

there have been no substantive changes in the State's plan or program that would affect compliance with Section 410 or a copy of any changes to the State's plan or program.

Issued on: October 21, 1996.  
 Ricardo Martinez,  
*Administrator, National Highway Traffic Safety Administration.*  
 [FR Doc. 96-27314 Filed 10-22-96; 12:30pm]  
 BILLING CODE 4910-59-P

**DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

**37 CFR Part 2**

[Docket No. 960828232-6294-02]

RIN 0651-AA90

**Establishment of Recordal Fees Associated With the Fastener Quality Act**

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Patent and Trademark Office (PTO) is amending the rules of practice to establish fees associated with recordation of insignia of manufacturers and private label distributors to ensure the traceability of a fastener to its manufacturer or private label distributor. This amendment is in accordance with the provisions of the Fastener Quality Act, 15 U.S.C. 5401 et seq.

**EFFECTIVE DATE:** November 25, 1996.

**FOR FURTHER INFORMATION CONTACT:** Lizbeth Kulick by telephone at (703) 308-8900, or by fax at (703) 308-7220, or by mail marked to her attention and addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia, 22202-3513.

**SUPPLEMENTARY INFORMATION:** On August 17, 1992, the Department of Commerce issued a notice of proposed rulemaking to implement the Fastener Quality Act (Act), 57 FR 37032. In that notice, the PTO was identified as the Office within the Commerce Department with the responsibility for recording the fastener insignia of manufacturers and private label distributors as required by Section 8 of the Act, 57 FR 37033-35, August 17, 1992. The notice proposed that the costs of recording insignia be recovered by user fees, 57 FR 37035-36, August 17, 1992.

The PTO must publish a notice in the Federal Register of any change of its fees at least 30 days before the effective

date thereof, 15 U.S.C. 1113(a). On September 17, 1996, a notice of proposed rulemaking was published in the Federal Register, at 61 FR 48872-73, to announce three proposed fees of twenty dollars each, to recover costs associated with the insignia recordal program. The PTO has received no comments regarding the proposed fees.

Additionally, the September 17th notice proposed to remove two rules from Part 2, 37 CFR 2.53 and 2.189, because they were deemed not administratively necessary. Section 2.53 specifies the manner in which drawings must be transmitted. Section 2.189 simply states the Office's policy on publishing amendments to the rules. This policy is not changing, but will no longer be stated as a rule. No comments were received on the proposed removal of the two rules.

**Other Considerations**

This rule is not significant for the purposes of Executive Order 12866. The Office of Management and Budget approved the information collections required by this rule on October 1, 1996 (OMB number 0651-0028). This clearance expires October 31, 1999. The affected public is manufacturers and private label distributors of certain types of industrial fasteners. The estimated average number of responses is six hundred. The estimated time per response is ten minutes, so the estimated total annual burden is one hundred hours. The collected information is needed to ensure that a fastener can be traced to its manufacturer or private label distributor.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number.

This proposed fee does not require notice and comment under 5 U.S.C. 553 or any other statute, so no analysis or certification is required under 5 U.S.C. 603(a).

**List of Subjects in 37 CFR Part 2**

Administrative practice and procedure, Courts, Lawyers, Trademarks.

For the reasons set out in the preamble, 37 CFR Part 2 is amended as set forth below.

**PART 2—RULES OF PRACTICE IN TRADEMARK CASES**

1. The authority citation for part 2 continues to read as follows:

Authority: 15 U.S.C. 1123; 35 U.S.C. 6, unless otherwise noted.

2. Section 2.7 is added to read as follows:

**§ 2.7 Fastener Recordal Fees.**

- (a) Application fee for recordal of insignia.....\$20.00
- (b) Renewal of insignia recordal.....\$20.00
- (c) Surcharge for late renewal of insignia recordal.....\$20.00

**§ 2.53 [Removed]**

3. Section 2.53 is removed.

**§ 2.189 [Removed]**

4. Section 2.189 and the undesignated center heading "Amendment of Rules" are removed.

Dated: October 23, 1996.  
 Bruce A. Lehman,  
*Assistant Secretary of Commerce and Commissioner of Patents and Trademarks.*  
 [FR Doc. 96-27628 Filed 10-24-96; 8:45 am]  
 BILLING CODE 3510-16-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 271**

[FRL-5638-9]

**Montana: Final Authorization of State Hazardous Waste Management Program Revision**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Immediate final rule.

**SUMMARY:** Montana has applied for final authorization of revisions to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Montana's application and has made a decision, subject to public review and comment, that Montana's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Montana's hazardous waste program revisions. Montana's application for program revision is available for public review and comment.

**DATES:** Final authorization for Montana shall be effective December 24, 1996, unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on Montana's program revision