, MD, Trust Territory Health Council, MacDonald Memorial Hospital KOROR, Palau. WCI 96940.

BILLING CODE 4184–01–P

Attachment A

OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: *Application* ☐ Construction ☐ Non-Construction; *Preapplication* ☐ Construction ☐ Non-Construction	2. DATE SUBMITTED	Applicant Identifier
	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address *(give city, county, state, and zip code)*:	Name and telephone number of the person to be contacted on matters involving this application *(give area code)*

6. EMPLOYER IDENTIFICATION NUMBER (EIN): ☐☐ – ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other *(specify)*: _____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: ☐☐ . ☐☐☐

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT *(cities, counties, states, etc.)*:

13. PROPOSED PROJECT: Start Date	Ending Date	14. CONGRESSIONAL DISTRICTS OF: a. Applicant	b. Project

15. ESTIMATED FUNDING:	
a. Federal	$ .00
b. Applicant	$ .00
c. State	$ .00
d. Local	$ .00
e. Other	$ .00
f. Program Income	$ .00
g. TOTAL	$ .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b. NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED

a. Typed Name of Authorized Representative	b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Previous Editions Not Usable

Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-102

Authorized for Local Reproduction

BILLING CODE 4184–01–C

Instructions for the SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

1. Self-explanatory.

2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).

3. State use only (if applicable).

4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.

5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.

6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.

7. Enter the appropriate letter in the space provided.

8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:

—''New'' means a new assistance award.

—''Continuation'' means an extension for an additional funding/budget period for a project with a projected completion date.

—''Revision'' means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.

9. Name of Federal agency from which assistance is being requested with this application.

10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.

11. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

12. List only the largest political entities affected (e.g., State, counties, cities).

13. Self-explanatory.

14. List the applicant's Congressional District and any District(s) affected by the program or project.

15. Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.

16. Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.

17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.

18. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

BILLING CODE 4184–01–M

BUDGET INFORMATION — Non-Construction Programs

OMB Approval No. 0348-0044

SECTION A – BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		$	$	$	$	$
2.						
3.						
4.						
5. TOTALS		$	$	$	$	$

SECTION B – BUDGET CATEGORIES

6 Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	$	$	$	$	$
b. Fringe Benefits					
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual					
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a - 6h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	$	$	$	$	$
7. Program Income	$	$	$	$	$

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Standard Form 424A (4-88)

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	$	$	$	$
9.				
10.				
11.				
12. TOTALS (sum of lines 8 and 11)	$	$	$	$

SECTION D - FORECASTED CASH NEEDS

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	$	$	$	$	$
14. NonFederal					
15. TOTAL (sum of lines 13 and 14)	$	$	$	$	$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	$	$	$	$
17.				
18.				
19.				
20. TOTALS (sum of lines 16 -19)	$	$	$	$

SECTION F - OTHER BUDGET INFORMATION

(Attach additional Sheets if Necessary)

21. Direct Charges:	22. Indirect Charges:

23. Remarks

SF 424A (4-88) Page 2
Prescribed by OMB Circular A-102

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Instructions for the SF–424A

General Instructions

This form is designed so that application can be made for funds from one or more grant programs. In preparing the budget, adhere to any existing Federal grantor agency guidelines which prescribe how and whether budgeted amounts should be separately shown for different functions or activities within the program. For some programs, grantor agencies may require budgets to be separately shown by function or activity. For other programs, grantor agencies may require a breakdown by function or activity. Sections A, B, C, and D should include budget estimates for the whole project except when applying for assistance which requires Federal authorization in annual or other funding period increments. In the latter case, Sections A, B, C, and D should provide the budget for the first budget period (usually a year) and Section E should present the need for Federal assistance in the subsequent budget periods. All applications should contain a breakdown by the object class categories shown in Lines a–k of Section B.

Section A. Budget Summary

Lines 1–4, Columns (a) and (b)

For applications pertaining to a single Federal grant program (Federal Domestic Assistance Catalog number) and not requiring a functional or activity breakdown, enter on Line 1 and Column (a) the catalog program title and the catalog number in Column (b).

For applications pertaining to a single program requiring budget amounts by multiple functions or activities, enter the name of each activity or function on each line in Column (a), and enter the catalog number in Column (b). For applications pertaining to multiple programs where none of the programs require a breakdown by function or activity, enter the catalog program title on each line in Column (a) and the respective catalog number on each line in Column (b).

For applications pertaining to multiple programs where one or more programs require a breakdown by function or activity, prepare a separate sheet for each program requiring the breakdown. Additional sheets should be used when one form does not provide adequate space for all breakdown of data required. However, when more than one sheet is used the first page should provide the summary totals by programs.

Lines 1–4, Columns (c) through (g.)

For new applications, leave columns (c) and (d) blank. For each line entry in Columns (a) and (b), enter in Columns (e), (f), and (g) the appropriate amounts of funds needed to support the project for the first funding period (usually a year).

For continuing grant program applications, submit these forms before the end of each funding period as required by the grantor agency. Enter in Column (c) and (d) the estimated amounts of funds which will remain unobligated at the end of the grant funding period only if the Federal grantor agency instructions provide for this. Otherwise, leave these columns blank. Enter in columns (e) and (f) the amounts of funds needed for the upcoming period. The amount(s) in Column (g) should be the sum of amounts in Columns (e) and (f).

For supplemental grants and changes to existing grants, do not use Columns (c) and (d). Enter in Column (e) the amount of the increase or decrease of Federal funds and enter in Column (f) the amount of the increase or decrease of non-Federal funds. In Column (g) enter the new total budgeted amount (Federal and non-Federal) which includes the total previous authorized budgeted amounts plus or minus, as appropriate, the amounts shown in Columns (e) and (f). The amount(s) in Column (g) should not equal the sum of amounts in Columns (e) and (f).

Line 5—Show the totals for all columns used.

Section B. Budget Categories

In the column heading (1) through (4), enter the titles of the same programs, functions, and activities shown on Lines 1–4, Column (a), Section A. When additional sheets are prepared for Section A, provide similar column headings on each sheet. For each program, function or activity, fill in the total requirements for funds (both Federal and non-Federal) by object class categories.

Lines 6a–i—Show the totals of Lines 6a to 6h in each column.

Line 6j—Show the amount of indirect cost.

Line 6k—Enter the total of amounts on Lines 6i and 6j. For all applications for new grants and continuation grants the total mount in column (5), Line 6k, should be the same as the total amount shown in Section A, Column (g), Line 5. For supplemental grants and changes to grants, the total amount of the increase or decrease as shown in Columns (1)–(4), Line 6k should be the same as the sum of the amounts in Section A, Columns (e) and (f) on Line 5.

Line 7—Enter the estimated amount of income, if any, expected to be generated from this project. Do not add or subtract this amount from the total project amount. Show under the program narrative statement the nature and source of income. The estimated amount of program income may be considered by the federal grantor agency in determining the total amount of the grant.

Section C. Non-Federal-Resources

Lines 8–11—Enter amounts of non-Federal resources that will be used on the grant. If in-kind contributions are included, provide a brief explanation on a separate sheet.

Column (a)—Enter the program titles identical to Column (a), Section A. A breakdown by function or activity is not necessary.

Column (b)—Enter the contribution to be made by the applicant.

Column (c)—Enter the amount of the State's cash and in-kind contribution if the applicant is not a State or State agency. Applicants which are a State or State agencies should leave this column blank.

Column (d)—Enter the amount of cash and in-kind contributions to be made from all other sources.

Column (e)—Enter totals of Columns (b), (c), and (d).

Line 12—Enter the total for each of Columns (b)–(e). The amount in column (e) should be equal to the amount on Line 5, Column (f), Section A.

Section D. Forecasted Cash Needs

Line 13—Enter the amount of cash needed by quarter from the grantor agency during the first year.

Line 14—Enter the amount of cash from all other sources needed by quarter during the first year.

Line 15—Enter the totals of amounts on Lines 13 and 14

Section E. Budget Estimates of Federal Funds Needed for Balance of the Project

Lines 16–19—Enter in Column (a) the same grant program titles shown in Column (a), Section A. A breakdown by function or activity is not necessary. For new applications and continuation grant applications, enter in the proper columns amounts of Federal funds which will be needed to complete the program or project over the succeeding funding periods (usually in years). This section need not be completed for revisions (amendments, changes, or supplements) for funds for the current year of existing grants.

If more than four lines are needed to list the program titles, submit additional schedules as necessary.

Line 20—Enter the total for each of the Columns (b)–(e). When additional schedules are prepared for this Section, annotate accordingly and show the overall totals on this line.

Section F. Other Budget Information

Line 21—Use this space to explain amounts for individual direct object-class cost categories that may appear to be out of the ordinary or to explain the details as required by the Federal grantor agency.

Line 22—Enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period, the estimated amount of the base to which the rate is applied, and the total indirect expense.

Line 23—Provide any other explanations or comments deemed necessary.

Assurances—Non-Construction Programs

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728–4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88–352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681–1683, and 1685–1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101–6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92–255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91–616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91–646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501–1508 and 7324–7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a–7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327–333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93–234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91–190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93–523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93–205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a–1 et seq.).

14. Will comply with P.L. 93–348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89–

544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

_____

Signature of Authorized Certifying Official

_____

Title

_____

Applicant Organization

_____

Date Submitted

BILLING CODE 4184–01–M

Attachment B

U.S. Department of Health and Human Services
Certification Regarding Drug-Free Workplace Requirements
Grantees Other Than Individuals

By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.

This certification is required by regulations implementing the Drug-Free Workplace Act of 1988, 45 CFR Part 76, Subpart F. The regulations, published in the May 25, 1990 **Federal Register**, require certification by grantees that they will maintain a drug-free workplace. The certification set out below is a material representation of fact upon which reliance will be placed when the Department of Health and Human Services (HHS) determines to award the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HHS, in addition to any other remedies available to the Federal Government, may taken action authorized under the Drug-Free Workplace Act. False certification or violation of the certification shall be grounds for suspension of payments, suspension or termination of grants, or governmentwide suspension or debarment.

Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.

Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios.)

If the workplace identified to HHS changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see above).

Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 USC 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15).

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about:

(1) The dangers of drug abuse in the workplace; (2) The grantee's policy of maintaining a drug-free workplace; (3) Any available drug counseling, rehabilitation, and employee assistance programs; and, (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of the statement; and, (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or, (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant (use attachments, if needed):

Place of Performance (Street address, City, County, State, ZIP Code) _____

_____

Check ___ if there are workplaces on file that are not identified here.

Sections 76.630(c) and (d)(2) and 76.635(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central receipt point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, S.W., Washington, D.C. 20201.

DGMO Form#2 Revised May 1990

BILLING CODE 4184–01–C

Attachment C

Certification Regarding Debarment, Suspension, and Other Responsibility Matters—Primary Covered Transactions

By signing and submitting this proposal, the applicant, defined as the primary participant in accordance with 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal Department or agency;

(b) have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) are not presently indicated or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

The inability of a person to provide the certification required above will not necessarily result in denial of participation in this covered transaction. If necessary, the prospective participant shall submit an explanation of why it cannot provide the certification. The certification or explanation will be considered in connection with the Department of Health and Human Services' (HHS) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

The prospective primary participant agrees that by submitting this proposal, it will include the clause entitled ''Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions'' provided below without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions To Be Supplied to Lower Tier Participants

By signing and submitting this lower tier proposal, the prospective lower tier participant, as defined in 45 CFR Part 76, certifies to the best of its knowledge and belief that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(b) where the prospective lower tier participant is unable to certify to any of the above, such prospective participant shall attach an explanation to this proposal.

The prospective lower tier participant further agrees by submitting this proposal that it will include this clause entitled ''Certification regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transactions'' without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

Attachment D

Certification Regarding Lobbying—Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form–LLL, ''Disclosure Form to Report Lobbying,'' in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

State for Loan Guarantee and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form—LLL ''Disclosure Form to Report Lobbying,'' in accordance with its instructions.

Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature

Title

Organization

Date

BILLING CODE 4184–01–M

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OM
0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

1. Type of Federal Action: ☐ a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: ☐ a. bid/offer/application b. initial award c. post-award	3. Report Type: ☐ a. initial filing b. material change For Material Change Only: year _____ quarter ____ date of last report _____
4. Name and Address of Reporting Entity: ☐ Prime ☐ Subawardee Tier _____, *if known*: Congressional District, *if known*:	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, *if known*:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known*:	9. Award Amount, *if known*: $	
10. a. Name and Address of Lobbying Entity (*if individual, last name, first name, MI*):	b. Individuals Performing Services (*including address if different from No. 10a*) (*last name, first name, MI*):	
(*attach Continuation Sheet(s) SF-LLL-A, if necessary*)		
11. Amount of Payment (*check all that apply*): $ _____ ☐ actual ☐ planned	13. Type of Payment (*check all that apply*): ☐ a. retainer ☐ b. one-time fee ☐ c. commission ☐ d. contingent fee ☐ e. deferred ☐ f. other; specify: _____	
12. Form of Payment (*check all that apply*): ☐ a. cash ☐ b. in-kind; specify: nature _____ value _____		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: (*attach Continuation Sheet(s) SF-LLL-A, if necessary*)		
15. Continuation Sheet(s) SF-LLL-A attached: ☐ Yes ☐ No		
16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form - LLL

BILLING CODE 4184–01–C

Certification Regarding Environmental Tobacco Smoke

Public Law 103–227, Part C—Environmental Tobacco Smoke, also known as the Pro-Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor facility owned or leased or contracted for by an entity and used routinely or regularly for the provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to $1,000 per day and/or the imposition of an administrative compliance order on the responsible entity.

By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for children's services and that all subgrantees shall certify accordingly.

[FR Doc. 96–20365 Filed 8–9–96; 8:45 am]

BILLING CODE 4184–01–M

federal register

Monday
August 12, 1996

Part IV

Department of Transportation

Federal Aviation Administration

14 CFR Part 25

Revision of Hydraulic Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes: Correction; Proposed Advisory Circular 25.1435–1, Hydraulic System Certification Tests and Analysis; Proposed Rule and Notice

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. 28617; Notice No. 96–6]

RIN 2120–AF79

Revision of Hydraulic Systems Airworthiness Standards To Harmonize With European Airworthiness Standards for Transport Category Airplanes: Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This document contains a correction to the Notice of proposed rulemaking (NPRM) published in the Federal Register on July 3, 1996 (61 FR 35056), which would amend the airworthiness standards for transport category airplanes to harmonize hydraulic systems design and test requirements with standards proposed for the European Joint Aviation Requirements (JAR). Inadvertent errors were made in two places in that NPRM. This action corrects those errors.

FOR FURTHER INFORMATION CONTACT: Jan Thor, Regulations Branch, ANM–114, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Ave. SW, Renton, WA 98055–4056, telephone (206) 227–2127.

SUPPLEMENTARY INFORMATION:

Correction of Publication

In the NPRM document (FR Doc. 96–17034) published in the Federal Register on July 3, 1996 (61 FR 35056), make the following corrections:

1. On page 35056, column 1, last paragraph in the column, change the internet address from ''nrmpcmts@mail.hq.faa.gov.'' to ''nprmcmts@mail.hq.faa.gov.''.

§ 25.1435 [Corrected]

2. On page 35060, in column 3, in § 24.1435, in paragraph (b)(1) introductory text, line 3, remove the period after the word ''parameters'' and add '', if:'' in its place.

Issued in Washington, D.C. on August 5, 1996.

Donald P. Byrne,

Assistant Chief Counsel.

[FR Doc. 96–20386 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Proposed Advisory Circular 25.1435–1, Hydraulic System Certification Tests and Analysis

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability of proposed advisory circular (AC) 25.1435–1 and request for comments; correction.

SUMMARY: This document contains a correction to the Notice of availability of proposed advisory circular AC 25.1435–1 and request for comments, published in the Federal Register on July 3, 1996 (61 FR 35062). In the ''Discussion'' section of that notice, the FAA inadvertently left out the Notice No. of the Notice of proposed rulemaking (NPRM) to which the proposed AC relates. This action corrects that omission.

FOR FURTHER INFORMATION CONTACT: Jan Thor, Regulations Branch, ANM–114, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Ave. SW, Renton, Washington 98055–4056, telephone: 206–227–2127.

SUPPLEMENTARY INFORMATION:

Correction of Publication

In the notice document (FR Doc. 96–17035) published in the Federal Register on July 3, 1996 (61 FR 35062), make the following correction: On page 35062, column 3, third paragraph, insert the number ''6'' in place of ''[insert notice number of NPRM entitled, ''Revision of Hydraulic Systems Airworthiness Standards to Harmonize with European Airworthiness Standards for Transport Category Airplanes'')''.

Issued in Renton, Washington, on July 23, 1996.

Stewart R. Miller,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM–100

[FR Doc. 96–20387 Filed 8–9–96; 8:45 am]

BILLING CODE 4910–13–M

federal register

Monday
August 12, 1996

Part V

Department of Housing and Urban Development

Office of the Secretary

Regulatory Waiver Requests Granted; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. FR–4098–N–01]

Notice of Regulatory Waiver Requests Granted

AGENCY: Office of the Secretary, HUD.

ACTION: Public Notice of the Granting of Regulatory Waivers. *Request:* January 1, 1996 through March 31, 1996.

SUMMARY: Under the Department of Housing and Urban Development Reform Act of 1989 (Reform Act), the Department (HUD) is required to make public all approval actions taken on waivers of regulations. This notice is the twenty-first in a series, being published on a quarterly basis, providing notification of waivers granted during the preceding reporting period. The purpose of this notice is to comply with the requirements of Section 106 of the Reform Act.

FOR FURTHER INFORMATION CONTACT: For general information about this Notice, contact Camille E. Acevedo, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410; telephone 202–708–3055; TTY: (202) 708–3259. (These are not toll-free numbers.) For information concerning a particular waiver action, about which public notice is provided in this document, contact the person whose name and address is set out, for the particular item, in the accompanying list of waiver-grant actions.

SUPPLEMENTARY INFORMATION: As part of the Housing and Urban Development Reform Act of 1989, the Congress adopted, at HUD's request, legislation to limit and control the granting of regulatory waivers by the Department. Section 106 of the Act (Section 7(q)(3)) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(q)(3), provides that:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;

2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary rank or equivalent rank, and the person to whom authority to waive is delegated must also have authority to *issue* the particular regulation to be waived;

3. Not less than quarterly, the Secretary must notify the public of all waivers of regulations that the Department has approved, by publishing a notice in the Federal Register. These notices (each covering the period since the most recent previous notification) shall:

a. Identify the project, activity, or undertaking involved;

b. Describe the nature of the provision waived, and the designation of the provision;

c. Indicate the name and title of the person who granted the waiver request;

d. Describe briefly the grounds for approval of the request;

e. State how additional information about a particular waiver grant action may be obtained.

Section 106 also contains requirements applicable to waivers of HUD handbook provisions that are not relevant to the purposes of today's document.

Today's document follows publication of HUD's Statement of Policy on Waiver of Regulations and Directives issued by HUD (56 FR 16337, April 22, 1991). This is the twenty-first notice of its kind to be published under Section 106. It updates HUD's waiver-grant activity from January 1, 1996 through March 31, 1996.

For ease of reference, waiver requests granted by departmental officials authorized to grant waivers are listed in a sequence keyed to the section number of the HUD regulation involved in the waiver action. For example, a waiver-grant action involving exercise of authority under 24 CFR 24.200 (involving the waiver of a provision in part 24) would come early in the sequence, while waivers in the Section 8 and Section 202 programs (24 CFR Chapter VIII) would be among the last matters listed. Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement in title 24 that is being waived as part of the waiver-grant action. (For example, a waiver of both § 811.105(b) and § 811.107(a) would appear sequentially in the listing under § 811.105(b).) Waiver-grant actions involving the same initial regulatory citation are in time sequence beginning with the earliest-dated waiver grant action.

Should the Department receive additional reports of waiver actions taken during the period covered by this report before the next report is published, the next updated report will include these earlier actions, as well as those that occur between April 1, 1996 through June 30, 1996.

Accordingly, information about approved waiver requests pertaining to regulations of the Department is provided in the Appendix that follows this notice.

Dated: August 1, 1996.

Henry G. Cisneros,

Secretary.

Appendix—Listing of Waivers of Regulatory Requirements Granted by Officers of the Department of Housing and Urban Development January 1, 1996 Through March 31, 1996

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mr. James B. Mitchell, Director, Financial Services Division, U.S. Department of Housing and Urban Development, 470 L'Enfant Plaza East, Suite 3119, Washington, D.C. 20024, Phone: (202) 755–7450 x125; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1–800–877–8391.

Regulation: 24 CFR 811.106(d) and 811.107(d) of 1977 Regulations.

Project/Activity: New Orleans HDC refunding of bonds which financed an uninsured Section 8 assisted project: Tivoli Place, Project No. LA48–0021–005.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-FHA Commissioner.

Date Granted: March 27, 1996.

Reasons Waived: The part 811 regulations cited above prohibited refundings and required that excess reserve balances be used for project purposes. The Project Owner has requested HUD permission to release excess reserve balances from the 1979 Trust Indenture to retire a portion of partnership debt and fund project repairs. Issuance of Refunding Bonds under Section 103 of the Tax Code will not reduce project debt service nor generate Section 8 savings. The Project Owner will execute a HUD Use Agreement to maintain low-income project occupancy for 10 years after expiration of Section 8 subsidies.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The Greenville, North Carolina Housing Authority refunding of bonds which financed a Section 8 assisted project, Greentree Village Apartments, FHA No. 053–35428.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing

revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 26, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 1, 1996. Refunding bonds have been priced to an average yield of 5.80%. The tax-exempt refunding bond issue of $1,395,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding $45,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.115(b).

Project/Activity: The Hugo, Oklahoma Housing Authority refunding of bonds which financed a Section 8 assisted project, the Southwind Acres Apartments, FHA No. 118–35098.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 6, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This refunding proposal was approved by HUD on February 16, 1996. Refunding bonds have been priced to an average yield of 6.05%. The tax-exempt refunding bond issue of $1,640,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 8.6% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 8.55% to 4.45%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues, (helping reduce the budget deficit), providing $96,474 for project repairs, and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The New Lexington (Ohio) HDC refunding of bonds which financed a Section 8 assisted project, Lincoln Park Apartments, FHA No. 043–35181.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 14, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 7, 1996. Refunding bonds have been priced to an average yield of 5.85%. The tax-exempt refunding bond issue of $1,130,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding $50,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Regulation: 24 CFR Sections 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), and 811.115(b).

Project/Activity: The Comanche County, Oklahoma Home Finance Authority refunding of bonds which financed a Section 8 assisted project, the Ambassador Apartments, FHA No. 117–35153.

Nature of Requirement: The regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 27, 1996.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR Section 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on January 31, 1996. Refunding bonds have been priced to an average yield of 6.12%. The tax-exempt refunding bond issue of $1,660,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.1% at the call date in 1996 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, funding $75,000 for project repairs, improving Treasury tax revenues, (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Debbie Ann Wills, Field Management Officer, U.S. Department of Housing & Urban Development, Office of Community Planning and Development, 451 7th Street, S.W., Room 7152, Washington, D.C. 20410–7000, Telephone: (202) 708–2565; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1–800–877–8391.

Regulation: 24 CFR 92.2.

Project/Activity: The City of Chicago, Illinois requested, on behalf of the GSW Residential Corporation, a waiver of part 24 CFR 92.2 that requires a community housing development organization (CHDO) to have a tax exempt ruling from the IRS. The waiver would allow an organization, with a pending IRS non-profit status determination, to qualify for HOME funds as a CHDO.

Nature of Requirement: The HOME regulations at 24 CFR 92.2 require a community housing development organization (CHDO) to have a tax exempt ruling from the IRS.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: February 8, 1996.

Reasons Waived: The waiver allows the city to meet its requirement to reserve at least 15 percent of its funds to CHDOs and thus not lose that amount in program funding.

Regulation: 24 CFR 92.252(a)(2)(i)(B).

Project/Activity: Lexington-Fayette Urban County, a HOME participating jurisdiction, requested a waiver of the HOME Program regulation at 24 CFR 92.252(a)(2)(i)(B) to permit Section 8 rents to be charged instead of HOME rents for a HOME-assisted rental project. The project is used as the housing resource for a self-sufficiency program for single parents who are participating in an educational program. The county provides Section 8 assistance to each eligible participant who moves into Virginia Place. Based on the design of their self-sufficiency program and the use of Virginia Place for this purpose solely, the county asserted that the Section 8 assistance is equivalent to project-based assistance, and therefore, Section 8 rents should be permitted.

Nature of Requirement: The regulation at 24 CFR 92.252(a)(2)(i)(B) describes one of the options for establishing rents for 20 percent of the HOME-assisted units in a rental project. Low HOME rents may be set at 30 percent of the family's monthly adjusted income, unless the project also receives Federal or State project-based assistance. In those cases, maximum rents (i.e. tenant contribution plus project-based rental subsidy) is the rent allowable under the Federal or State project-based rental subsidy program.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 23, 1996.

Reasons Waived: The application of 24 CFR 92.252(a)(2)(i)(B) of the HOME regulations would create an undue hardship for this rental project and the self-sufficiency tenants it serves.

Regulation: 24 CFR 92.258.

Project/Activity: The City of Arlington, Texas requested a waiver of 24 CFR 92.258 of the HOME regulations to waive the 30 year affordability period for low-income homebuyers receiving HOME assistance.

Nature of Requirement: 24 CFR 92.258 provides for a limitation on the use of HOME funds with FHA mortgage insurance for a period of time equal to the term of the HUD insured mortgage.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 25, 1996.

Reasons Waived: The application of Section 92.258 of the HOME regulations to the City's program would create an undue hardship for the City of Arlington and its potential homeowners, and adversely affect the purposes of the Act.

Regulation: 24 CFR 511.76(h).

Project/Activity: The City of Texarkana, Texas requested a waiver of program closeout requirements of the Rental Rehabilitation program.

Nature of Requirement: The regulations at 24 CFR 511.76(h) cite when proceeds received from Rental Rehabilitation loans become program income.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development

Date Granted: March 25, 1996.

Reasons Waived: The City of Texarkana, a State of Texas Rental Rehabilitation grantee, had not yet met the requirements for program closeout. The waiver allowed the City to use its program income to provide affordable rental housing to low income residents.

Regulation: 24 CFR 570.489(e)(1)(vii).

Project/Activity: The State of South Carolina requested a waiver of the State CDBG regulations at 24 CFR 570.489(e)(1)(vii).

Nature of Requirement: The State requested a waiver of the regulations that set the standards for program income.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning and Development.

Date Granted: January 26, 1996.

Reasons Waived: The State was granted the waiver in order to continue its participation in HUD's Loan Securitization demonstration project. The waiver will permit the State to calculate the amount of program income generated through the sale as the net proceeds after the costs of arranging the transaction have been deducted.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Port Arthur, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Housing Authority of the Choctaw Nation of Oklahoma requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Texas Department of Housing and Community Affairs requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request

for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Santa Ana Neighborhood Housing Services, Inc., of Santa Ana California requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Comprehensive Community Action, Inc. of Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived. Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Comprehensive Community Action, Inc., of Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Indianapolis, Indiana requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1)

Project/Activity: The City of New York, New York requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Grand Prairie, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: January 25, 1996

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Baltimore Housing Partnership of Baltimore, Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: People's Housing Group of Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: January 25, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Boston's Public Facilities Department requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Chicanos Por La Causa of California requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of Austin, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The West Maryland Interfaith Housing Development Corporation requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Texas Department of Housing and Community Affairs and Habitat of Humanity, Inc., requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Operation Impact of St. Louis, Missouri, Inc., requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Tampa Bay Community Development Corporation of Tampa, Florida requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1)

Project/Activity: The City of Dallas, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 16, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: Community Building Group Inc., Baltimore, Maryland requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the

HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 16, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The City of College Station, Texas requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: February 23, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property deadline transfer for one year.

Regulation: 24 CFR 572.115(a)(1).

Project/Activity: The Rural Housing Improvement, Inc., of Winchendon, Massachusetts requested a waiver to extend the time permitted for the transfer of HOPE 3 properties to eligible families.

Nature of Requirement: The regulations at CFR 572.115(a)(1) require that units in eligible properties must be transferred to eligible families within two years of the effective date of the HOPE 3 implementation grant. The HUD field office may approve a request for an extension of a period not to exceed one year of that deadline.

Granted By: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: March 8, 1996.

Reasons Waived: Based on progress made in transferring the subject properties, the Assistant Secretary found good cause to extend the property transfer deadline for one year.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mr. Dom Nessi, Deputy Assistant Secretary for Native American Programs, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room B–133, Washington, D.C. 20410 (202) 755–0032; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1–800–877–8391.

Regulation: 24 CFR 950.325.

Project/Activity: Establishment of ceiling rents for Sault Ste. Marie Tribe of Chippewa Indians Housing Authority.

Nature of the Requirement: Waiver of the regulation cited above is required to allow establishment of ceiling rents for their Low Rent Program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 15, 1996.

Reason Waived: This waiver was requested and granted to allow the Sault Ste. Marie Tribe of Chippewa Indians Housing Authority to establish ceiling rents for their low rent program in accordance with PIH Notice 89–21 and 95–68, which provides for the establishment of ceiling rents in a low rent Indian housing program and the use of actual debt service.

Regulation: 24 CFR 950.325.

Project/Activity: Establishment of ceiling rents for Northern Circle Indian Housing Authority.

Nature of the Requirement: Waiver of the regulation cited above is required to allow establishment of ceiling rents for their Low Rent Program.

Granted By: Kevin Emanual Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 15, 1996.

Reason Waived: This waiver was requested and granted to allow the Northern Circle Indian Housing Authority to establish ceiling rents for their low rent program in accordance with PIH Notice 89–21 and 95–68, which provides for the establishment of ceiling rents in a low rent Indian housing program and the use of actual debt service.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Mirian Saez, Director, Office of Rental Assistance, Department of Housing Urban Development, 451 Seventh Street, S.W., Room 4226, Washington, D.C. 20410, (202) 708–2841; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1–800–877–8391.

Regulation: 24 CFR 982.303(b).

Project/Activity: Executive Office of Communities and Development (MA), Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate holder may seek housing to be leased under the program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 1, 1996.

Reason Waived: Approval of the waiver, which provides for an extended term of the certificate, prevented hardship to the certificate-holder whose multiple chemical sensitivities severely limit his ability to find a suitable rental unit.

Regulation: 24 CFR 982.303(b).

Project/Activity: Executive Office of Communities & Development (MA), Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate-holder may seek housing to be leased under the program.

Granted By: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 6, 1996.

Reason Waived: Approval of the waiver, which provided for an extension of the certificate term, prevented hardship to the family consisting of a single parent and a disabled child. The family was forced to move from the unit where it had received assistance after the owner refused to correct housing quality standards deficiencies. The family lives in a rural area where services are not universally available. The family's search for a unit was made difficult by the need to live where special services for the disabled son will continue to be available.

Regulation: 24 CFR 982.303(b).

Project/Activity: North Andover (MA) Housing Authority, Section 8 Certificate Program.

Nature of Requirement: The regulation provides for a maximum term of 120 days during which a certificate-holder may seek housing to be leased under the program.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: February 12, 1996.

Reason Waived: Approval of the waiver, which provided an extension of the certificate term, prevented hardship to the family which was about to become homeless. The poor health of the household head combined with the harsh winter weather made it difficult for the family to find a suitable unit. The family must locate a unit that will not aggravate the health conditions of its head and will allow him/her to remain close to essential medical support services.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: Joan

DeWitt, Director, Finance and Budget Division, Office of Public and Assisted Housing Operations, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, S.W., Room 4210, Washington, D.C. 20410, (202) 708–1872; hearing and speech-impaired individuals may call HUD's TTY toll-free number at 1–800–877–8391.

Regulation: 24 CFR 990.109(b)(3)(iv).

Project/Activity: Housing and Redevelopment Authority of the City of Blue Earth, MN.

Nature of Requirement: The regulation requires a Low Occupancy PHA without an approved Comprehensive Occupancy Plan to use a projected occupany percentage of 97%.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 13, 1996.

Reason Waived: The HA was allowed to use its actual occupancy percentage of 83% for its fiscal year ending September 30, 1996, to prevent undue hardship while it continues to meet the vacancy reduction and modernization goals of a 5-year implementation plan.

Regulation: 24 CFR 990.118(a)(2)(ii).

Project/Activity: Plainfield Housing Authority, NJ. A request was made to permit PFS reprocessing using 93% occupancy factor due to extenuating factors. Its subsidy had been calculated using the standard 97% figure.

Nature of Requirement: The regulation limits conditions under which a Comprehensive Occupancy Plan can be submitted.

Granted by: Kevin Emanuel Marchman, Acting Assistant Secretary for Public and Indian Housing.

Date Granted: March 29, 1996.

Reason Waived: The HA was unable to submit a timely and proper COP in conjunction with its December 31, 1995, Low Rent Public Housing Budget, due to the sudden departure of their accountant. Based on the extenuating circumstances, the HA was allowed to use 93% as its actual occupancy percentage to prevent undue hardship while it continues its efforts to reduce vacancies.

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federal register

Monday
August 12, 1996

Part VI

Department of Housing and Urban Development

NOFA for Technical Assistance for the John Heinz Neighborhood Development Program; Funding Availability for Fiscal Year 1996; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4011–N–01]

Office of the Assistant Secretary for Community Planning and Development; NOFA for Technical Assistance for the John Heinz Neighborhood Development Program

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice of funding availability for FY 1996.

SUMMARY: This NOFA announces the availability of $132,978 for technical assistance funding under the John Heinz Neighborhood Development Program. These funds are to be used to provide Technical Assistance to eligible neighborhood development organizations.

In the body of this NOFA is information concerning:

(a) The purpose and background of the NOFA, and the funding level provided through this NOFA;

(b) Eligible applicants and activities, factors for award and statutory and cooperative agreement requirements; and

(c) The application requirements and steps involved in the application process.

DATES: Completed applications must be submitted no later than 4:30 p.m. Eastern Time on September 11, 1996. HUD reserves the right to extend the deadline date through notification in the Federal Register. In the interest of fairness to all competing applicants, an application will be treated as ineligible for consideration if it is not physically received by the deadline date and hour. Applicants should take this requirement into account and make early submission of their materials to avoid any risk of losing eligibility brought about by unanticipated delays or other delivery related problems.

ADDRESSES: Completed applications (one original and two copies) should be submitted to: Processing and Control Branch, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7251, Washington, DC 20410, by mail or hand-delivery. When submitting your application, please refer to FR–4011, and include your name, mailing address (including zip code), and telephone number. HUD, however, will not accept faxed applications.

FOR FURTHER INFORMATION CONTACT: Ophelia H. Wilson or Stella Hall, Office of the Deputy Assistant Secretary for Grant Programs, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7220, Washington, DC 20410; telephone (202) 708–2186. (This is not a toll-free number.) For hearing- and speech-impaired persons, this number may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1–800–877–8339. However, written inquiries are preferred and may be mailed or faxed to: (202) 708–3363.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act Statement

The information collection requirements contained in this notice have been submitted to the Office of Management and Budget (OMB) for a temporary extension of the control number, in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520) and 5 CFR 1320.13. A notice requesting public comment on this extension will be published in the Federal Register. When assigned, the OMB control number will be published by a separate notice in the Federal Register. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

I. Background; Purpose; Authority; Amount Allocated

(A) Background

The purpose of the John Heinz Neighborhood Development Program (NDP) is to support eligible neighborhood development activities using cooperative efforts and monetary contributions from local sources. The Federal funds are incentive funds to promote neighborhood development initiatives and to encourage neighborhood organizations to become more self-sufficient in their development activities. The objectives of the program are: (1) To help neighborhood development organizations increase their capacities to carry out larger or more complex activities, in cooperation with private and public institutions; and (2) to assist neighborhood development organizations to achieve long-term financial support for their activities. The activities must benefit low-income persons within the neighborhood.

This program is also designed to help neighborhood development organizations address the needs of their neighborhood while furthering the following HUD values:

—A Commitment to Community;
—A Commitment to Support Families;
—A Commitment to Economic Lift;
—A Commitment to Reciprocity and to Balancing Individual Rights and Responsibilities; and
—A Commitment to Reducing the Separations by Race and Income in American Life.

(B) Purpose

The purpose of this NOFA is to obtain contractor services to provide technical assistance to nonprofit neighborhood-based organizations to assist them in:

(1) Making better use of available resources by coordinating the delivery of services and programs available;

(2) Developing strategic plans for the physical and economic revitalization of local neighborhoods;

(3) Coordinating the delivery of social and human services to bolster the physical and economic revitalization that is occurring, or is proposed to occur, in local neighborhoods;

(4) Designing and implementing programs to maintain, rehabilitate and construct affordable housing; create small business development opportunities; work with employers to create job and job training opportunities; create or support stay-in-school and youth mentoring programs; and

(5) Plan, promote or finance neighborhood improvement efforts.

(C) Authority

Section 123 of the Housing and Urban-Rural Recovery Act of 1983 (42 U.S.C 5318 note) (Section 123) authorized the John Heinz Neighborhood Development Program. The program is governed by regulations contained in 24 CFR part 594.

(D) Amount Allocated

This NOFA announces the availability of $132,978 from the John Heinz Neighborhood Development Program to provide technical assistance (TA) to nonprofit neighborhood-based development organizations. A Cooperative Agreement will be for a period of up to 12 months. However, HUD reserves the right to terminate the award in accordance with provisions contained in OMB Circulars A–102, A–110, and 24 CFR part 85 any time after 6 months.

In cases where an applicant selected for funding under this NOFA currently is providing TA under an existing HUD Office of Community Planning and Development (CPD) TA grant/cooperative agreement, HUD reserves the right to adjust the start date of funding under this NOFA to coincide

with the conclusion of the previous award, or to incorporate the remaining activities from the previous award into the new agreement, adjusting the funding levels as necessary.

(E) General Program Requirements

(1) *Statutory Requirements.* Applicants must comply with any applicable statutory and regulatory requirements under the John Heinz Neighborhood Development Program (42 U.S.C. 5138 note and 24 CFR part 594).

(2) *Profit/Fee.* No increment above cost and no fee or profit may be paid to any recipient or subrecipient of an award under this NOFA. (This is in accordance with paragraph 2.19(e) in HUD Handbook 2210.17 (Rev. 2, January 23, 1992).)

(3) *Statement of Work.* After selection for funding, but prior to award, the applicant must ensure that any deletions, additions, or enhancement to the Statement of Work submitted in the application are incorporated into the approved grant, including details of how the approved Statement of Work will be accomplished. Following a task-by-task format, the approved Statement of Work must:

(a) Delineate the tasks and sub-tasks. Indicate the sequence in which the tasks are to be performed, noting areas of work that must be performed simultaneously.

(b) Identify specific numbers of quantifiable end products and program improvements the TA provider aims to deliver by the end of the cooperative agreement period.

(4) *Certifications and Assurances.* After selection for funding, but prior to award, the applicant must submit signed copies of the following Assurances and Certifications:

(a) Drug-Free Workplace Certification;

(b) Certification Regarding Lobbying; Applicant/Recipient Disclosure Update Report;

(c) Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (where applicable).

(5) *Project Management and Staff Allocation Plan.* After selection for funding, but prior to award, the applicant must submit a Project Management and Staff Allocation Plan for carrying out the activities proposed in the Statement of Work. The Project Management and Staff Allocation Plan submission should cover the proposed period of performance.

(6) *Financial Management and Audit Information.* After selection for funding, but prior to award, the applicant must submit a certification from an Independent Public Accountant or the cognizant government auditor, stating that the financial management system employed by the applicant meets prescribed standards for fund control and accountability required by OMB Circular A–110 for Institutions of Higher Education and other Non-Profit Institutions, and OMB Circular A–133 for other nonprofit organizations. The information should include the name and telephone number of the independent auditor, cognizant Federal auditor, or other audit agency as applicable.

(7) *Demand/Response Delivery System.* An awardee must operate within the structure of the demand/response system described in this section of the NOFA. The awardee must also coordinate its plan with the HUD Headquarters Government Technical Representative (GTR) and each Field Office within whose jurisdictions the awardee is operating, when applicable.

Under the demand/response system, the TA provider will be required to:

(a) Market the availability of their services to existing grantees and other eligible participants.

(b) Obtain approval for the technical assistance delivery plan from the HUD Headquarters Government Technical Representative with oversight for the Cooperative Agreement.

(c) Work cooperatively with other TA providers to ensure that clients are provided with the full range of TA services needed and available. TA providers are expected to be knowledgeable about the range of services available from other providers; make referrals and arrange visits by other TA providers, when appropriate; and carry out TA activities concurrently, when it is cost-effective and in the interests of the client to do so. HUD may direct the TA provider to conduct joint activities.

(d) When conducting training sessions as part of its TA activities, the provider will be expected to:

(1) Make provision for professional videotaping of the workshops/courses as directed by the GTR and ensure their production in a professional and high-quality manner suitable for viewing by other CPD clients; and

(2) Design the course materials as step-in packages, so that a Field Office or other TA provider may separately give the course on its own; and arrange for joint delivery of the training with Field Office participation when so requested by the HUD Headquarters GTR or the Field Office.

(e) Report to the HUD Headquarters GTR with oversight for the Cooperative Agreement. At a minimum, this reporting shall be on a quarterly basis, unless otherwise specified in the approved TA action plan.

(f) When approved or requested by HUD Headquarters, HUD Field Offices staff will serve as active participants in the delivery of technical assistance by funded providers, serving in such roles as Cooperative Agreement Officers, GTRs, Coordinators, etc., as needed.

II. Eligible Applicants

An eligible applicant must meet the criteria listed below:

All applicant organizations must have demonstrated experience in providing technical assistance in a geographic area larger than a single city or county and must propose to serve an area larger than a single city or county.

A consortium of organizations may apply but HUD will require that one organization be designated as the legal applicant, where legally feasible. Where one organization cannot be so designated for all proposed activities, HUD may execute more than one cooperative agreement with the members of a consortium.

The TA provider may propose assistance using in-house staff, consultants, subcontractors and subrecipients, and networks of private consultants or local organizations with requisite experience and capabilities. Whenever possible, applicants should make use of technical assistance providers located in the Field Office jurisdictions receiving services. This draws upon local expertise and persons familiar with the opportunities and resources available in the area to be served, while reducing travel and other costs associated with delivering the proposed technical assistance services.

Eligible applicants may be:

(1) Public and private nonprofit or for-profit groups, including educational institutions qualified to provide technical assistance on the John Heinz Neighborhood Development Program; or

(2) Public and private nonprofit intermediary organizations that provide services (in more than one community) to neighborhood development organizations to support neighborhood development or social or economic community revitalization efforts. An intermediary will be considered as a primarily single-State technical assistance provider if it can document that more than 50 percent of its past activities in working with nonprofit and other organizations on neighborhood revitalization efforts (production of housing, social service delivery, job creation, or job training, or revitalization of deteriorating neighborhoods), or delivery of technical assistance to these

groups, was confined to the geographic limits of a single State.

III. Eligible Activities

Funding under this NOFA is available to provide technical assistance to eligible neighborhood development organizations to plan, develop, administer, implement, and evaluate eligible activities (see 24 CFR 594.10), or to coordinate effectively eligible activities with other federally, State-, locally, or privately funded community development activities.

IV. Factors for Award

(A) *Rating Factors.* Applicants will be evaluated competitively and ranked against all other applicants that have applied. The factors and maximum points for each factor are provided below. The maximum number of points is 100.

Rating of the ''applicant'' or the ''applicant's organization and staff,'' unless otherwise specified, will include any subcontractors, consultants, subrecipients, and members of consortia that are firmly committed to the project.

1. Potential effectiveness of the application in meeting the needs of nonprofit neighborhood-based development organizations (40 points). In rating this factor, HUD will consider the extent to which the proposal:

(a) Identifies high priority needs and issues to be addressed.

(b) Outlines a clear and effective plan for addressing those needs.

(c) Identifies creative and promising ways to assist organizations in carrying out eligible program activities.

(d) Identifies specific numbers of quantifiable end-products and services the TA provider aims to deliver by the end of the cooperative agreement period to assist nonprofit neighborhood organizations build capacity (e.g., number of organizations that will build capacity through leveraging resources both outside of and within the community and through the development of new partnerships with national foundations, nonprofit corporations, public and private organizations, and local or State governments, to find feasible ways to obtain resources to support their neighborhood revitalization efforts), and identifies the number of organizations that will be linked with a national technical assistance provider to receive further technical assistance.

2. *Soundness of approach (20 points).* In rating this factor, HUD will consider the extent to which the proposal:

(a) Provides a cost-effective plan for designing, organizing, and carrying out the proposed technical assistance within the established budget and time frames.

(b) Demonstrates an effective and creative plan for working with other TA providers in each Field Office jurisdiction in which the applicant will operate.

3. *Capacity of the applicant and relevant organizational experience (30 points).* In rating this factor, HUD will consider the extent to which the proposal demonstrates:

(a) Recent, relevant, and successful experience of the applicant's organization and staff in providing technical assistance to nonprofit neighborhood-based (grassroots) organizations.

(b) The experience and competence of key personnel in managing complex, multi-faceted or multi-disciplinary programs that required coordination with other TA entities.

(c) The applicant has a working knowledge of, and established relationships with, key public bodies and private organizations involved in CPD programs nationally.

(d) The applicant has sufficient personnel or access to qualified experts or professionals to deliver the proposed level of technical assistance in a timely and effective fashion.

4. *Transferability of results (10 points).* In rating this factor, HUD will consider the extent to which the applicant proposes a feasible, creative plan that uses state of the art technology to transfer models and lessons learned to clients in other HUD programs.

(B) *Selection Process.* Once scores are assigned, all applications will be listed in rank order. Regardless of final scores, HUD may apply the following criteria to select a provider and projects that would best serve program objectives: geographic distribution; and diversity of methods, approaches, or kinds of projects. HUD will select a provider that brings expertise in one or more specialized activity area, to strengthen or supplement the intermediary network in terms of the location (service area), types, and scope of technical assistance provided.

V. Application Process

All information and forms needed to complete and submit an application under this NOFA are contained in the NOFA, except for Standard Form SF 424 and SF 424B. These forms are available from HUD by faxing a request to Ophelia H. Wilson or Stella Hall (fax: (202) 708–3363; or see Section VI of this NOFA for instructions for obtaining the SF 424 forms).

The address for submitting an application is: Processing and Control Branch, Room 7251, Office of Community Planning and Development, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. In submitting your application, please refer to FR–4011 and include your name, mailing address (including zip code), and telephone number. The completed application (one original and 2 copies) must be physically received by the Processing and Control Branch, at the above address, no later than 4:30 p.m. Eastern Time on September 11, 1996. HUD reserves the right to extend the deadline date through notification in the Federal Register. HUD will not accept faxed applications. Applications not meeting the format requirements identified in Section VI of this NOFA, Application Submission Requirements, will not be considered for funding.

All applications should be sent to HUD's Washington, DC, Headquarters Office. Only applications that are received on time will receive funding consideration.

VI. Application Submission Requirements

All applicants must submit applications on 8 1/2'' by 11'' paper, bound in looseleaf binders for easy photocopying. All pages and attachments must be numbered consecutively, in arabic numbers. No tabs or fold-out sheets will be permitted. Items not meeting these specifications will not be reproduced and distributed for review. Applications must use the following format and contain the following items:

(1) Transmittal Letter.

(2) OMB Standard Form 424, Request for Federal Assistance and Standard Form 424B, Non-Construction Assurances, signed by a person legally authorized to enter into an agreement with the Department. Fax requests for Standard Forms 424 and 424B to Ophelia Wilson or Stella Hall at (202) 708–3363 (this is not a toll-free number).

(3) A Statement of Work that incorporates all activities to be funded in the application and details how the proposed work will be accomplished. Following a task-by-task format, the Statement of Work must:

(a) Delineate the tasks and sub-tasks involved and how the tasks meet the Factors for Award. Indicate the sequence in which the tasks are to be performed, noting areas of work that must be performed simultaneously.

(b) Identify specific numbers of quantifiable end-products and program improvements the TA provider aims to

deliver by the end of the cooperative agreement period.

(4) Narrative statement addressing the Factors for Award in Section IV of this NOFA. The narrative response should be numbered in accordance with each factor for award identified under Section IV.

(5) Budget-by-task for which funds are requested.

(6) Summary Budget identifying costs by cost category, in accordance with the following:

(i) Direct Labor by position or individual, indicating the estimated hours per position, the rate per hour, estimated cost per staff position, and the total estimated direct labor costs;

(ii) Fringe Benefits by staff position identifying the rate, the salary base the rate was computed on, estimated cost per position, and the total estimated fringe benefit cost;

(iii) Material Costs indicating the item, unit cost per item, the number of items to be purchased, estimated cost per item, and the total estimated material costs;

(iv) Transportation Costs. Where air transportation is proposed, costs should identify each destination, number of trips per destination, estimated air fare, and total estimated air transportation costs. If other transportation costs are listed, the applicant should identify the other method of transportation selected, the number of trips to be made to each destination, the estimated cost, and the total estimated costs for other transportation costs. In addition, applicants should identify per diem or subsistence costs per travel day on the number of travel days included, the estimated costs for per diem/subsistence, and the total estimated transportation costs;

(v) Equipment Charges, if any. Equipment charges should identify the type of equipment, quantity, unit costs, and total estimated equipment costs;

(vi) Consultant Costs. Indicate the type, estimated number of consultant days, rate per day, total estimated consultant costs per consultant, and total estimated costs for all consultants;

(vii) Subcontract Costs. Indicate each individual subcontract and amount. Each proposed subcontract should include a separate budget that identifies costs by cost categories;

(viii) Other Direct Costs listed by item, quantity, unit cost, total for each item listed, and the total direct costs for the award;

(ix) Indirect Costs, identifying the type of cost, approved indirect cost rate, base to which the rate applies, and total indirect costs.

These line items should total the amount requested. The submission should include the rationale used to determine costs and validation of fringe and indirect cost rates.

Corrections to Deficient Applications

Applicants will have 14 calendar days from the date HUD notifies the applicant of any technical deficiency to submit the appropriate information in writing to HUD. Notification of a technical deficiency shall be made in writing. Technical deficiencies relate only to items that would not improve the substantive quality of the application relative to the ranking factors such as a failure to submit a required certification.

VII. Other Matters

Environmental Review

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332). The finding is available for public inspection during regular business hours in the Office of the General Counsel, Rules Docket Clerk, Room 10276, 451 Seventh Street, SW, Washington, DC 20410. This NOFA funds only technical assistance; therefore, awards under this NOFA are categorically excluded from environmental assessment under the National Environmental Policy Act and are not subject to environmental review under related environmental laws and authorities, in accordance with 24 CFR 50.20(b) and 50.19(g), respectively, of the HUD regulations.

Federalism

The General Counsel, as the Designated Official under section 6(a) of the Executive Order 12612, Federalism, has determined that the policies contained in this notice will not have substantial direct effects on States or their political subdivisions, or the relationship between the Federal government and the States, or on the distribution of power and responsibilities among the various levels of government. As a result, the notice is not subject to review under the Order. The notice merely announces funding for the provision of technical assistance services to nonprofit neighborhood-based development organizations.

Impact on the Family

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this notice will have a beneficial, although indirect, impact on family formation, maintenance, and general well-being. The technical assistance provided as a result of an award under this NOFA will promote the ability of eligible applicants to meet the requirements and program objectives of the program. Accordingly, since the impact on the family is beneficial and indirect, no further review is considered necessary.

Documentation and Public Access Requirements; Applicant/Recipient Disclosures: HUD Reform Act

Documentation and public access requirements. Pursuant to Section 102 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (HUD Reform Act), HUD will ensure that documentation and other information regarding each application submitted pursuant to this NOFA are sufficient to indicate the basis upon which assistance was provided or denied. This material, including any letters of support, will be made available for public inspection for a 5-year period beginning not less than 30 days after the award of the assistance. Materials will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15. In addition, HUD will include the recipients of assistance pursuant to this NOFA in a Federal Register notice of recipients of HUD assistance awarded on a competitive basis. (See section 102 and 24 CFR part 4, subpart A, as published on April 1, 1996 (61 FR 14448).)

Disclosures. HUD will make available to the public for 5 years all applicant disclosure reports (HUD Form 2880) submitted in connection with this NOFA. Update reports (also Form 2880) will be made available along with the applicant disclosure reports, but in no case for a period less than 3 years. All reports—both applicant disclosures and updates—will be made available in accordance with the Freedom of Information Act (5 U.S.C. 552) and HUD's implementing regulations at 24 CFR part 15.

Prohibition Against Advance Information on Funding Decisions

HUD's regulation implementing section 103 of the Department of Housing and Urban Development Reform Act of 1989 (42 U.S.C. 3537a) (Reform Act), codified as 24 CFR part 4, applies to the funding competition announced today. The requirements of the rule continue to apply until the

announcement of the selection of successful applicants.

HUD employees involved in the review of applications and in the making of funding decisions are restrained by part 4 from providing advance information to any person (other than an authorized employee of HUD) concerning funding decisions, or from otherwise giving any applicant an unfair competitive advantage. Persons who apply for assistance in this competition should confine their inquiries to the subject areas permitted under 24 CFR part 4.

Applicants or employees who have ethics-related questions should contact the HUD Office of Ethics (202) 708–3815 (TDD/Voice) (this is not a toll-free number). Any HUD employee who has specific program questions, such as whether particular subject matter can be discussed with persons outside the Department, should contact the appropriate Field Office Counsel or Headquarters counsel for the program to which the question pertains.

Prohibition Against Lobbying Activities

The use of funds awarded under this NOFA is subject to the disclosure requirements and prohibitions of section 319 of the Department of Interior and Related Agencies Appropriations Act for Fiscal Year 1990 (31 U.S.C. 1352) (the ''Byrd Amendment'') and the implementing regulations at 24 CFR part 87. These authorities prohibit recipients of Federal contracts, grants or loans from using appropriated funds for lobbying the Executive or Legislative branches of the federal government in connection with a specific contract, grant or loan. The prohibition also covers the awarding of contracts, grants, cooperative agreements, or loans unless the applicant has made an acceptable certification regarding lobbying.

Under 24 CFR part 87, applicants, recipients, and subrecipients of assistance exceeding $100,000 must certify that no federal funds have been or will be spent on lobbying activities in connection with the assistance.

The Catalog of Federal Domestic Assistance program number is 14.242.

Dated: July 31, 1996.

Andrew Cuomo,

Assistant Secretary for Community Planning and Development.

[FR Doc. 96–20534 Filed 8–7–96; 5:00 pm]

BILLING CODE 4210–29–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4011–N–02]

Office of the Assistant Secretary for Community Planning and Development; Notice of Proposed Information Collection for Public Comment

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for emergency review and approval, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments due:* August 19, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments must be received within seven (7) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Joseph F. Lackey, Jr., HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Kay F. Weaver, Reports Management Officer, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, telephone (202) 708–0050. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Weaver.

SUPPLEMENTARY INFORMATION: This Notice informs the public that the Department of Housing and Urban Development (HUD) has submitted to OMB, for emergency processing, a proposed Notice of Fund Availability (NOFA) for Technical Assistance for the John Heinz Neighborhood Development Program. HUD is requesting OMB approval by August 20, 1996.

Under the John Heinz Neighborhood Development Program, HUD will provide up to $132,978 to obtain contractor services to provide Technical Assistance to eligible neighborhood development organizations. Eligible applicants are: public and private nonprofit or for-profit groups, including educational institutions qualified to provide technical assistance on Community Development Block Grant Programs; or public and private nonprofit intermediary organizations that provide services (in more than one community) to neighborhood-based organizations to support neighborhood development or social or economic community revitalization efforts.

The information collection is essential so that HUD staff may determine the eligibility, qualifications and capability of applicants to provide technical assistance to nonprofit neighborhood development organizations. HUD will review the information provided by the applicants against the selection criteria contained in the Technical Assistance NOFA in order to rate and rank the applications and select the best and most qualified individual application for funding. The selection criteria are: (1) Effectiveness of the application in meeting the needs of nonprofit neighborhood-based development organizations; (2) Soundness of approach; (3) Capacity of the applicant and relevant organizational experience; and (4) Transferability of results.

The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35):

(1) Title of the information collection proposal: NOFA for Technical Assistance for the John Heinz Neighborhood Development Program.

(2) Summary of the collection of information:

Each applicant seeking funding under the Technical Assistance NOFA would be required to submit current information, as listed below:

1. Form S.F. 424—Application for Federal Assistance;
2. Form S.F. 424B—Non-Construction Assurances;
3. Certifications—Concerning Use of Federal Funds for Lobbying and Concerning Drug-Free Workplace; and
4. Narratives for each of the four selection criteria.

(3) Description of the need for the information and its proposed use:

The information collection is essential so that HUD staff may determine the eligibility, qualifications and capability of applicants to provide technical assistance to nonprofit neighborhood-based development organizations eligible under the John Heinz Neighborhood Development Program. HUD will review the information provided by the applicants against the selection criteria contained in the NOFA in order to rate and rank the applications and select the best and most qualified individual application for funding.

(4) Description of the likely respondents, including the estimated number of likely respondents, and

proposed frequency of response to the collection of information:

Eligible applicants are: Public and private nonprofit or for-profit groups, including educational institutions qualified to provide technical assistance on Community Development Block Grant Programs; or Public and private nonprofit intermediary organizations that provide services (in more than one community) to neighborhood-based organizations to support neighborhood development or social or economic community revitalizations efforts.

The number of such technical assistance providers is relatively small. The estimated number of respondents is 10. The proposed frequency of the response to the collection of information is one-time. The application need only be submitted once.

(5) Estimate of the total reporting and recordkeeping burden that will result from the collection of information:

Reporting Burden:

Number of Respondents: 10.

Total Annual Responses: 14.

(@ 40 hours per application): 400.

(@ 80 hours per report): 320.

Total Estimated Burden Hours: 720.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: August 6, 1996.

David S. Cristy,

Director, IRM Policy and Management Division.

[FR Doc. 96–20535 Filed 8–7–96; 5:00 pm]

BILLING CODE 4210–29–M

federal register

Monday
August 12, 1996

Part VII

Department of Housing and Urban Development

24 CFR Part 350

Office of the Assistant Secretary for Housing—Federal Housing Commission; Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions; Correction and Technical Revision; Final Rule and Submission for OMB Review; Comment Request; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 3500

[Docket No. FR–3638–F–04]

RIN 2502–AG26

Office of the Assistant Secretary for Housing-Federal Housing Commissioner; Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions; Correction and Technical Revision

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Correction and revision of final rule.

SUMMARY: This document amends a final rule that was published on June 7, 1996 (61 FR 29238) by correcting the preamble and revising Appendix D, Controlled Business Arrangement Disclosure Statement Format. The rule primarily affects the requirements applicable to controlled business arrangements and computer loan origination systems in the Department's regulations implementing the Real Estate Settlement Procedures Act. The correction in this document and two notices published elsewhere in today's Federal Register relate to the Paperwork Reduction Act Statement that appears in the rule. The revision of Appendix D reorganizes the disclosure format for better clarity.

EFFECTIVE DATE: October 7, 1996.

FOR FURTHER INFORMATION CONTACT: David Williamson, Director, Office of Consumer and Regulatory Affairs, Room 5241, telephone (202) 708–4560, or for legal questions about the appendix, Richard Bennett, Attorney, Office of General Counsel, Room 9262, telephone (202) 708–3137. (The telephone numbers are not toll-free.) For hearing- and speech-impaired persons, these numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1–800–877–8339. The address for the above-listed persons is: Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

SUPPLEMENTARY INFORMATION:

Background

In the preamble of the rule published on June 7, 1996 (61 FR 29238) (June 7 rule), the Department stated an incorrect OMB control number for the information collection requirements regarding controlled business arrangements (see 24 CFR 3500.15). The correction in this document, and two notices published elsewhere in today's Federal Register, relate to the Paperwork Reduction Act Statement that appears in the rule.

In addition, Appendix D (Controlled Business Arrangement Disclosure Statement Format) in the rule contained instructions to the preparer that could create confusion. Therefore, HUD is making technical revisions to the format and instructions, to make it more clear how the format is to be completed.

Correction and Technical Revision

Accordingly, FR Doc. 96–14329, Amendments to Regulation X, the Real Estate Settlement Procedures Act: Withdrawal of Employer-Employee and Computer Loan Origination Systems (CLOs) Exemptions, published on June 7, 1996 (61 FR 29238), is corrected and amended as follows:

(1) In the preamble on page 29238, in the second column, under the heading ''Paperwork Reduction Act Statement'', by correctly revising the first paragraph to read as follows:

The information collection requirements contained in § 3500.15 of this rule have been submitted to the Office of Management and Budget (OMB) for review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520). Additional information on this submission can be found in two notices published on August 12, 1996. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

(2) On page 29254, Appendix D to Part 3500 is correctly revised to read as follows:

Appendix D to Part 3500

Controlled Business Arrangement Disclosure Statement Format; Notice

To: _____

From: _____
(Entity Making Statement)

Property: _____

Date: _____

This is to give you notice that [referring party] has a business relationship with [settlement services provider(s) . [Describe the nature of the relationship between the referring party and the provider(s), including percentage of ownership interest, if applicable.] Because of this relationship, this referral may provide [referring party] a financial or other benefit.

[A.] Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider(s) as a condition for [settlement of your loan on] [or] [purchase, sale, or refinance of] the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Provider and settlement service	Charge or range of charges

[B.] Set forth below is the estimated charge or range of charges for the settlement services of an attorney, credit reporting agency, or real estate appraiser that we, as your lender, will require you to use, as a condition of your loan on this property, to represent our interests in the transaction.

Provider and settlement service	Charge or range of charges

Acknowledgment

I/we have read this disclosure form, and understand that [referring party] is referring me/us to purchase the above-described settlement service(s) and may receive a financial or other benefit as the result of this referral.

_____
Signature

[INSTRUCTIONS TO PREPARER:] [Use paragraph A for referrals other than those by a lender to an attorney, a credit reporting agency, or a real estate appraiser that a lender is requiring a borrower to use to represent the lender's interests in the transaction. Use paragraph B for those referrals to an attorney, credit reporting agency, or real estate appraiser that a lender is requiring a borrower to use to represent the lender's interests in the transaction. When applicable, use both paragraphs. Specific timing rules for delivery of the controlled business disclosure statement are set forth in 24 CFR 3500.15(b)(1) of Regulation X. These INSTRUCTIONS

TO PREPARER should not appear on the statement.]

Authority: 12 U.S.C. 2601 et seq.; 42 U.S.C. 3535(d).

Dated: August 1, 1996.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 96–20169 Filed 8–9–96; 8:45 am]

BILLING CODE 4210–27–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–3638–N–06]

Office of the Assistant Secretary for Housing-Federal Housing Commissioner; Proposed Collection; Comment Request

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice of proposed information collection.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal. By separate notice in today's Federal Register, the Department is also soliciting comment for a 7-day emergency review period on the same and related information collection requirements covered by this notice.

DATES: *Comments due:* October 11, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Oliver Walker, Reports Liaison Officer, Department of Housing and Urban Development, 451—7th Street, SW., Room 9116, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Ivy M. Jackson, Real Estate Settlement Procedures Act (RESPA) Enforcement Unit, Department of Housing and Urban Development, Room 5341, 451 7th Street, SW., Washington, DC 20410; phone (202) 708–4560 (this is not a toll-free number). For copies of the proposed forms and other available documents contact Oliver Walker, Chief Directives, Reports and Forms Branch on 708–1694 extension 2144 (this is not a toll-free number). For hearing- and speech-impaired persons, these telephone numbers may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1–800–877–8339.

SUPPLEMENTARY INFORMATION: The Department will submit to OMB for review the proposed information collection contained in a rule published June 7, 1996 (61 FR 29238) (''June 7 rule''), as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). By two separate documents in today's Federal Register, the Department, simultaneously with this notice: (1) Is soliciting comment for a 7-day emergency review period on the same and related information collection requirements covered by this notice; and (2) is publishing a correction for the June 7 rule, which contained erroneous information about the approval status of these information collections.

The Notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Controlled Business Arrangement Disclosure (CBA disclosure) under 24 CFR 3500.15, as amended by a rule published June 7, 1996 (61 FR 29238).

OMB Control Number: Pending.

Description of the need for the information and proposed use: A settlement service provider or an employee of a settlement service provider is required to give the borrower a CBA disclosure prior to or at the time the borrower is referred to an affiliated provider. The CBA disclosure must be a separate piece of paper and the format must contain the following information.

1. Specify the nature of the relationship (explaining the ownership and financial interest) between the person performing the settlement service and the person making the referral.

2. Describe the estimated charges or range of charges generally made by the provider of settlement services.

3. State that the borrower is not required to use the referred provider (except for certain circumstances).

Agency form numbers, if applicable: None.

Members of affected public: Settlement service providers and their employees.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: See below.

Number of respondents	×	Frequency of response	×	Hours per response	=	Burden hours
10,000		2.4 mill.		0.10		240,000

Total Estimated Burden Hours: 240,000.

Status of the proposed information collection: Emergency review request pending for approval of disclosure requirements.

AUTHORITY: 44 U.S.C. 3506; 42 U.S.C. 3535(d).

Dated: August 1, 1996.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 96–20171 Filed 8–9–96; 8:45 am]

BILLING CODE 4210–27–M

[Docket No. FR–3638–N–05]

Office of the Assistant Secretary for Housing-Federal Housing Commissioner; Submission for OMB Review; Comment Request

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Notice of proposed information collection.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for emergency review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal. By separate notice in today's Federal Register, the Department is also soliciting comment for 60 days on a portion of the information collection requirements covered by this emergency review notice.

DATES: The due date for comments is: August 19, 1996.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments must be

received within seven (7) days from the date of this Notice. Comments should refer to the proposal by name and should be sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Kay F. Weaver, Reports Management Officer, Department of Housing and Urban Development, 451 Seventh Street, SE, Washington, DC 20410, telephone (202) 708–0050 (this is not a toll-free number). For hearing- and speech-impaired persons, this number may be accessed via TTY (text telephone) by calling the Federal Information Relay Service at 1–800–877–8339. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Ms. Weaver.

SUPPLEMENTARY INFORMATION: This Notice informs the public that the Department of Housing and Urban Development (HUD) has submitted to OMB, for emergency processing, an information collection package with respect to a disclosure required for controlled business arrangements between affiliated settlement service providers. HUD seeks to implement this initiative as soon as possible. We are requesting that OMB approve this Information Collection Package by August 12, 1996. By two separate documents in today's Federal Register, the Department, simultaneously with this notice: (1) is publishing a correction for a rule that was published on June 7, 1996 (61 FR 29238) (''June 7 rule''), and contained erroneous information about the approval status of these information collections; and (2) is soliciting comment for the regular 60-day review period on a portion of the information collection requirements (which were included in the June 7 rule) covered by this notice. Regulatory provisions implementing the statutory requirement for a disclosure under covered circumstances (see 12 U.S.C. 2607(c)(4)) are currently codified in 24 CFR 3500.15(b) and have been revised by the June 7 rule (effective October 7, 1996). Although the revisions in the June 7 rule will make small changes in the format provided for the controlled business disclosure, these revisions are not expected to affect the burden attributed to information collection requirements in the current regulations. Therefore, this notice is for the purpose of soliciting comment on the controlled business disclosure requirements under both the current regulations and the regulations as they will be amended on the effective date of the June 7 rule.

In order for borrowers who seek federally related mortgage loans (including purchase money, refinances, assumptions, property improvement, lines of credit, etc.) to be better-informed shoppers, a settlement service provider, or employee thereof, is required to give the borrower a certain disclosure when the borrower is being referred to an affiliated settlement service provider. This controlled business disclosure alerts the borrower that the referral may be based on a business arrangement between the two providers, rather than on the best rate or best service. Section 8(c)(4) of the Real Estate Settlement Procedures Act (RESPA) (12 U.S.C. 2607(c)(4)), as well as the implementing regulations at 24 CFR 3500.15, require that borrowers receive this notice.

The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35): Notice of Submission of Proposed Information Collection to OMB

Proposal: Controlled Business Arrangement Disclosure (CBA disclosure) under 24 CFR 3500.15.

Office: Office of Housing-Federal Housing Commissioner.

Description of the Need for the Information and its Proposed Use: A settlement service provider or an employee of a settlement service provider is required to give the borrower a CBA disclosure prior to or at the time the borrower is referred to an affiliated provider. The CBA disclosure must be a separate piece of paper and the format must contain the following information.

1. Specify the nature of the relationship (explaining the ownership and financial interest) between the person performing the settlement service and the person making the referral.

2. Describe the estimated charges or range of charges generally made by the provider of settlement services.

3. State that the borrower is not required to use the referred provider (except for certain circumstances).

Form Numbers: None.

Respondents: Respondents will be settlement service providers, or employees thereof, who refer borrowers to other affiliated providers.

The estimated number of respondents is 10,000. The disclosure is required to be given each time a settlement service provider refers the borrower to an affiliated service provider. This specifically includes each time an employee who does not perform settlement services refers business to an affiliate.

Frequency of Submission: The third party disclosure is required whenever a borrower is referred to an affiliated provider.

Reporting Burden: (Although the revisions in the June 7 rule will make small changes in the format provided for the controlled business disclosure, these revisions are not expected to affect the burden attributed to information collection requirements in the current regulations.)

Number of respondents	×	Frequency of response	×	Hours per response	=	Burden hours
10,000		2.4 mill.		0.10		240,000

Total Estimated Burden Hours: 240,000.

Status: New approval.

AUTHORITY: 44 U.S.C. 3507; 42 U.S.C. 3535(d).

Dated: August 1, 1996.

David S. Cristy,

Director, IRM Policy and Management Division.

[FR Doc. 96–20172 Filed 8–9–96; 8:45 am]

BILLING CODE 4210–27–M

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600–799	(869–028–00071–1)	8.50	Apr. 1, 1996
800–1299	(869–026–00074–3)	23.00	Apr. 1, 1995
1300–End	(869–028–00073–8)	14.00	Apr. 1, 1996
22 Parts:			
1–299	(869–028–00074–6)	36.00	Apr. 1, 1996
300–End	(869–028–00075–4)	24.00	Apr. 1, 1996
23	(869–028–00076–2)	21.00	Apr. 1, 1996
24 Parts:			
0–199	(869–028–00077–1)	30.00	May 1, 1996
200–219	(869–028–00078–9)	14.00	Apr. 1, 1996
*220–499	(869–028–00079–7)	13.00	Apr. 1, 1996
*500–699	(869–028–00080–1)	14.00	Apr. 1, 1996
*700–899	(869–028–00081–9)	13.00	Apr. 1, 1996
900–1699	(869–026–00084–1)	24.00	Apr. 1, 1995
1700–End	(869–028–00083–5)	14.00	May 1, 1996
25	(869–028–00084–3)	32.00	Apr. 1, 1996
26 Parts:			
§§ 1.0-1–1.60	(869–028–00085–1)	21.00	Apr. 1, 1996
§§ 1.61–1.169	(869–028–00086–0)	34.00	Apr. 1, 1996
§§ 1.170–1.300	(869–028–00087–8)	24.00	Apr. 1, 1996
§§ 1.301–1.400	(869–028–00088–6)	17.00	Apr. 1, 1996
§§ 1.401–1.440	(869–028–00089–4)	31.00	Apr. 1, 1996
§§ 1.441-1.500	(869-028-00090-8)	22.00	Apr. 1, 1996
§§ 1.501–1.640	(869–028–00091–6)	21.00	Apr. 1, 1996
§§ 1.641–1.850	(869–028–00092–4)	25.00	Apr. 1, 1996
§§ 1.851–1.907	(869–028–00093–2)	26.00	Apr. 1, 1996
§§ 1.908–1.1000	(869–028–00094–1)	26.00	Apr. 1, 1996
§§ 1.1001–1.1400	(869–028–00095–9)	26.00	Apr. 1, 1996
§§ 1.1401–End	(869–028–00096–7)	35.00	Apr. 1, 1996
2–29	(869–028–00097–5)	28.00	Apr. 1, 1996
30–39	(869–028–00098–3)	20.00	Apr. 1, 1996
40–49	(869–028–00099–1)	13.00	Apr. 1, 1996
50–299	(869–028–00100–9)	14.00	Apr. 1, 1996
300–499	(869–028–00101–7)	25.00	Apr. 1, 1996

Title	Stock Number	Price	Revision Date
500–599	(869–028–00102–5)	6.00	[4] Apr. 1, 1990
600–End	(869–028–00103–3)	8.00	Apr. 1, 1996
27 Parts:			
1–199	(869–028–00104–1)	44.00	Apr. 1, 1996
200–End	(869–028–00105–0)	13.00	Apr. 1, 1996
28 Parts:			
1-42	(869–026–00108–1)	27.00	July 1, 1995
43-end	(869-026-00109-0)	22.00	July 1, 1995
29 Parts:			
0–99	(869–026–00110–3)	21.00	July 1, 1995
100–499	(869–026–00111–1)	9.50	July 1, 1995
500–899	(869–026–00112–0)	36.00	July 1, 1995
900–1899	(869–026–00113–8)	17.00	July 1, 1995
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1910 (§§ 1910.1000 to end)	(869–026–00115–4)	22.00	July 1, 1995
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1926	(869–026–00117–1)	35.00	July 1, 1995
1927–End	(869–026–00118–9)	36.00	July 1, 1995
30 Parts:			
1–199	(869–026–00119–7)	25.00	July 1, 1995
200–699	(869–026–00120–1)	20.00	July 1, 1995
700–End	(869–026–00121–9)	30.00	July 1, 1995
31 Parts:			
0–199	(869–026–00122–7)	15.00	July 1, 1995
200–End	(869–026–00123–5)	25.00	July 1, 1995
32 Parts:			
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1–39, Vol. II		19.00	[2] July 1, 1984
1–39, Vol. III		18.00	[2] July 1, 1984
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800–End	(869–026–00129–4)	22.00	July 1, 1995
33 Parts:			
1–124	(869–026–00130–8)	20.00	July 1, 1995
125–199	(869–026–00131–6)	27.00	July 1, 1995
200–End	(869–026–00132–4)	24.00	July 1, 1995
34 Parts:			
1–299	(869–026–00133–2)	25.00	July 1, 1995
300–399	(869–026–00134–1)	21.00	July 1, 1995
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36 Parts			
1–199	(869–026–00137–5)	15.00	July 1, 1995
200–End	(869–026–00138–3)	37.00	July 1, 1995
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38 Parts:			
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41 Chapters:			
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1, 1–11 to Appendix, 2 (2 Reserved)		13.00	[3] July 1, 1984
3–6		14.00	[3] July 1, 1984
7		6.00	[3] July 1, 1984
8		4.50	[3] July 1, 1984
9		13.00	[3] July 1, 1984
10–17		9.50	[3] July 1, 1984
18, Vol. I, Parts 1–5		13.00	[3] July 1, 1984
18, Vol. II, Parts 6–19		13.00	[3] July 1, 1984
18, Vol. III, Parts 20–52		13.00	[3] July 1, 1984
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42 Parts:			
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43 Parts:			
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44	(869–026–00169–3)	24.00	Oct. 1, 1995
45 Parts:			
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200–499	(869–026–00171–5)	14.00	Oct. 1, 1995
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46 Parts:			
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49 Parts:			
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[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[4] No amendments to this volume were promulgated during the period Apr. 1, 1990 to Mar. 31, 1996. The CFR volume issued April 1, 1990, should be retained.

[5] No amendments to this volume were promulgated during the period July 1, 1991 to June 30, 1995. The CFR volume issued July 1, 1991, should be retained.