

Long Beach, CA 90802-4213 (310/980-4001).

Written data or views, or requests for a public hearing on this request, should be submitted to the Director, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Concurrent with the publication of this notice in the Federal Register, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

**SUPPLEMENTARY INFORMATION:** The subject amendment to permit no. 873, issued on July 28, 1993 (58 FR 34038), is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222).

Permit no. 873 authorizes the permit holder to harass (i.e., through vessel approach, photogrammetry, photographic identification, and tissue biopsy) several marine mammal species in the Pacific, Southern, and Indian Oceans, over a 5-year period. The expiration date of the permit is December 31, 1997. The permit holder is now requesting that Permit 873 be amended to authorize the attachment of radio tags to up to 20 sperm whales (*Physeter macrocephalus*) per year in the eastern North Pacific Ocean.

Dated: November 27, 1996.

Ann D. Terbush,

Chief, Permits and Documentation Division,  
Office of Protected Resources, National  
Marine Fisheries Service.

[FR Doc. 96-31156 Filed 12-06-96; 8:45 am]

BILLING CODE 3510-22-F

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Public Information Collection Requirement Submitted to the Office of Management and Budget (OMB) for Review

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the

Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Title and OMB Control Number:* Joint Recruiting Advertising Program (JRAP); OMB Control No. 0704-0351.

*Type of Request:* Reinstatement.

*Number of Respondents:* 33,650.

*Responses Per Respondent:* 1.

*Annual Responses:* 33,650.

*Average Burden Per Response:* 1 minute.

*Annual Burden Hours:* 561 hours.

#### Needs and Uses

This collection of information is necessary to conduct Congressionally directed recruiting campaigns for the Armed Forces. The Joint Recruiting Advertising Program (JRAP) supports Armed Forces recruitment efforts with cost-effective advertising. The JRAP ROTC Scholarship Folder, FUTURES magazine, and FUTURES magazine on-line, provide high school students with information about opportunities available in the Armed Forces. Students are provided with Business Reply Cards (BRCs) that they may voluntarily fill out to request additional information about the Armed Forces. When one branch of the Armed Forces receives a BRC, the information is promptly sent to the BRC respondent. The name of the BRC respondent is then added to mailing lists used by the Services for future mailings of Service-related enlistment and scholarship information brochures.

*Affected Public:* Individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. Edward C. Springer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DOD Clearance Officer:* Mr. William Pearce.

Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 96-31236 Filed 12-6-96; 8:45 am]

BILLING CODE 3810-01-M

## Department of the Army, Corps of Engineers

### Authorization Under the U.S. Army Corps of Engineers Nationwide General Permit Program of the U.S. Department of Transportation, U.S. Coast Guard Categorical Exclusions for Certain Activities Requiring Department of the Army Authorization

**AGENCY:** Army Corps of Engineers, DoD.  
**ACTION:** Notice.

**SUMMARY:** The purpose of this notice is to provide the U.S. Army Corps of Engineers Regulatory Guidance Letter (RGL) regarding the U.S. Coast Guard categorical exclusions (CEs), which have been authorized under the Corps nationwide general permit number 23. The U.S. Coast Guard previously developed its CEs pursuant to the Council on Environmental Quality Regulation for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) (40 CFR part 1500 *et seq.*).

**DATES:** Effective date, November 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mr. Victor Cole, Regulatory Branch, Office of the Chief of Engineers, at (202) 761-0199.

**SUPPLEMENTARY INFORMATION:** The U.S. Coast Guard has requested Corps authorization, in accordance with the Corps nationwide general permit number 23, of its CEs originally published in the Federal Register on July 29, 1994 (59 FR 38654), and subsequently modified on September 6, 1995 (60 FR 46327), June 20, 1995 (60 FR 32197), and March 27, 1996, (61 FR 13563). The Corps issued the nationwide general permit to reduce duplicative Federal processes when another Federal agency has determined that certain activities are categorically excluded from a detailed NEPA analysis, and to expedite Department of the Army authorization for projects having no more than minimal adverse environmental effects either individually or cumulatively.

In 1983, the Corps approved the original U.S. Coast Guard CEs (45 FR 32819) under the nationwide permit and has been qualifying U.S. Coast Guard CE activities under the nationwide permit since then. We are publishing the existing U.S. Coast Guard CEs in their entirety, incorporating the subsequent changes made by the U.S. Coast Guard as identified in the Federal Register citations listed above. Several of the categorical exclusions do not require Department of the Army authorization but are listed to provide the complete

listing and same numbering system as the U.S. Coast Guard CEs. Information regarding the establishment of the CEs by the U.S. Coast Guard can be found in the Federal Register citations above.

The Corps provided notice [60 FR 18573, April 26, 1996] and requested comment on the appropriateness of the CEs for nationwide general permit authorization in accordance with Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), including any appropriate conditions or restrictions to such authorization. Only one comment was received. The U.S. Department of the Interior, National Parks Service, commented stating they had no comment on the proposal.

The Corps has reviewed the U.S. Coast Guard CEs and concurs with their determinations and we are hereby authorizing these activities in accordance with nationwide permit number 23, with appropriate nationwide permit general conditions and, including the requirement to notify the appropriate Corps office prior to initiation of work under CE numbers (6) and (8). A notification is necessary to address potential impacts to wetlands under CE number (6) and impacts/encroachment on Federal navigation projects for activities under CE number (8).

Dated: November 5, 1996.

Daniel R. Burns,

*Chief, Operations, Construction, and Readiness Division, Directorate of Civil Works.*

RGL 96-1, Date: 5 Nov 1996; Expires: 31 December 2001

Subject: Use of Nationwide Permit Number 23 for U.S. Coast Guard Categorical Exclusions

#### Exclusions

1. We have concurred with the categorical exclusions (CE) (enclosure) submitted by the U.S. Coast Guard pursuant to the subject nationwide permit number 23 at 33 CFR Part 330, including a notification requirement for CE numbers (6) and (8). The U.S. Army Corps of Engineers published the Coast Guard CEs in 61 FR 18573, April 26, 1996, for comment regarding the applicability of nationwide permit number 23 for those activities requiring Department of the Army authorization. This Regulatory Guidance Letter supersedes the U.S. Coast Guard CEs previously approved under nationwide permit number 23 in accordance with Regulatory Guidance Letter 83-5, dated April 18, 1983.

2. The Corps has conditioned the nationwide permit to require notification to the appropriate Corps office prior to beginning work under U.S. Coast Guard CE number (6) to address potential impacts to wetlands (notification is only required to the Corps for projects where wetlands impacts

are proposed) and number (8) to address potential impacts/encroachment on Federal navigation projects. The District Engineer will review the notification and will either verify whether the activity meets the terms and conditions of nationwide permit 23, will require evaluation under standard permit procedures, or that additional conditioning of the activity is necessary to ensure that no unacceptable adverse effects will result to wetlands for projects under CE number (6) or to a Federal navigation project under CE number (8). Authorization of the U.S. Coast Guard CEs does not restrict the Division or District Engineers' authorities to exercise discretionary authority, or the Corps modification, suspension or revocation procedures. Development of local procedures to streamline coordination is encouraged where a Corps division or district further conditions the nationwide permit to require a notification for additional activities.

3. It should be noted that the U.S. Coast Guard provided a complete listing of CEs, including many that do not require Department of the Army authorization. However, to reduce confusion when referencing the CE number, we have included all U.S. Coast Guard CEs in the enclosure.

4. This guidance expires December 31, 2001, unless sooner revised or rescinded.

For the Director of Civil Works.

Daniel R. Burns,

*Chief, Operations, Construction, and Readiness Division, Directorate of Civil Works.*

Enclosure RGL 96-1

#### U.S. Coast Guard Categorical Exclusion List

The following is a consolidated list prepared from the U.S. Coast Guard Federal Register notices (59 FR 38654, July 29, 1994, 60 FR 46327, September 6, 1995, 60 FR 32197, June 20, 1995, and 61 FR 12563, March 27, 1996). The list does not include the procedures the U.S. Coast Guard must follow to determine whether certain activities qualify for a categorical exclusion. Activities conducted under number (8) require notification to the U.S. Army Corps of Engineers prior to initiation of work.

(1) Routine personnel, fiscal, and administrative activities, actions, procedures, and policies which clearly do not have any environmental impacts, such as military and civilian personnel recruiting, processing, paying, and recordkeeping.

(2) Routine procurement activities and actions for goods and services, including office supplies, equipment, mobile assets, and utility services for routine administration, operation, and maintenance.

(3) Maintenance dredging and debris disposal where no new depths are required, applicable permits as secured, and disposal will be at an existing approved disposal site.

(4) Routine repair, renovation, and maintenance actions on aircraft and vessels.

(5) Routine repair and maintenance of buildings, roads, airfields, grounds, equipment, and other facilities which do not result in a change in functional use, or an impact on a historically significant element or settings.

(6) Minor renovations and additions to buildings, roads, airfields, equipment, and

other facilities which do not result in a change in functional use, a historically significant element, or historically significant setting. (When wetland impacts are proposed, notification is required to the appropriate office of U.S. Army Corps of Engineers prior to initiation of work)

(7) Routine repair and maintenance to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables.

(8) Minor renovations and additions to waterfront facilities, including mooring piles, fixed floating piers, existing piers, and unburied power cables, which do not require special, site-specific regulatory permits. (Notification is required to the appropriate office of U.S. Army Corps of Engineers prior to initiation of work)

(9) Routine grounds maintenance and activities at units and facilities. Examples include localized pest management actions and actions to maintain improved grounds (such as landscaping, lawn care and minor erosion control measures) that are conducted in accordance with applicable Federal, State, and local directives.

(10) Installation of devices to protect human or animal life, such as raptor electrocution prevention devices, fencing to restrict wildlife movement on to airfields, and fencing and grating to prevent accidental entry to hazardous areas.

(11) New construction on heavily developed portions of Coast Guard property, when construction, use, and operation will comply with regulatory requirements and constraints.

(12) Decisions to decommission equipment or temporarily discontinue use of facilities or equipment. This does not preclude the need to review decommissioning under section 106 of the National Historic Preservation Act.

(13) Demolition or disposal actions that involve buildings or structures when conducted in accordance with regulations applying to removal of asbestos, PCB's, and other hazardous materials, or disposal actions mandated by Congress. In addition, if the building or structure is listed, or eligible for listing, in the National Register of Historic Places, then compliance with section 106 of the National Historic Preservation Act is required.

(14) Outleasing of historic lighthouse properties as outlined in the Programmatic Memorandum of Agreement between the U.S. Coast Guard, Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.

(15) Transfer of real property from the U.S. Coast Guard to the General Services Administration, Department of the Interior, and other Federal departments and agencies, or as mandated by Congress; and the granting of leases, permits, and easements where there is no substantial change in use of the property.

(16) Renewals and minor amendments of existing real estate licenses or grants for use of government-owned real property where prior environmental review has determined that no significant environmental effects would occur.

(17) New grants or renewal of existing grants of license, easements, or similar

arrangements for the use of existing rights-of-way or incidental easements complementing the use of existing rights-of-way for use by vehicles; for such existing rights-of-way as electrical, telephone, and other transmission and communication lines; water, wastewater, stormwater, and irrigation pipelines, pumping stations, and irrigation facilities; and for similar utility and transportation uses.

(18) Defense preparedness training and exercises conducted on other than U.S. Coast Guard property, where the lead agency or department is not U.S. Coast Guard or Department of Transportation and the lead agency or department has completed its NEPA analysis and documentation requirements.

(19) Defense preparedness training and exercise conducted on U.S. Coast Guard property that do not involve undeveloped property or increase noise levels over adjacent property and that involve a limited number of personnel, such as exercises involving primarily electric simulation or command post personnel.

(20) Simulated exercises, including tactical and logistical exercises that involve small numbers of personnel.

(21) Training of an administrative or classroom nature.

(22) Operations to carry out maritime safety, maritime law enforcement, search and rescue, domestic ice breaking, and oil or hazardous substance removal programs.

(23) Actions performed as a part of U.S. Coast Guard operations and the Aids to Navigation Program to carry out statutory authority in the area of establishment of floating and minor fixed aids to navigation, except electronic sound signals.

(24) Routine movement of personnel and equipment, and the routine movement, handling, and distribution of nonhazardous materials and wastes in accordance with applicable regulations.

(25) U.S. Coast Guard participation in disaster relief efforts under the guidance or leadership of another Federal agency that has taken responsibility for NEPA compliance.

(26) Data gathering, information gathering, and studies that involve no physical change to the environment. Examples include topographic surveys, bird counts, wetland mapping, and other inventories.

(27) Natural and cultural resource management and research activities that are in accordance with interagency agreements and which are designed to improve or upgrade the U.S. Coast Guard's ability to manage those resources.

(28) Contracts for activities conducted at established laboratories and facilities, to include contractor-operated laboratories and facilities, on U.S. Coast Guard-owned property where all airborne emissions, waterborne effluents, external radiation levels, outdoor noise, and solid and bulk waste disposal practices are in compliance with existing applicable Federal, State, and local laws and regulations.

(29) Approval of recreational activities (such as a U.S. Coast Guard unit picnic) which do not involve significant physical alteration of the environment, increase disturbance by humans of sensitive natural

habitats, or disturbance of historic properties, and which do not occur in, or adjacent to, areas inhabited by threatened or endangered species.

(30) Review of documents, such as studies, reports, and analyses, prepared for legislative proposals that did not originate in DOT and that relate to matters that are not the primary responsibility of the U.S. Coast Guard.

(31) Planning and technical studies which do not contain recommendations for authorization or funding for future construction, but may recommend further study. This includes engineering efforts or environmental studies undertaken to define the elements of a proposal or alternatives sufficiently so that the environmental effects may be assessed and does not exclude consideration of environmental matters in the studies.

(32) Bridge Administration Program actions which can be described as one of the following:

(a) Modification or replacement of an existing bridge on essentially the same alignment or location. Excluded are bridges with historic significance or bridges providing access to undeveloped barrier islands and beaches. (Approach fills regulated by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act will require a separate individual or general permit.)

(b) Construction of pipeline bridges for transporting potable water.

(c) Construction of pedestrian, bicycle, or equestrian bridges and stream gauging cableways used to transport people.

(d) Temporary replacement of a bridge immediately after a natural disaster or a catastrophic failure for reasons of public safety, health, or welfare.

(e) Promulgation of operating regulations or procedures for drawbridges.

(f) Identification of advance approval waterways under 33 CFR 115.70.

(g) Any Bridge Program action which is classified as a CE by another Department of Transportation agency acting as lead agency for such action.

(33) Preparation of guidance documents that implement, without substantive change, the applicable Commandant Instruction or other Federal agency regulations, procedures, manuals, and other guidance documents.

(34) Promulgation of the following regulations:

(a) Regulations which are editorial or procedural, such as those updating addresses or establishing application procedures.

(b) Regulations concerning internal agency functions or organization or personnel administration, such as funding, establishing Captain of the Port boundaries, or delegating authority.

(c) Regulations concerning the training, qualifying, licensing, and disciplining of maritime personnel.

(d) Regulations concerning manning, documentation, admeasurement, inspection, and equipping of vessels.

(e) Regulations concerning equipment approval and carriage requirements.

(f) Regulations establishing, disestablishing, or changing the size of Special Anchorage Areas or anchorage grounds.

(g) Regulations establishing, disestablishing, or changing Regulated Navigation Areas and security or safety zones.

(h) Special local regulations issued in conjunction with a regatta or marine parade; provided that, if a permit is required, the environmental analysis conducted for the permit included an analysis of the impact of the regulations.

(i) Regulations in aid of navigation, such as those concerning rules of the road, International Regulations for the Prevention of Collisions at Sea (COLREGS), bridge-to-bridge communication, vessel traffic services, and marking of navigation systems.

(35) Approvals of regatta and marine parade event permits for the following events:

(a) Events that are not located in, proximate to, or above an area designated as environmentally sensitive by an environmental agency of the Federal, State, or local government. For example, environmentally sensitive areas may include such areas as critical habitats or migration routes for endangered or threatened species or important fish or shellfish nursery areas.

(b) Events that are located in, proximate to, or above an area designated as environmentally sensitive by an environmental agency of the Federal, State, or local government and for which the U.S. Coast Guard determines, based on consultation with the Government agency, that the event will not significantly affect the environmentally sensitive area.

[FR Doc. 96-31143 Filed 12-6-96; 8:45 am]

BILLING CODE 3710-92-M

## DEPARTMENT OF ENERGY

### Final Public Meeting on Electricity Restructuring

**AGENCY:** Office of Policy, U.S. Department of Energy.

**ACTION:** Notice of public meetings.

**SUMMARY:** On November 8, 1996, the U.S. Department of Energy announced two additional public meetings to solicit input from affected constituencies before formulating the Department's recommendation respecting electric industry restructuring (61 FR 57858). This announcement details the location of the southeast regional public meeting in Atlanta, GA. The last of four public meetings, the Atlanta meeting will provide an opportunity to revisit issues already covered as well as new ones such as research and development, the federal role in power marketing, and tax issues. Participants will be allowed to address other topics pertaining to electric industry restructuring.

**DATE:** December 12, 1996.

**ADDRESS:** Atlanta Hilton and Towers, 255 Courtland Street, NE, Atlanta, Georgia, 404.659.2000.