

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Chapter V

Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, and Specially Designated Narcotics Traffickers: Additional Designations

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Amendment of final rule.

SUMMARY: The Treasury Department is adding to Appendices A and B to 31 CFR chapter V the names of 6 individuals and 21 entities that have been determined to play a significant role in international narcotics trafficking centered in Colombia or have been determined to be owned or controlled by, or to act for or on behalf of, other specially designated narcotics traffickers.

EFFECTIVE DATE: May 26, 1998.

FOR FURTHER INFORMATION CONTACT: Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2520.

SUPPLEMENTARY INFORMATION:**Electronic and Facsimile Availability**

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demand service: call 202/622-0077 using a fax machine, fax modem, or (within the United States) a touch-tone telephone.

Background

Appendices A and B to 31 CFR chapter V contain the names of blocked persons, specially designated nationals, specially designated terrorists, and specially designated narcotics traffickers designated pursuant to the various economic sanctions programs administered by the Office of Foreign Assets Control ("OFAC") (62 FR 34934, June 27, 1997). Pursuant to Executive Order 12978 of October 21, 1995, "Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers" (the "Order") and § 536.312 of the Narcotics Trafficking Sanctions Regulations, 31 CFR Part 536 (the "Regulations"), the following 6 individuals and 21 entities are added to the Appendices as persons who have been determined to play a significant role in international narcotics trafficking centered in Colombia or who have been determined to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to the Order (collectively "Specially Designated Narcotics Traffickers" or "SDNTs"). Any property subject to the jurisdiction of the United States in which an SDNT has an interest is blocked, and U.S. persons are prohibited from engaging in any transaction or in dealing in any property in which an SDNT has an interest.

Designations of foreign persons blocked pursuant to the Order are effective upon the date of determination by the Director of the Office of Foreign Assets Control, acting under authority delegated by the Secretary of the Treasury. Public notice of blocking is effective upon the date of filing with the Federal Register, or upon prior actual notice.

Because the Regulations involve a foreign affairs function, Executive Order 12866 and the provisions of the Administrative Procedure Act (5 U.S.C. 553), requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601-612) does not apply.

For the reasons set forth in the preamble, and under the authority of 3 U.S.C. 301; 50 U.S.C. 1601-1641; 50 U.S.C. 1701-1706; E.O. 12978, 60 FR 54579, 3 CFR, 1995 Comp., p. 415, appendices A and B to chapter V of 31 CFR are amended as set forth below:

1. Appendices A and B to chapter V of 31 CFR are amended by adding the following names inserted in alphabetical order (1) in Appendix A, section I, and (2) under the heading "Colombia" in Appendix B:

- AGRICOLA SONGO LTDA., Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 890115794-3 (Colombia) [SDNT]
- ARANA MARIA, Jairo Abraham, Calle 74 No. 53-30, Barranquilla, Colombia; c/o DESARROLLOS URBANOS "DESARROLLAR" LTDA., Barranquilla, Colombia; c/o EDIFICACIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o GRAN COMPAÑIA DE HOTELES LTDA., Barranquilla, Colombia; c/o HOTELES E INMUEBLES DE COLOMBIA LTDA., Barranquilla, Colombia; c/o INMOBILIARIA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INMOBILIARIA HOTELERA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INVERSIONES HOTELERAS DEL LITORAL LTDA., Barranquilla, Colombia; c/o INVERSIONES PRADO TRADE CENTER LTDA., Barranquilla, Colombia; c/o NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., Barranquilla, Colombia; c/o SURAMERICANA DE HOTELES LTDA., Barranquilla, Colombia; DOB 8 February 1953; alt. DOB 2 May 1946; alt. DOB 21 May 1946; Passport Z4966601 (Colombia); Passport K1030420 (Colombia); Cedula No. 7450538 (Colombia) (individual) [SDNT]
- CLINICA ESPECIALIZADA DEL VALLE S.A., (a.k.a. C.E.V. S.A.), Calle 10 No. 44A-26, Cali, Colombia; Apartado Aereo 32412, Cali, Colombia; Carrera 46 No. 9C-85, Cali, Colombia; Carrera 40 No. 6-50, Of. 1501, Cali, Colombia; NIT # 800134099-6 (Colombia) [SDNT]
- CONSTRUCTORA CENTRAL DEL VALLE LTDA., (a.k.a. C.C.V. LTDA.), Calle 10 No. 44A-26, Cali, Colombia; NIT # 800144098-1 (Colombia) [SDNT]
- DESARROLLOS URBANOS "DESARROLLAR" LTDA., (a.k.a. DESARROLLAR LTDA.), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 890108104-2 (Colombia) [SDNT]
- EDIFICACIONES DEL CARIBE LTDA., (a.k.a. EDIFICAR), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 890108103-5 (Colombia) [SDNT]
- ESTRADA RAMIREZ, Jose Arnoldo, Calle 39 No. 1H-31, Cali, Colombia; Carrera 1H No. 39-56, Cali, Colombia; c/o CLINICA ESPECIALIZADA DEL VALLE S.A., Cali, Colombia; c/o CONSTRUCTORA CENTRAL DEL VALLE LTDA., Cali, Colombia; c/o HIELO CRISTAL Y REFRIGERACION LTDA., Cali, Colombia; c/o INVERSIONES JAER LTDA., Cali, Colombia; c/o INVERSIONES SAN JOSE LTDA., Cali, Colombia; c/o MARIN ESTRADA Y CIA S. EN C.S., Cali, Colombia; c/o PARQUE INDUSTRIAL LAS DELICIAS LTDA., Cali, Colombia; DOB 14 July 1947; Cedula No. 16200018 (Colombia) (individual) [SDNT]

- GRAN COMPAÑIA DE HOTELES LTDA., (a.k.a. GRANCO), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800011606-2 (Colombia) [SDNT]
- HIELO CRISTAL Y REFRIGERACION LTDA., (a.k.a. CUATRO FRIO), Carrera 8 No. 32-16, Cali, Colombia; Carrera 44A No. 9C-85, Bogota, Colombia; NIT # 890303017-5 (Colombia) [SDNT]
- HOTELES E INMUEBLES DE COLOMBIA LTDA., (a.k.a. HOTINCOL), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800013139-3 (Colombia) [SDNT]
- INMOBILIARIA DEL CARIBE LTDA., Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 890108105-1 (Colombia) [SDNT]
- INMOBILIARIA HOTELERA DEL CARIBE LTDA., (a.k.a. INHOCAR), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800012713-7 (Colombia) [SDNT]
- INVERSIONES HOTELERAS DEL LITORAL LTDA., (a.k.a. INHOTEL), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800011604-8 (Colombia) [SDNT]
- INVERSIONES JAER LTDA., Carrera 7 No. 34-341 Bodega 7, Cali, Colombia; Apartado Aereo 10454, Cali, Colombia; Calle 6A Norte No. 2N-36 of. 436, Cali, Colombia; Carrera 1H No. 39-42, Cali, Colombia; NIT # 890332242-1 (Colombia) [SDNT]
- INVERSIONES PRADO TRADE CENTER LTDA., (a.k.a. IPRACARIBE), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800236713-9 (Colombia) [SDNT]
- INVERSIONES SAN JOSE LTDA., Carrera 7 No. 34-341, Cali Colombia; Apartado Aereo 10454, Cali, Colombia; Calle 44 No. 1E-135, Cali, Colombia; Calle 44 No. 1E-155, Cali, Colombia; NIT # 800079682-5 (Colombia) [SDNT]
- MARIN ESTRADA Y CIA. S. EN C.S., Carrera 8 No. 32-16, Cali, Colombia; Apartado Aereo 1175, Cali, Colombia; Calle 44 No. 1E-155, Cali, Colombia; Calle 45 No. 1E-86, Cali, Colombia; NIT # 800083114-9 (Colombia) [SDNT]
- NASSER ARANA, Carlos Alberto, Calle 74 No. 53-30, Barranquilla, Colombia; c/o AGRICOLA SONGO LTDA., Barranquilla, Colombia; c/o DESARROLLOS URBANOS "DESARROLLAR" LTDA., Barranquilla, Colombia; c/o EDIFICACIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o GRAN COMPAÑIA DE HOTELES LTDA., Barranquilla, Colombia; c/o HOTELES E INMUEBLES DE COLOMBIA LTDA., Barranquilla, Colombia; c/o INMOBILIARIA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INMOBILIARIA HOTELERA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INVERSIONES HOTELERAS DEL LITORAL LTDA., Barranquilla, Colombia; c/o INVERSIONES PRADO TRADE CENTER LTDA., Barranquilla, Colombia; c/o NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA. Y CIA. S.C.A., Barranquilla, Colombia; c/o PROMOTORA HOTEL BARRANQUILLA LTDA., Barranquilla, Colombia; c/o SURAMERICANA DE HOTELES LTDA., Barranquilla, Colombia; DOB 21 November 1964; Passport T707770 (Colombia); Passport PE008808 (Colombia); Cedula No. 8745045 (Colombia) (individual) [SDNT]
- NASSER ARANA, Claudia Patricia, (a.k.a. Claudia Patricia NASSER de HASBUN; a.k.a. Claudia Patricia NASSER de HAZBUN), Calle 74 No. 53-30, Barranquilla, Colombia; c/o AGRICOLA SONGO LTDA., Barranquilla, Colombia; c/o DESARROLLOS URBANOS "DESARROLLAR" LTDA., Barranquilla, Colombia; c/o EDIFICACIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o GRAN COMPAÑIA DE HOTELES LTDA., Barranquilla, Colombia; c/o HOTELES E INMUEBLES DE COLOMBIA LTDA., Barranquilla, Colombia; c/o INMOBILIARIA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INMOBILIARIA HOTELERA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INVERSIONES HOTELERAS DEL LITORAL LTDA., Barranquilla, Colombia; c/o INVERSIONES PRADO TRADE CENTER LTDA., Barranquilla, Colombia; c/o NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA. Y CIA. S.C.A., Barranquilla, Colombia; c/o PROMOTORA HOTEL BARRANQUILLA LTDA., Barranquilla, Colombia; c/o SURAMERICANA DE HOTELES LTDA., Barranquilla, Colombia; DOB 23 January 1966; alt. DOB 23 January 1963; Passport AC751227 (Colombia); Cedula No. 32665137 (Colombia) (individual) [SDNT]
- NASSER ARANA, Jorge, Calle 74 No. 53-30, Barranquilla, Colombia; c/o AGRICOLA SONGO LTDA., Barranquilla, Colombia; c/o DESARROLLOS URBANOS "DESARROLLAR" LTDA., Barranquilla, Colombia; c/o EDIFICACIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o GRAN COMPAÑIA DE HOTELES LTDA., Barranquilla, Colombia; c/o HOTELES E INMUEBLES DE COLOMBIA LTDA., Barranquilla, Colombia; c/o INMOBILIARIA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INMOBILIARIA HOTELERA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INVERSIONES HOTELERAS DEL LITORAL LTDA., Barranquilla, Colombia; c/o INVERSIONES PRADO TRADE CENTER LTDA., Barranquilla, Colombia; c/o NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA. Y CIA. S.C.A., Barranquilla, Colombia; c/o PROMOTORA HOTEL BARRANQUILLA LTDA., Barranquilla, Colombia; c/o SURAMERICANA DE HOTELES LTDA., Barranquilla, Colombia; DOB 6 November 1966; Passport T705915 (Colombia); Passport AC143719 (Colombia); Cedula No. 72139939 (Colombia) (individual) [SDNT]
- NASSER DAVID, Julio Cesar, (a.k.a. "Jaime Perez Peña"), Calle 74 No. 53-30, Barranquilla, Colombia; Carrera 38B No. 76-40, Barranquilla, Colombia; c/o AGRICOLA SONGO LTDA., Barranquilla, Colombia; c/o DESARROLLOS URBANOS "DESARROLLAR" LTDA., Barranquilla, Colombia; c/o EDIFICACIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o GRAN COMPAÑIA DE HOTELES LTDA., Barranquilla, Colombia; c/o HOTELES E INMUEBLES DE COLOMBIA LTDA., Barranquilla, Colombia; c/o INMOBILIARIA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INMOBILIARIA HOTELERA DEL CARIBE LTDA., Barranquilla, Colombia; c/o INVERSIONES HOTELERAS DEL LITORAL LTDA., Barranquilla, Colombia; c/o INVERSIONES PRADO TRADE CENTER LTDA., Barranquilla, Colombia; c/o NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA., Barranquilla, Colombia; c/o PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA. Y CIA. S.C.A., Barranquilla, Colombia; c/o PROMOTORA HOTEL BARRANQUILLA LTDA., Barranquilla, Colombia; c/o SURAMERICANA DE HOTELES LTDA., Barranquilla, Colombia; DOB 1 November 1940; alt. DOB 1 October 1940; Passport H130865 (Colombia); Cedula No. 3710619 (Colombia) (individual) [SDNT]

NEGOCIOS Y PROPIEDADES DEL CARIBE LTDA., (f.k.a. NEGOCIAR LTDA.), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 890108102-8 (Colombia) [SDNT]

PARQUE INDUSTRIAL LAS DELICIAS LTDA., Carrera 7 No. 34-341, Cali, Colombia; Carrera 7 No. 34-341 L-6, Cali, Colombia [SDNT]

PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA., Calle 74 No. 53-30, Barranquilla, Colombia; Calle 78 No. 53-70 Centro Comercial Villa Country, Barranquilla, Colombia; Carrera 54 No. 72-80 Ejecutivo I, Barranquilla, Colombia; Carrera 57 No. 72-147, Barranquilla, Colombia; Carrera 55 No. 72-109 Piso 1, Barranquilla, Colombia; Carrera 56 No. 70-60, Barranquilla, Colombia; Carrera 57 No. 79-149, Barranquilla, Colombia; NIT # 890108115-3 (Colombia) [SDNT]

PROMOCIONES Y CONSTRUCCIONES DEL CARIBE LTDA. Y CIA. S.C.A., (a.k.a. PROMOCON), Calle 74 No. 53-30, Barranquilla, Colombia; Calle 78 No. 53-70 Centro Comercial Villa Country, Barranquilla, Colombia; Carrera 54 No. 72-80 L-21 Ejecutivo I, Barranquilla, Colombia; Carrera 54 No. 72-147 L-115, Barranquilla, Colombia; Carrera 55 No. 80-192, Barranquilla, Colombia; Carrera 55 No. 80-192 Ap. 6, Barranquilla, Colombia; Apartado Aereo 50183, Barranquilla, Colombia; Apartado Aereo 51110, Barranquilla, Colombia; NIT # 890108148-6 (Colombia) [SDNT]

PROMOTORA HOTEL BARRANQUILLA LTDA., Calle 74 No. 53-30, Barranquilla, Colombia; Apartado Aereo 51110, Barranquilla, Colombia; NIT # 890111684-3 (Colombia) [SDNT]

SURAMERICANA DE HOTELES LTDA., (a.k.a. SURATEL), Calle 74 No. 53-30, Barranquilla, Colombia; NIT # 800011603-0 (Colombia) [SDNT]

Dated: May 11, 1998.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: May 21, 1998.

James E. Johnson,

*Assistant Secretary (Enforcement),
Department of the Treasury.*

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[AZ-005-ROP FRL-6101-9]

Approval and Promulgation of Implementation Plans; Phoenix, Arizona Ozone Nonattainment Area, 15 Percent Rate of Progress Plan and 1990 Base Year Emission Inventory

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is determining, pursuant to its federal planning authority in Clean Air Act (CAA) section 110(c), that the Phoenix, Arizona ozone nonattainment area has in place sufficient control measures to meet the 15 percent rate of progress (ROP) requirement in Clean Air Act (CAA) section 182(b)(2). EPA is also approving, under CAA sections 110(k) and 182(a)(1), the 1990 base year emissions inventory for the Phoenix metropolitan area that was submitted to EPA by the State of Arizona on April 1, 1993.

EFFECTIVE DATE: June 26, 1998.

ADDRESSES: Copies of the documents relevant to this action, including the technical support document (TSD), are contained in the docket for this rulemaking. The docket is available for inspection during normal business hours at the following locations: U.S. Environmental Protection Agency, Region 9, Office of Air Planning, Air Division, 17th Floor, 75 Hawthorne Street, San Francisco, California 94105. Phone: (415) 744-1248. Arizona Department of Environmental Quality, Library, 3033 N. Central Avenue, Phoenix, Arizona 85012. (602) 207-2217.

Copies of this notice and the TSD are also available in the air programs section of EPA Region 9's website, <http://www.epa.gov/region09>.

FOR FURTHER INFORMATION CONTACT:

Frances Wicher, Office of Air Planning (AIR-2), U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, California 94105. Phone: (415) 744-1248. Email:

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SUPPLEMENTARY INFORMATION:

I. Background

A. Clean Air Act Requirements

The Phoenix metropolitan area was originally classified as a moderate ozone nonattainment area on November 6, 1991.¹ Section 182(b) of the Clean Air Act (CAA or Act) requires that each state in which all or part of a moderate ozone nonattainment area is located submit, by November 15, 1992, an inventory of actual emissions from all sources, as described in sections 172(c)(3) and 182(a)(1), in accordance with guidance provided by the Administrator. Section 182(b)(1)(A) of the CAA also requires states with moderate and above ozone

nonattainment areas to develop plans to reduce volatile organic compounds (VOC) emissions by 15 percent, net of growth, from the 1990 baseline. The 15 percent rate of progress (ROP) plans were to be submitted by November 15, 1993, and the reductions were required to be achieved by November 15, 1996.

Although the November 15, 1996 deadline has now passed, the 15 percent ROP requirement remains. Once a statutory deadline has passed and has not been replaced by a later one, the deadline then becomes "as soon as possible." *Delaney v. EPA*, 898 F.2d 687, 691 (9th Cir. 1990). EPA has interpreted this requirement to be "as soon as practicable." See the proposed rule for this final action at 63 FR 3687 (January 26, 1998).² This requirement is discussed further in section II below.

B. Phoenix's 15 Percent Plan

The State of Arizona submitted its initial 15 percent rate of progress plan for the metropolitan Phoenix area on November 15, 1993 and supplemented it on April 8, 1994. On April 13, 1994 EPA found the initial plan incomplete because it failed to include, in fully adopted and enforceable form, all of the measures relied upon in the 15 percent demonstration. This incompleteness finding started the 18-month sanction "clock" in CAA section 179 and the two-year clock under section 110(c) for EPA to promulgate a federal implementation plan (FIP) covering the 15 percent ROP requirement. Subsequently, in November 1994 and April 1995, Arizona submitted an attainment plan for the Phoenix area which updated the 15 percent ROP demonstrations.

On May 12, 1995, EPA found the revised 15 percent plan and the attainment plan complete, turning off the sanctions clock; however, under section 110(c), the FIP clock continues until EPA approves the 15 percent plan. Since 1995, EPA has acted to approve many of the control measures relied upon in this plan but has not yet acted on the overall 15 percent plan.

The 15 percent ROP demonstration in the State's plan relied primarily on improvements to the State's vehicle emissions inspection and maintenance (I/M) program. Not all the emission reductions attributed to the program have been realized because of technical problems with implementing certain parts of the I/M program. In part to replace these lost emission reductions

¹The Phoenix metropolitan area was recently reclassified from moderate to serious for ozone. 62 FR 60001 (November 6, 1997). Today's action relates to the moderate area CAA requirements for a 1990 base year inventory and a 15 percent ROP demonstration. The reclassification does not affect the area's continuing obligation to meet these requirements.

²The reader should consult this proposed rule for a more detailed discussion of the CAA requirements applicable to today's final action, the State's 15 percent ROP plans and EPA's evaluation of them, and EPA's proposed 15 percent demonstration.