

in January 1999. A 45-day comment period will follow publication of a Notice of Availability of the draft EIS in the **Federal Register**. The comments received will be analyzed and considered in preparation of a final EIS, which is expected to be filed in June 1999. A Record of Decision will be issued not less than 30 days after publication of a Notice of Availability of the final EIS in the **Federal Register**.

The Forest Service believes it is important at this early stage to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft EISs must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 513 (1978). Also, environmental objections that could be raised at the draft EIS stage but that are not raised until after completion of the final EIS may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages Inc. v. Harris*, 490 F.Supp. 1334, 1338 (E.D. Wis., 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments should be as specific as possible. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Coy Jemmett is the responsible official for this environmental impact statement.

Dated: July 17, 1998.

**Philip N. Jahn,**

*Acting Forest Supervisor, Nez Perce National Forest.*

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BILLING CODE 3410-11-M

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Additions and Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to and Deletions from the Procurement List.

**SUMMARY:** This action adds to the Procurement List a commodity and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List commodities previously furnished by such agencies.

**EFFECTIVE DATE:** August 24, 1998.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Gateway 3, Suite 310, 1215 Jefferson Davis Highway, Arlington, Virginia 22202-4302.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** On February 27 and June 12, 1998, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (63 FR 9999, 32189 and 32190) of proposed additions to and deletions from the Procurement List:

#### Additions

*The Following Comments Pertain to Kit, Fuel & Oil Filter Element*

Comments were received from a previous contractor in response to a request for sales data. The commenter challenged the capability of the designated nonprofit agency to produce the kit, claiming that the kit is a flight safety item which can only be effectively produced by a filter element manufacturer with special equipment, including testing equipment.

The Government contracting activity which purchases the kit and is familiar with all technical requirements for its production performed a plant facility inspection at the nonprofit agency and concluded that the agency was capable of producing the kit. Production of the kit is an assembly operation, using parts which meet appropriate technical criteria. The Committee's industrial engineer reviewed the Government's capability report and a similar assessment by an industrial engineer at the central nonprofit agency which represents the designated nonprofit agency, and the Committee's determination that the nonprofit agency

is capable of producing the kit is based on these assessments.

*The Following Comments Pertain to Mess Attendant, Janitorial/Grounds Maintenance, Naval Station, Everett, Washington*

In response to a Committee request for sales data, comments were received from one of the three contractors for the services consolidated into the service requirement being added to the Procurement List. The existing services are being performed by 8(a) contractors, and the other two have graduated from the 8(a) Program. The commenting contractor indicated that loss of the contract would have a severe adverse impact on its sales if some sort of partnering arrangement with the designated nonprofit agency does not occur.

The contracting activity has indicated that the service requirement would remain in the 8(a) Program if it is not added to the Procurement List. As the other two contractors have graduated from that program, they would not be eligible to receive contracts whether or not the service requirement is added to the Procurement List, so any impact they may suffer would not be caused by the addition.

The designated nonprofit agency has agreed to subcontract the mess attendant portion of the service requirement to the commenting contractor for the duration of its eligibility to participate in the 8(a) Program, if a reasonable price that is consistent with the contracting activity's available resources can be agreed upon. This arrangement will enable the contractor to continue performing the services until it graduates from the 8(a) Program, if its performance continues to be satisfactory. As a consequence, the Committee does not believe that the addition of the service requirement will have a severe adverse impact on that contractor.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodity and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodity and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small

entities other than the small organizations that will furnish the commodity and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodity and services.

3. The action will result in authorizing small entities to furnish the commodity and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodity and services proposed for addition to the Procurement List.

Accordingly, the following commodity and services are hereby added to the Procurement List:

#### Commodity

*Kit, Fuel & Oil Filter Element*  
2945-00-019-0280

#### Services

*Janitorial/Custodial*, Fort Benjamin Harrison, Emmett J. Bean Center, Building 1, Indianapolis, Indiana

*Janitorial/Custodial*  
Internal Revenue Service, Pendleton Trade Center, 3849 N. Richard Street, Indianapolis, Indiana

*Mess Attendant, Janitorial/Grounds Maintenance*  
Naval Station, Everett, Washington

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

#### Deletions

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action will not have a severe economic impact on future contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities to the Government

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Federal Government

under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Accordingly, the following commodities are hereby deleted from the Procurement List:

*Drape, Surgical, Disposable*  
6530-01-032-4089

*Pad, Pre-Operative Preparation*  
6530-00-457-8193

*Towel Pack, Surgical*  
6530-00-110-1854

**Louis R. Bartalot,**

*Deputy Director (Operations).*

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### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

#### Procurement List; Proposed Additions and Deletion

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed Additions to and Deletion from Procurement List.

**SUMMARY:** The Committee has received proposals to add to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and to delete a commodity previously furnished by such agencies.

**COMMENTS MUST BE RECEIVED ON OR BEFORE:** August 24, 1998.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Gateway 3, Suite 310, 1215 Jefferson Davis Highway, Arlington, Virginia 22202-4302.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603-7740.

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

#### Additions

If the Committee approves the proposed addition, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities and services proposed for addition to the Procurement List. Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

#### Commodities

Impulse Merchandising Program (IMP)  
Shippers

M.R. 11522—Corn Skewers Shipper

M.R. 11577—Pet Lids & Scoops Shipper

M.R. 11602—Neon Straws Shipper

M.R. 11618—Baking Cups Shipper

M.R. 11640—Party Picks Shipper

M.R. 11668—Egg Poacher Shipper

M.R. 11695—Cheese Cloth Shipper

M.R. 11696—Hot Dogger Shipper

NPA: Winston-Salem Industries for the Blind, Winston-Salem, North Carolina

#### Services

Janitorial/Custodial, MacDill Air Force Base, Florida

NPA: The Pinellas Association for Retarded Children, St. Petersburg, Florida

Janitorial/Custodial, U.S. Courthouse, 4th and Lomas, Albuquerque, New Mexico

NPA: RCI, Inc., Albuquerque, New Mexico

Janitorial/Custodial, DLA Warren Depot, Pine Street Extension, Warren, Ohio

NPA: Burdman Group, Inc., Youngstown, Ohio

Laundry Service, Naval Air Station, Galley Building 794, San Diego, California

NPA: Job Options, Inc., San Diego, California

#### Mailing Service

U.S. Patent and Trademark Office, Office of Finance, 2011 Crystal Drive, Arlington, Virginia

NPA: Sheltered Occupational Center of Northern Virginia, Arlington, Virginia