

§ 10.33(b) (21 CFR 10.33(b)). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the Federal Register. If FDA grants the petition, the notice will state the issue to be reviewed, the form of review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before December 6, 1996, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h) (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Biologics Evaluation and Research (21 CFR 5.53).

Dated: October 25, 1996.

Kathryn C. Zoon,

Director, Center for Biologics Evaluation and Research.

[FR Doc. 96-28531 Filed 11-5-96; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability, Joint Environmental Assessment and Restoration Plan

AGENCY: Fish and Wildlife Service, Department of the Interior.

ACTION: Notice of availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service), on behalf of the Department of the Interior and States of Indiana and Ohio, announces the release for public review of the draft Joint Environmental Assessment and Restoration Plan (Plan) for the Fish Creek #2 Diesel Fuel Spill. The Plan covers the co-trustees' proposal to restore natural resources injured as a result of the 1993 Fish Creek spill. A

public information meeting addressing the plan will be held on November 14, 1996, in Edgerton, Ohio.

DATES: Written comments must be submitted on or before December 16, 1996.

ADDRESSES: Requests for copies of the Plan may be made to: U.S. Fish and Wildlife Service, Ecological Services, 620 South Walker Street, Bloomington, Indiana 47403-2121.

Written comments or materials regarding the Plan should be sent to the same address.

FOR FURTHER INFORMATION CONTACT:

David C. Hudak, Field Supervisor, U.S. Fish and Wildlife Service, 620 South Walker Street, Bloomington, Indiana 47403-2121 (Attention: Environmental Contaminants Program).

Interested parties may also call (812) 334-4261 for further information.

SUPPLEMENTARY INFORMATION: On September 15, 1993, a pipeline ruptured and discharged approximately 30,000 gallons of diesel fuel that flowed into Fish Creek, in DeKalb County, Indiana, and spread into Williams County, Ohio. Fish Creek, which is located in northeastern Indiana, northwestern Ohio, and portions of southwest Michigan, supports a diverse mussel fauna. At least 30 species of mussels are known to exist in the watershed. Fish Creek is the only place in the world that the white cat's paw pearly mussel (*Epioblasma obliquata perobliqua*), a Federally-listed endangered mussel, is known to exist. Fish Creek also is known to harbor two other Federally-listed endangered mussel species, the northern riffleshell (*Epioblasma rangiana*) and the clubshell (*Pleurobema clava*). Several state-listed endangered mussels also occur in the affected reaches of Fish Creek. Following the spill, mortality of mammals, migratory birds, fish, reptiles, amphibians, and mussels was observed in the spill plume area of Fish Creek.

In 1996, the United States of America, the State of Indiana, and the State of Ohio settled claims for natural resource damages associated with the 1993 Fish Creek oil spill under authority of the Oil Pollution Act. The settlement proceeds shall be used to compensate for injury, destruction, or loss of natural resources under trusteeship of the Department of the Interior, State of Indiana, and State of Ohio. The Plan is being released in accordance with the Natural Resource Damage Assessment Regulations found at 15 CFR, part 990. It is intended to describe the co-trustees' proposals to restore natural resources lost as a result of this spill.

Restoration efforts will include the combination of protection and enhancement activities that have the greatest potential to restore the natural resources of Fish Creek to pre-spill conditions, with particular emphasis on the endangered mussels. The Plan focuses: (1) on increased endangered mussel recovery efforts; (2) water quality improvement; (3) riparian corridor protection; (4) community outreach and education; and, (5) monitoring to determine if the selected restoration actions are successful.

Interested members of the public are invited to review and comment on the Plan. Copies of the Plan are available for review at the U.S. Fish and Wildlife Service's Ecological Services Field Office in Bloomington, Indiana (620 South Walker Street, Bloomington, Indiana); the Indiana Department of Natural Resources (402 West Washington, Room 273, Indianapolis, Indiana 46204-2748); the Indiana Department of Environmental Management (2525 North Shadeland Avenue, Room 202, Indianapolis, Indiana 46206-6015); the Ohio Environmental Protection Agency (P.O. Box 1049, 1800 Watermark Drive, Columbus, Ohio 43216-1049 or the Northwest District Office, 347 North Dunbridge Road, Bowling Green, Ohio 43402); and the Ohio Department of Natural Resources (1930 Belcher Drive, Columbus, Ohio 43224-1387). Additionally, the Plan will be available for review at the following community libraries: Angola, Indiana; Auburn, Indiana; Bryan, Ohio; Butler, Indiana; Edgerton, Ohio; Edon, Ohio; and Fremont, Indiana.

An informational meeting, open to the public, will be held to explain the Plan, provide information, receive written comments, and to answer any questions. The meeting will be held at the Miller Park Shelter House, Miller Park Drive, Edgerton, Ohio on November 14, 1996, from 7 p.m. to 9 p.m. Written comments will be considered and addressed in the final Plan at the conclusion of the restoration planning process.

William F. Hartwig,

Regional Director, Region 3, U.S. Fish and Wildlife Service.

[FR Doc. 96-28562 Filed 11-5-96; 8:45 am]

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Aquatic Nuisance Species Task Force Meeting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of meeting.