

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 222.23).

Permit No. 875-1401 currently authorizes the harassment of several species of marine mammals during the conduct of research to study the effects of low-frequency sound produced by the Navy's Surface Towed Array Surveillance System Low Frequency Active (SURTASS LFA) system on the behavior of blue whales (*Balaenoptera musculus*) and fin whales (*Balaenoptera physalus*) feeding in the Southern California Bight during September/October of 1997 and/or 1998. The permit holder is now requesting that the Permit be amended to provide for: 1) the conduct of playback experiments using a SURTASS LFA sound source to study behavioral responses of gray whales (*Eschrichtius robustus*) to SURTASS LFA signals and related stimuli; and 2) radio tagging via suction cup attachment of up to 14 gray whales. Individuals of several other species of cetaceans, pinnipeds, and possibly sea turtles, may be taken (*i.e.*, by harassment or auditory temporary threshold shift) incidentally during the proposed experiments.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a draft EA examining the environmental consequences of issuing the requested amended permit has been prepared. Based upon this draft EA, NMFS has preliminarily concluded that issuance of the requested permit will not have a significant effect on the human environment.

Dated: November 6, 1997.

**Ann D. Terbush,**

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

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## DEPARTMENT OF COMMERCE

### Technology Administration

#### Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure

**AGENCY:** Technology Administration, Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure will hold a meeting on December 17-18, 1997. The Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure was established by the Secretary of Commerce to provide industry advice to the Department on encryption key recovery for use by federal government agencies. All sessions will be open to the public.

**DATES:** The meeting will be held on December 17-18, 1997 from 9 a.m. to 6 p.m.

**ADDRESSES:** The meeting will take place at the Hotel Inter-Continental, 444 St. Charles Street, New Orleans LA.

**FOR FURTHER INFORMATION CONTACT:** Edward Roback, Committee Secretary and Designated Federal Official, Computer Security Division, National Institute of Standards and Technology, Building 820, Room 426, Gaithersburg, Maryland, 20899; telephone 301-975-3696. Please do not call the conference facility regarding details of this meeting.

**SUPPLEMENTARY INFORMATION:**

**1. Agenda**

Opening Remarks  
Chairperson's Remarks  
News Updates (Members, Federal Liaisons, Secretariat)  
Working Group (WG) Reports  
Intellectual Property Issues (as necessary)  
Public Participation  
Plans for Next Meeting  
Closing Remarks

Note that the items in this agenda are tentative and subject to change due to logistics and speaker availability.

**2. Public Participation**

The Committee meeting will include a period of time, not to exceed thirty minutes, for oral comments from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the individual identified in the "for further information" section. In addition, written statements are invited and may be submitted to the Committee at any time. Written comments should be directed to the Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure, Building 820, Room 426, National Institute of Standards and Technology,

Gaithersburg, Maryland, 20899. It would be appreciated if sixty copies could be submitted for distribution to the Committee and other meeting attendees.

3. Additional information regarding the Committee is available at its world wide web homepage at: <http://csrc.nist.gov/tacdfipsfkm/>.

4. Should this meeting be canceled, a notice to that effect will be published in the **Federal Register** and a similar notice placed on the Committee's electronic homepage.

Dated: November 5, 1997.

**Mark Bohannon,**

*Chief Counsel for Technology Administration.*

[FR Doc. 97-29955 Filed 11-13-97; 8:45 am]

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## CONSUMER PRODUCT SAFETY COMMISSION

### Agency Information Collection Activities Under OMB Review; Cellulose Insulation

**AGENCY:** Consumer Product Safety Commission (CPSC).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act, (44 U.S.C. 3501 *et seq.*) this notice announces that the CPSC has submitted to the Office of Management and Budget (OMB) a request for extension of approval through November 30, 2000, of current collection of information requirements regarding testing of cellulose insulation. These requirements are set forth in 16 CFR Part 1209, Amended Interim Safety Standard for Cellulose Insulation, which prescribes requirements for flammability and corrosiveness of cellulose insulation produced for sale to or use by consumers. The standard requires manufacturers, private labelers, and importers of cellulose insulation to test insulation for resistance to smoldering and small open-flame ignition, and for corrosiveness, and to maintain records of that testing.

**DATES:** Any comments must be submitted to OMB on or before December 15, 1997.

**ADDRESSES:** *Send comments to:* Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CPSC, 725 17th Street, NW, Washington, DC 20503.

**FOR FURTHER INFORMATION OR A COPY CONTACT:** Robert E. Frye, Director, Office of Planning and Evaluation, Consumer Product Safety Commission, Washington, DC 20207; telephone (301)504-0416.

**SUPPLEMENTARY INFORMATION:** Cellulose insulation is a form of thermal insulation used in houses and other residential buildings. Most cellulose insulation is manufactured by shredding and grinding used newsprint and adding fire-retardant chemicals.

In 1979, the CPSC issued the Interim Safety Standard for Cellulose Insulation, which is codified at 16 CFR Part 1209. That standard contains performance tests to assure that cellulose insulation will resist ignition from sustained heat sources, such as smoldering cigarettes or recessed light fixtures, and from small open-flame sources, such as matches or candles. The standard also contains tests to assure that cellulose insulation will not be corrosive to copper, aluminum, or steel, if exposed to water.

Certification regulations in the standard require manufacturers, importers, and private labelers of cellulose insulation subject to the standard to perform tests to demonstrate that their products meet the requirements of the standard. These parties are also required to maintain records of those tests. The certification requirements are codified at 16 CFR Subpart B.

The Commission uses the information compiled and maintained by these parties to help determine whether cellulose insulation subject to the standard complies with all applicable requirements. The Commission also uses this information to obtain corrective actions if cellulose insulation fails to comply with the standard in a way that creates a substantial risk of injury to the public.

OMB approved the collection of information in the certification regulations under control number 3041-0022. OMB's most recent extension of approval will expire on November 30, 1997. The Commission has requested an extension without change until November 30, 2000.

**Burden statement:** The Commission's staff estimates that the respondent burden will average 1,320 hours per response. That estimate includes the time needed to conduct the tests required by the regulations and to create and maintain records of the results of those tests.

**Respondents/Affected entities:** Businesses that manufacture, import, or private label cellulose insulation used in houses and other residential buildings.

**Estimated number of respondents:** 45.

**Estimated Total Annual Burden on Respondents:** 59,400 hours.

**Frequency of Collection:** As determined by respondents to be

necessary to provide a reasonable testing program.

On August 28, 1997, the Commission published a **Federal Register** notice stating its intention to request an extension of approval of this collection of information, and requesting comments from the public. 62 FR 45630. The Commission received no comments on that notice.

*Send comments regarding the burden estimate or any other aspect of the information collection, including suggestions for reducing the burden, to:* Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CPSC, 725 17th Street, NW, Washington, DC 20503. Please refer to OMB Control No. 3041-0022 in any correspondence.

Dated: November 10, 1997.

**Sadye E. Dunn,**

*Secretary Consumer Product Safety Commission.*

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## CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 98-C0002]

### Ross Stores, Inc., a Corporation; Provisional Acceptance of a Settlement Agreement and Order

**AGENCY:** Consumer Product Safety Commission.

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

**SUMMARY:** It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1605.13(d). Published below is a provisionally-accepted Settlement Agreement with Ross, Inc., a corporation, "containing a civil penalty of \$200,000."

**DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by November 29, 1997.

**ADDRESSES:** Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 98-C0002, Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207.

**FOR FURTHER INFORMATION CONTACT:** Dennis C. Kacoyanis, Trial Attorney, Office of Compliance and Enforcement,

Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0626.

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

Dated: November 10, 1997.

**Sadye E. Dunn,**

*Secretary.*

### Settlement Agreement and Order

1. Ross Stores, Inc., (hereinafter, "Ross Stores" or "Respondent"), a corporation, enters into this Settlement Agreement (hereinafter, "Agreement") with the staff of the Consumer Product Safety Commission, and agrees to the entry of the Order incorporated herein. The purpose of this Agreement and Order is to settle the staff's allegations that Respondent sold and offered for sale, in commerce, certain women's 100% rayon sheer chiffon skirts and scarves and certain cotton/polyester reverse fleece shirts that failed to comply with the Clothing Standard for the Flammability of Clothing Textiles (hereinafter, "Clothing Standard"), 16 CFR Part 1610, in violation of section 3 of the Flammable Fabrics Act (FFA), 15 U.S.C. § 1192.

#### I. The Parties

2. The "staff" is the staff of the Consumer Product Safety Commission (hereinafter, "Commission"), an independent regulatory commission of the United States government established pursuant to section 4 of the Consumer Product Safety Act (CPSA), 15 U.S.C. § 2053.

3. Respondent Ross Stores is a corporation organized and existing under the laws of the State of Delaware with principal corporate offices at 8333 Central Avenue, Newark, California 94560. Respondent operates a chain of off-price retail stores offering apparel and apparel-related merchandise as well as a merchandise for the home.

#### II. Allegations of the Staff

##### A. Rayon Sheer Chiffon Skirts

4. Between April 1994 and August 1994, Respondent sold, or offered for sale, in commerce, approximately 1,500 style no. 15016 and approximately 1,200 style no. PS 480 women's 100% sheer chiffon rayon skirts.

5. The skirts identified in paragraph 4 above are subject to the Clothing Standard, 16 CFR 1610, issued under section 4 of the FFA, 15 U.S.C. § 1193.

6. The staff tested samples of the skirts identified in paragraph 4 above for compliance with the requirements of the Clothing Standard. See 16 CFR 1610.3 and 4. The test results showed that