

Federal Register

Friday
August 21, 1998

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 2. The relationship between the Federal Register and Code of Federal Regulations.
 3. The important elements of typical Federal Register documents.
 4. An introduction to the finding aids of the FR/CFR system.
- WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

WASHINGTON, DC

WHEN: September 15, 1998 at 9:00 a.m.
WHERE: Office of the Federal Register
Conference Room,
800 North Capitol Street, N.W.
Washington, DC
(3 blocks north of Union Station Metro)
RESERVATIONS: 202-523-4538

NEW YORK CITY

WHEN: September 22, 1998 at 9:00 a.m.
WHERE: National Archives—Northeast Region
201 Varick Street, 12th Floor
New York, New York
RESERVATIONS: 1-800-688-9889 x 0
(Federal Information Center)



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Rules and Regulations

Federal Register

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 11

Organization and Function

AGENCY: National Appeals Division, USDA.

ACTION: Final rule.

SUMMARY: This document provides notice of the organization of the National Appeals Division (NAD) and provides information and addresses with respect to filing requests with NAD for information under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

EFFECTIVE DATE: August 21, 1998.

FOR FURTHER INFORMATION CONTACT: C. Larry Shrum, National Appeals Division, U.S. Department of Agriculture, 3101 Park Center Drive, Suite 1113, Alexandria, Virginia 22302, (703) 305-1020, FAX number (703) 305-2108.

SUPPLEMENTARY INFORMATION:

Background and Purpose

Under 7 CFR 1.3(a), the Secretary has required that all Department of Agriculture (USDA) agencies and staff offices publish FOIA regulations supplemental to USDA FOIA regulation at 7 CFR part 1 in order to provide the public with specific information as to where and how FOIA requests should be filed for individual agencies and staff offices.

This final rule sets forth the organization of NAD and NAD regulations implementing the FOIA in accordance with 7 CFR 1.3(a).

Classification

This rule is related to agency organization, management, procedure, and practice, and does not substantially affect the rights or obligations of non-agency parties. Accordingly, this rule is

exempt from Administrative Procedure Act requirements for notice and comment rulemaking (5 U.S.C. 553(a)(2)) and Congressional reporting and review (5 U.S.C. Chapter 8) and may be made effective less than 30 days after publication in the **Federal Register**. Since this rule relates to internal agency management, it is also exempt from the provisions of Executive Order No. 12866. This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*), and thus is exempt from the provisions of this Act. Finally, this final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

List of Subjects in 7 CFR Part 11

Administrative practice and procedure, Agriculture, Agricultural commodities, Crop insurance, Ex parte communications, Farmers, Federal aid programs, Freedom of Information, Guaranteed loans, Insured loans, Loan programs, Price support programs, Soil conservation.

For the reasons set out in the preamble, Title 7, part 11, of the Code of Federal Regulations is amended as set forth below:

PART 11—NATIONAL APPEALS DIVISION RULES OF PROCEDURES

1. The authority citation for part 11, subpart A is as follows:

Authority: 5 U.S.C. 301; Title II, Subtitle H, Pub. L. 103-354, 101 Stat. 3223 (7 U.S.C. 6991 *et seq.*); Reorganization Plan No. 2 of 1953 (5 U.S.C. App.).

2. The current text of 7 CFR Part 11 is redesignated as subpart A and a heading for subpart A is added to read as follows:

Subpart A—National Appeals Division Rules of Procedures

3. Subparts B and C are added to read as follows:

Subpart B—Organization And Functions

Sec.

11.20 General statement.

11.21 Organization.

11.22 Functions.

Authority: 5 U.S.C. 301 and 552; 7 CFR part 2.

§ 11.20 General statement.

This subpart provides guidance for the general public as to the organization and functions of NAD.

§ 11.21 Organization.

NAD was established on October 13, 1994. Delegation of authority to the Director, NAD, appears at § 2.34 of this title. The organization is comprised of three regional offices: Eastern Regional Office, Indianapolis, Indiana; Southern Regional Office, Memphis, Tennessee; and Western Regional Office, Lakewood, Colorado; and the headquarters staff located in Alexandria, Virginia. NAD is headed by a Director. NAD is assigned responsibility for certain administrative appeals as set forth in subpart A of this part.

§ 11.22 Functions.

(a) *Director.* Provides executive direction for NAD. The Director is responsible for developing and implementing nationwide plans, policies, and procedures for the timely and orderly hearing and disposition of appeals filed by individuals or entities in accordance with subpart A of this part. The Director will respond to all FOIA requests concerning appeal decisions and case records maintained by NAD.

(b) *Deputy Director for Hearings and Administration.* Responsible for all administrative functions of NAD, including budget, correspondence, personnel, travel, equipment, and regulation review and development.

(c) *Deputy Director for Planning, Training, and Quality Control.* Responsible for NAD strategic planning, including the organization's compliance with the Government Performance and Results Act, Pub. L. 103-62, employee training, and the establishment and maintenance of a quality assurance program.

(d) *Assistant Directors for Regions.* Responsible for oversight of the adjudication process for cases filed in the NAD regional offices. Assistant Directors ensure statutory and administrative time frames are met, and oversee the administrative functions, training, and supervision of the support staff located in the regional offices and the large dispersed staff of professional hearing officers located throughout the regions. The three regional offices serve as the custodian for all NAD determinations and case records.

Subpart C—Availability of Information to the Public

Sec.

- 11.30 General statement.
 11.31 Public inspection and copying.
 11.32 Initial request for records.
 11.33 Appeals.

Appendix A—List of Addresses

Authority: 5 U.S.C. 301 and 552; 7 CFR 1.1–1.16.

§ 11.30 General statement.

This subpart implements the regulations of the Secretary of Agriculture at 7 CFR 1.1 through 1.16 concerning FOIA (5 U.S.C. 552). The Secretary's regulations, as implemented by the regulations in this part, govern the availability of the records of NAD to the public.

§ 11.31 Public inspection and copying.

Section 1.5 of this title requires that certain materials be made available by each USDA agency for public inspection and copying in accordance with 5 U.S.C. 522(a)(2). Members of the public wishing to gain access to these NAD records should write to the appropriate address shown in Appendix A of this subpart.

§ 11.32 Initial requests for records.

(a) Requests for NAD records should be in writing and addressed to the NAD official having custody of the records desired as indicated in § 11.22(d). Addresses are found in Appendix A of this subpart. In his or her petition, the requester may ask for a fee waiver if there is likely to be a charge for the requested information. The criteria for waiver of fees are found in section 6 of appendix A, subpart A of part 1 of this title. All requests for records shall be deemed to have been made pursuant to FOIA, regardless of whether FOIA is specifically mentioned. To facilitate processing of a request, the phrase "FOIA REQUEST" should be placed in capital letters on the front of the envelope.

(b) A request must reasonably describe records to enable NAD personnel to locate them with reasonable effort. Where possible, a requester should supply specific information, such as dates, titles, appellant name or appeal number, that may help identify the records. If the request relates to a matter in pending litigation, the court and its location should be identified.

(c) If NAD determines that a request does not reasonably describe the records, it shall inform the requester of this fact and extend the requester an opportunity to clarify the request or to confer promptly with knowledgeable NAD personnel to attempt to identify

the records he or she is seeking. The "date of receipt" in such instances, for purposes of § 1.12(a) of this title, shall be the date of receipt of the amended or clarified request.

(d) Nothing in this subpart shall be interpreted to preclude NAD from honoring an oral request for information, but if the requester is dissatisfied with the response, the NAD official involved shall advise the requester to submit a written request in accordance with paragraph (a) of this section. The "date of receipt" of such a request for purposes of § 1.12(a) of this title shall be the date of receipt of the written request. For recordkeeping purposes, the NAD official responding to an oral request for information may ask the requester to also submit his or her request in writing.

(e) If a request for records or a fee waiver under this subpart is denied, the person making the request shall have the right to appeal the denial. Requesters also may appeal NAD decisions regarding a requester's status for purposes of fee levels under section 5 of Appendix A, subpart A of part 1 of this title. All appeals must be in writing and addressed to the official designated in § 11.33. To facilitate processing of an appeal, the phrase "FOIA APPEAL" should be placed in capital letters on the front of the envelope.

(f) NAD shall develop and maintain a record of all written and oral FOIA requests and FOIA appeals received by NAD, which shall include, in addition to any other information, the name of the requester, brief summary of the information requested, an indication of whether the request or appeal was denied or partially denied, the FOIA exemption(s) cited as the basis for any denials, and the amount of fees associated with the request or appeal.

§ 11.33 Appeals.

Any person whose initial FOIA request is denied in whole or in part may appeal that denial to the Director, National Appeals Division, U.S. Department of Agriculture, 3101 Park Center Drive, Suite 1113, Alexandria, Virginia 22302. The Director will make the final determination on the appeal.

Appendix A—List of Addresses

This list provides the titles and mailing addresses of officials who have custody of NAD records. This list also identifies the normal working hours, Monday through Friday, excluding holidays, during which public inspection and copying of certain kinds of records is permitted.

Director, National Appeals Division, U.S. Department of Agriculture, 3101 Park Center Drive, Suite 1113, Alexandria, Virginia 22302, Hours: 8 a.m.–5 p.m.

Regional Assistant Director, Eastern Region, National Appeals Division, U.S. Department of Agriculture, 3500 DePauw Boulevard, Suite 2052, Indianapolis, Indiana 46268, Hours: 8 a.m.–5 p.m.

Regional Assistant Director, Southern Region, National Appeals Division, U.S. Department of Agriculture, 7777 Walnut Grove Road, LLB–1, Memphis, Tennessee 38120, Hours: 8 a.m.–5 p.m.

Regional Assistant Director, Western Region, National Appeals Division, U.S. Department of Agriculture, 755 Parfet Street, Suite 494, Lakewood, Colorado 80215–5506, Hours: 8 a.m.–5 p.m.

Done at Washington, DC, this 11th day of August 1998.

Norman G. Cooper,

Director.

[FR Doc. 98–22451 Filed 8–20–98; 8:45 am]

BILLING CODE 3410–01–P

DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****7 CFR Part 301**

[Docket No. 98–083–2]

Mediterranean Fruit Fly; Addition to Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the Mediterranean fruit fly regulations by adding a portion of Orange County, CA, to the list of quarantined areas and restricting the interstate movement of regulated articles from the quarantined area. This action is necessary on an emergency basis to prevent the spread of the Mediterranean fruit fly into noninfested areas of the United States.

DATES: Interim rule effective August 14, 1998. Consideration will be given only to comments received on or before October 20, 1998.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 98–083–2, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 98–083–2. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737-1236, (301) 734-8247; or e-mail: michael.b.stefan@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The Mediterranean fruit fly, *Ceratitidis capitata* (Wiedemann), is one of the world's most destructive pests of numerous fruits and vegetables. The Mediterranean fruit fly (Medfly) can cause serious economic losses. Heavy infestations can cause complete loss of crops, and losses of 25 to 50 percent are not uncommon. The short life cycle of this pest permits the rapid development of serious outbreaks.

The Mediterranean fruit fly regulations (7 CFR 301.78 through 301.78-10; referred to below as the regulations) restrict the interstate movement of regulated articles from quarantined areas to prevent the spread of Medfly to noninfested areas of the United States.

Recent trapping surveys by inspectors of California State and county agencies and by inspectors of the Animal and Plant Health Inspection Service (APHIS) have revealed that an infestation of Medfly has occurred in a portion of Orange County, CA.

The regulations in 301.78-3 provide that the Administrator of APHIS will list as a quarantined area each State, or each portion of a State, in which the Medfly has been found by an inspector, in which the Administrator has reason to believe that the Medfly is present, or that the Administrator considers necessary to regulate because of its inseparability for quarantine enforcement purposes from localities in which the Medfly has been found.

Less than an entire State will be designated as a quarantined area only if the Administrator determines that the State has adopted and is enforcing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed on the interstate movement of regulated articles, and the designation of less than the entire State as a quarantined area will prevent the interstate spread of the Medfly. The boundary lines for a portion of a State being designated as quarantined are set up approximately four-and-one-half miles from the detection sights. The boundary lines may vary due to factors such as the location of Medfly host material, the location of transportation centers such as bus stations and airports, the patterns of persons moving in that State, the

number and patterns of distribution of the Medfly, and the use of clearly identifiable lines for the boundaries.

In accordance with these criteria and the recent Medfly findings described above, we are amending § 301.78-3 by adding a portion of Orange County, CA, to the list of quarantined areas. The new quarantined area is described in the rule portion of this document.

Emergency Action

The Administrator of the Animal and Plant Health Inspection Service has determined that an emergency exists that warrants publication of this interim rule without prior opportunity for public comment. Immediate action is necessary to prevent the Medfly from spreading to noninfested areas of the United States.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make this action effective August 14, 1998. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we received and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This rule amends the Medfly regulations by adding a portion of Orange County, CA, to the list of quarantined areas. This action is necessary on an emergency basis to prevent the spread of the Medfly into noninfested areas of the United States.

This rule also restricts the interstate movement of regulated articles from the quarantined area of Orange County, CA. We estimate that there are 77 entities in the quarantined area of Orange County, CA, that sell, process, handle, or move regulated articles. This estimate includes 55 fruit sellers, 12 growers, and 10 nurseries. The number of these entities that meet the U.S. Small Business Administration's (SBA) definition of a small entity is unknown, since the information needed to make that determination (i.e., each entity's gross receipts or number of employees) is not currently available. However, it is reasonable to assume that most of these

entities are small in size, since the overwhelming majority of businesses in California, as well as the rest of the United States, are small entities by SBA standards.

Few, if any, of the 77 entities will be significantly affected by the quarantine action taken in this interim rule because few of those entities move regulated articles outside the State of California during the normal course of their business. Nor do consumers of products purchased from those entities generally move those products interstate. The effect on any small entities that do move regulated articles interstate from the quarantined area will be minimized by the availability of various treatments that, in most cases, will allow those small entities to move regulated articles interstate with very little additional costs. Also, many of those small entities sell other items in addition to regulated articles, so the effect, if any, of the interim rule should be minimal.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this rule. The site specific environmental assessment and programmatic Medfly environmental impact statement provide a basis for our conclusion that implementation of integrated pest management to achieve eradication of the Medfly would not have a significant impact on human health and the natural environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Copies of the environmental assessment and finding of no significant impact are available for public inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690–2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT.**

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Incorporation by reference, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

2. In § 301.78–3, paragraph (c) is amended by adding an entry for Orange County, CA, in alphabetical order, to read as follows:

§ 301.78–3 Quarantined areas.

* * * * *

(c) * * *

California

Orange County. That portion of Orange County in the Lake Forest area bounded by a line beginning at the intersection of Interstate Highway 5 and State Highway 133; then northeast along an imaginary line to its intersection with Marine Way and the El Toro Marine Corps Air Station perimeter; then northeast along the El Toro Marine

Corps Air Station perimeter to Irvine Boulevard; then southeast along Irvine Boulevard to N Street; then northeast along N Street to the El Toro Marine Corps Air Station perimeter; then northeast along the El Toro Marine Corps Air Station perimeter to State Highway 241; then southeast along State Highway 241 to Antonio Parkway; then southwest along Antonio Parkway to Oso Parkway; then west along Oso Parkway to Felipe Road; then southwest along Felipe Road to Marguerite Parkway; then south along Marguerite Parkway to Crown Valley Parkway; then southwest along Crown Valley Parkway to State Highway 73; then northeast along State Highway 73 to State Highway 133; then north along State Highway 133 to the point of beginning.

* * * * *

Done in Washington, DC, this 13th day of August 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98–22458 Filed 8–20–98; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 98–086–1]

Validated Brucellosis-Free States; Alabama

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the brucellosis regulations concerning the interstate movement of swine by adding Alabama to the list of validated brucellosis-free States. We have determined that Alabama meets the criteria for classification as a validated brucellosis-free State. This action relieves certain restrictions on the interstate movement of breeding swine from Alabama.

DATES: Interim rule effective August 21, 1998. Consideration will be given only to comments received on or before October 20, 1998.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 98–086–1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 98–086–1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW.,

Washington, DC, between 8 a.m., and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. Arnold Taft, Senior Staff Veterinarian, National Animal Health Programs, VS, APHIS, 4700 River Road Unit 43, Riverdale, MD 20737–1231, (301) 734–4916.

SUPPLEMENTARY INFORMATION:

Background

Brucellosis is a contagious disease affecting animals and humans, caused by bacteria of the genus *Brucella*. The brucellosis regulations, contained in 9 CFR part 78 (referred to below as the regulations), prescribe conditions for the interstate movement of cattle, bison, and swine.

Under the swine brucellosis regulations, States, herds, and individual animals are classified according to their brucellosis status. Interstate movement requirements for swine are based upon the disease status of the individual animal or the herd or State from which the animal originates.

We are amending § 78.43 of the regulations, which lists validated brucellosis-free States, to include Alabama. A State may apply for validated brucellosis-free status when: (1) Any herd found to have swine brucellosis during the 2-year qualification period preceding the application has been depopulated. More than one finding of a swine brucellosis-infected herd during the qualification period disqualifies the State from validation as brucellosis-free; and (2) during the 2-year qualification period, the State has completed surveillance, annually, by either complete herd testing, market swine testing, or statistical analysis.

Breeding swine originating from a validated brucellosis-free State or herd may be moved interstate without having been tested with an official test for brucellosis within 30 days prior to interstate movement, which would otherwise be required.

After reviewing its brucellosis program records, we have concluded that Alabama meets the criteria for classification as a validated brucellosis-free State. Therefore, we are adding Alabama to the list of States in § 78.43. This action relieves certain restrictions on the interstate movement of breeding swine from Alabama.

Immediate Action

The Administrator of the Animal and Plant Health Inspection Service has

determined that there is good cause for publishing this interim rule without prior opportunity for public comment. Immediate action is warranted to remove unnecessary restrictions on the interstate movement of swine from Alabama.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make this action effective upon publication in the **Federal Register**. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This action removes the requirement that breeding swine be tested for brucellosis prior to movement interstate from Alabama.

Approximately 99 percent of swine herd producers in Alabama are small businesses (defined by the Small Business Administration as having annual gross receipts of less than \$500,000). Currently, these small producers have about 20,000 adult swine tested annually for brucellosis, at a cost to producers of approximately \$5 per test. We are not able to determine exactly how many of these tests are performed for the purpose of certifying breeding swine for movement interstate, but we estimate the number to be small.

We anticipate, therefore, that this action will have a minimal positive economic impact, if any, on swine producers in Alabama.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are in conflict with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 9 CFR part 78 as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111–114a–1, 114g, 115, 117, 120, 121, 123–126, 134b, and 134f; 7 CFR 2.22, 2.80, and 371.2(d).

§ 78.43 [Amended]

2. Section 78.43 is amended by adding “Alabama,” immediately before “Alaska,”.

Done in Washington, DC, this 17th day of August 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98–22522 Filed 8–20–98; 8:45 am]

BILLING CODE 3410–34–P

DELAWARE RIVER BASIN COMMISSION

18 CFR Part 401

Rules of Practice and Procedure

CFR Correction

In Title 18 of the Code of Federal Regulations, parts 400 to End, revised as of April 1, 1998, make the following corrections:

1. On page 6, § 410.0 is corrected to read “§ 401.0” in the heading;
2. On page 12, § 401.35, paragraph (b)(18), second line, “specify” is corrected to read “specially” and in paragraph (d), eighth line, “Executor” is corrected to read “Executive Director”;
3. On page 13, § 401.36, paragraph (c), third line, insert the word “sources” after the word “water”;

4. On page 15, § 401.73, paragraph (b), first line, the word “When” is corrected to read “Whenever”;

5. On page 17, § 401.82, paragraph (a), column 2, first line, “ins” is corrected to read “is”, and in the fourth and fifth line “Commissioner” is corrected to read “Commission or”.

BILLING CODE 1505–01–D

DEPARTMENT OF STATE

22 CFR Part 51

[Public Notice 2712]

Passport Procedures—Amendment to Restriction of Passports Regulation

AGENCY: Bureau of Consular Affairs, Department of State.

ACTION: Final rule.

SUMMARY: This rule adopts as final the interim final rule amending the rules concerning passport restrictions published November 25, 1997. This rule added one new ground for denying, revoking or canceling a passport.

EFFECTIVE DATE: October 1, 1997.

FOR FURTHER INFORMATION CONTACT: Sharon E. Palmer-Royston, Office of Passport Policy and Advisory Services, Bureau of Consular Affairs, Department of State (202) 955–0231.

List of Subjects in 22 CFR Part 51

Administrative practice and procedure, Passports and visas.

Accordingly, the interim rule amending 22 CFR part 51 which was published at 62 FR 62694 on November 25, 1997, is adopted as a final rule without change.

Dated: August 3, 1998.

Mary A. Ryan,

Assistant Secretary for Consular Affairs.

[FR Doc. 98–22505 Filed 8–20–98; 8:45 am]

BILLING CODE 4710–06–M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 301 and 602

[TD 8780]

RIN 1545–AU85

Rewards for Information Relating to Violations of Internal Revenue Laws

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final and temporary regulations.

SUMMARY: This document contains final regulations relating to rewards for information that relates to violations of the internal revenue laws. The regulations reflect changes to the law made by the Taxpayer Bill of Rights 2 and affect persons that are eligible to receive an informant reward.

DATES: *Effective date:* These regulations are effective August 21, 1998.

Applicability date: For dates of applicability, see § 301.7623-1(g).

FOR FURTHER INFORMATION CONTACT: Judith A. Lintz (202) 622-4940 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collections of information contained in these final regulations have been reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507) under control number 1545-1534. Responses to these collections of information are voluntary with respect to the provision of information relating to violations of the internal revenue laws, but are required to obtain a benefit with respect to filing a claim for reward.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number.

The estimated annual burden per respondent varies from 2 to 4 hours, depending on individual circumstances, with an estimated average of 3 hours.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be sent to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, OP:FS:FP, Washington, DC 20224, and to the Office of Management and Budget, Attn: Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Background

This document contains amendments to the Regulations on Procedure and Administration (26 CFR Part 301) under section 7623 relating to rewards for information that relates to violations of the internal revenue laws. This section was amended by section 1209 of the

Taxpayer Bill of Rights 2 (TBOR 2) (Pub. L. 104-168, 110 Stat. 1452 (1996)).

On October 14, 1997, final and temporary regulations (TD 8737) relating to informant rewards under section 7623 were published in the **Federal Register** (62 FR 53230). A notice of proposed rulemaking (REG-252936-96) cross-referencing the temporary regulations was published in the **Federal Register** for the same day (62 FR 53274).

No written comments responding to the notice were received. No public hearing was requested or held. The proposed regulations under section 7623 are adopted as revised by this Treasury decision, and the corresponding temporary regulations are removed. The revisions are discussed below.

Explanation of Provisions

The amendments made by TBOR 2 to section 7623 provide that the Secretary may pay rewards for information that leads to the detection and bringing to trial and punishment persons guilty of violating the internal revenue laws or conniving at the same, and for information that leads to the detection of underpayments of tax. In addition, the amendments to section 7623 provide that rewards will be paid from the proceeds of amounts (other than interest) collected by reason of the information provided.

Following the publication of the proposed regulations, it was determined that the regulations should clarify that rewards may also be paid in situations where information leads to the denial of a claim for refund. Therefore, the final regulations provide that proceeds of amounts (other than interest) collected by reason of the information provided include both additional amounts collected because of the information provided and amounts collected prior to receipt of the information if the information leads to the denial of a claim for refund that otherwise would have been paid.

Special Analyses

It has been determined that this Treasury decision is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations.

It is hereby certified that the regulations in this document will not have a significant economic impact on a substantial number of small entities. This certification is based on a

determination that in the past approximately 10,000 persons have filed claims for reward on an annual basis. Of these persons, almost all have been individuals. Accordingly, a regulatory flexibility analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required.

Pursuant to section 7805(f) of the Internal Revenue Code, the notice of proposed rulemaking preceding these regulations was submitted to the Small Business Administration for comment on its impact on small businesses.

Drafting Information

The principal author of these regulations is Judith A. Lintz, Office of Assistant Chief Counsel (Income Tax and Accounting). However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects

26 CFR Part 301

Employment taxes, Estate taxes, Excise taxes, Gift taxes, Income taxes, Penalties, Reporting and recordkeeping requirements.

26 CFR Part 602

Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR parts 301 and 602 are amended as follows:

PART 301—PROCEDURE AND ADMINISTRATION

Paragraph 1. The authority citation for part 301 continues to read as follows:

Authority: 26 U.S.C. 7805 * * *

Par. 2. Section 301.7623-1 is revised to read as follows:

§ 301.7623-1 Rewards for information relating to violations of internal revenue laws.

(a) *In general.* In cases where rewards are not otherwise provided for by law, a district or service center director may approve a reward, in a suitable amount, for information that leads to the detection of underpayments of tax, or the detection and bringing to trial and punishment of persons guilty of violating the internal revenue laws or conniving at the same. The rewards provided for by section 7623 and this section will be paid from the proceeds of amounts (other than interest) collected by reason of the information provided. For purposes of section 7623 and this section, proceeds of amounts

(other than interest) collected by reason of the information provided include both additional amounts collected because of the information provided and amounts collected prior to receipt of the information if the information leads to the denial of a claim for refund that otherwise would have been paid.

(b) *Eligibility to file claim for reward—(1) In general.* Any person, other than certain present or former federal employees described in paragraph (b)(2) of this section, that submits, in the manner described in paragraph (d) of this section, information relating to the violation of an internal revenue law is eligible to file a claim for reward under section 7623 and this section.

(2) *Federal employees.* No person who was an officer or employee of the Department of the Treasury at the time the individual came into possession of information relating to violations of the internal revenue laws, or at the time the individual divulged such information, is eligible for a reward under section 7623 and this section. Any other current or former federal employee is eligible to file a claim for reward if the information provided came to the individual's knowledge other than in the course of the individual's official duties.

(3) *Deceased informants.* A claim for reward may be filed by an executor, administrator, or other legal representative on behalf of a deceased informant if, prior to the informant's death, the informant was eligible to file a claim for such reward under section 7623 and this section. Certified copies of the letters testamentary, letters of administration, or other similar evidence must be attached to the claim for reward on behalf of a deceased informant in order to show the authority of the legal representative to file the claim.

(c) *Amount and payment of reward.* All relevant factors, including the value of the information furnished in relation to the facts developed by the investigation of the violation, will be taken into account by a district or service center director in determining whether a reward will be paid, and, if so, the amount of the reward. The amount of a reward will represent what the district or service center director deems to be adequate compensation in the particular case, generally not to exceed fifteen percent of the amounts (other than interest) collected by reason of the information. Payment of a reward will be made as promptly as the circumstances of the case permit, but not until the taxes, penalties, or fines involved have been collected. However, if the informant waives any claim for

reward with respect to an uncollected portion of the taxes, penalties, or fines involved, the claim may be immediately processed. Partial reward payments, without waiver of the uncollected portion of the taxes, penalties, or fines involved, may be made when a criminal fine has been collected prior to completion of the civil aspects of a case, and also when there are multiple tax years involved and the deficiency for one or more of the years has been paid in full. No person is authorized under this section to make any offer, or promise, or otherwise to bind a district or service center director with respect to the payment of any reward or the amount of the reward.

(d) *Submission of information.* A person that desires to claim a reward under section 7623 and this section may submit information relating to violations of the internal revenue laws, in person, to the office of a district director, preferably to a representative of the Criminal Investigation Division. Such information may also be submitted in writing to the Commissioner of Internal Revenue, Attention: Assistant Commissioner (Criminal Investigation), 1111 Constitution Avenue, NW., Washington, DC 20224, to any district director, Attention: Chief, Criminal Investigation Division, or to any service center director. If the information is submitted in person, either orally or in writing, the name and official title of the person to whom it is submitted and the date on which it is submitted must be included in the formal claim for reward.

(e) *Identification of informant.* No unauthorized person will be advised of the identity of an informant.

(f) *Filing claim for reward.* An informant that intends to claim a reward under section 7623 and this section should notify the person to whom the information is submitted of such intention, and must file a formal claim on Form 211, Application for Reward for Original Information, signed by the informant in the informant's true name, as soon as practicable after the submission of the information. If other than the informant's true name was used in furnishing the information, satisfactory proof of identity as that of the informant must be included with the claim for reward.

(g) *Effective date.* This section is applicable with respect to rewards paid after January 29, 1997.

§ 301.7623-1T [Removed]

Par. 3. Section 301.7623-1T is removed.

PART 602—OMB CONTROL NUMBERS UNDER THE PAPERWORK REDUCTION ACT

Par. 4. The authority citation for part 602 continues to read as follows:

Authority: 26 U.S.C. 7805.

Par. 5. In § 602.101, paragraph (c) is amended by removing the entry for 301.7623-1T from the table and by revising the entry for 301.7623-1 to read as follows:

§ 602.101 OMB Control numbers.

CFR part or section where identified and described	Current OMB control No.
301.7623-1	1545-0409
	1545-1534

Michael P. Dolan,
Deputy Commissioner of Internal Revenue.

Approved: July 20, 1998.

Donald C. Lubick,
Assistant Secretary of the Treasury.
[FR Doc. 98-22464 Filed 8-20-98; 8:45 am]
BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 4, 19, 24, 194, 250 and 251

[T.D. ATF-398]

RIN 1512-A71

Implementation of Public Law 105-34, Sections 908, 910 and 1415, Related to Hard Cider, Semi-Generic Wine Designations, and Wholesale Liquor Dealers' Signs (97-2523)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Temporary rule (Treasury decision).

SUMMARY: This temporary rule implements some of the provisions of the Taxpayer Relief Act of 1997. The new law made changes in the excise tax on hard cider, clarified the authority to use semi-generic designations on wine labels, and repealed the requirement for wholesale dealers in liquors to post signs. The wine regulations are amended to incorporate the new hard cider tax rate and to recognize the

labeling changes relative to the description of hard cider. These regulations are also amended to incorporate the semi-generic wine designations, and the liquor dealers' regulations are amended to eliminate the requirement for posting a sign. Clarifying changes are made to parts 19, 250 and 251. In the Proposed Rules section of this **Federal Register**, ATF is also issuing a notice of proposed rulemaking inviting comments on this temporary rule for a 60 day period following the publication of this temporary rule.

DATES: Effective dates: Amendments to 27 CFR 4.24 and 4.257(c) (temporary regulations related to semi-generic wine designations) and the removal of 27 CFR 194.239 through 194.241 (temporary regulations related to wholesale liquor dealers' signs) are effective retroactive to August 5, 1997. Amendments to 27 CFR 4.21, 19.11, 24.10, 24.76, 24.257(a), 24.278, 250.11 and 251.11 (temporary regulations related to cider) are effective October 20, 1998.

Compliance date: Compliance with the amendments to 27 CFR 4.21 and 24.257(a) is not mandatory until February 17, 1999.

FOR FURTHER INFORMATION CONTACT: Marjorie D. Ruhf, Regulations Division, 650 Massachusetts Avenue, NW, Washington, DC 20226; (202) 927-8230; or mdruhf@atfhq.atf.treas.gov.

SUPPLEMENTARY INFORMATION:

Background

This temporary rule implements some of the provisions of the Taxpayer Relief Act of 1997, Pub. L. 105-34 ("the Act"). These provisions amended the Internal Revenue Code of 1986 (IRC) to create a new excise tax category for hard cider, clarify the authority to use semi-generic designations on wine labels, and repeal the requirement for wholesale dealers in liquors to post signs.

Current Regulation of Fermented Cider

The Bureau of Alcohol, Tobacco and Firearms (ATF) regulates production of all alcohol beverages under the IRC and the Federal Alcohol Administration Act (FAA Act). The IRC covers taxes and qualification requirements for producers, and the FAA Act regulates labeling, advertising, permits and trade practices. Before the enactment of the Act, fermented ("hard") cider was subject to some of the requirements of these laws, and exempt from others, depending on how it was made.

Tax Exempt Cider

In the IRC (26 U.S.C. 5042), Congress exempted fermented cider from Federal

excise tax and the strict qualification requirements imposed on producers of all other alcohol beverages, if it met the following description:

* * * the noneffervescent product of the normal alcoholic fermentation of apple juice only, which is produced at a place other than a bonded wine cellar and without the use of preservative methods or materials, and which is sold or offered for sale as cider and not as wine or as a substitute for wine. * * *

The restriction on ingredients and prohibition of preservative methods or materials effectively limit the sale of this product to farmstands or other small-scale local enterprises. The Act made no change in 26 U.S.C. 5042. Therefore, no change has been made to 27 CFR 24.76, relating to cider under 26 U.S.C. 5042, except to change the title of that section to "Tax exempt cider," to differentiate this cider from hard cider subject to the new tax rate.

Taxable Cider

Under the former law, taxable fermented cider was made at bonded wine premises and technically could be taxpaid as either still wine at \$1.07 per gallon (\$.17 for small producers), artificially carbonated wine at \$3.30 per gallon (\$2.40 for small producers), or sparkling wine at \$3.40 per gallon (no special rate for small producers). Still wine is wine which contains not more than 0.392 gram of carbon dioxide per hundred milliliters and the information available to ATF indicates that all domestic cider was produced as still wine, with few exceptions. If any wine contains 7 percent or more of alcohol by volume, it is subject to the full FAA Act wine labeling and basic permit requirements. Wine which is under 7 percent alcohol is only subject to the FAA Act requirement that a person who bottles any beverage which contains 0.5 percent or more alcohol by volume must place the Government Warning Statement on the bottle. Minimal ATF marking requirements under the IRC wine regulations, § 24.257(a), apply to wine under 7 percent alcohol and require the identification of the bottler and the brand, kind, alcohol content, and quantity of wine. Otherwise, labeling of wine (including fermented cider) under 7 percent alcohol by volume is within the jurisdiction of the Food and Drug Administration.

Public Law 105-34

The Taxpayer Relief Act of 1997, Pub. L. 105-34, was enacted on August 5, 1997. Section 908 of the Act added a new tax class for wine, called "hard cider," to 26 U.S.C. 5041 and imposed a new rate of tax on hard cider as follows:

On hard cider derived primarily from apples or apple concentrate and water, containing no other fruit product, and containing at least one-half of 1 percent and less than 7 percent alcohol by volume, 22.6 cents per wine gallon.

This new tax rate applies to hard cider removed from bond on or after October 1, 1997.

Small domestic producers of wine are entitled to a credit of up to 90 cents per wine gallon on wine that is within the first 100,000 gallons of wine (other than champagne and other sparkling wines) removed for consumption or sale during a calendar year. This credit may be taken by a bonded wine premises proprietor who does not produce more than 250,000 gallons of wine in a given calendar year. Since the full small producer's wine tax credit allowed by 26 U.S.C. 5041(c) reduces the rate of tax on still wine under 14 percent alcohol (a category which included domestic ciders) to 17 cents instead of 22.6 cents, the new hard cider tax rate would have resulted in an increase in the net tax paid by small domestic wineries who make fermented cider. Therefore, section 908 of the Act provides for a reduced amount of the small producer's wine tax credit to apply to the hard cider tax rate for eligible small producers. This reduced rate of credit, 5.6 cents instead of 90 cents, has the effect of reducing the net tax paid on hard cider by a small domestic producer to 17 cents, the equivalent of the lowest tax available to domestic producers of still wine under 14 percent alcohol by volume. As with the 90 cent credit, the full credit of 5.6 cents per gallon is reduced by 1 percent (\$.00056 per gallon) for each thousand gallons of wine over 150,000 gallons which are produced in a year, until the full tax rate is reached at the 250,000 gallon annual production level. In view of the above, conforming changes are made to 27 CFR 24.278, which implements the tax credit for small domestic producers.

Definition of Hard Cider

The statutory language describes "hard cider" eligible for the new tax rate as "derived primarily from apples or apple concentrate and water, containing no other fruit product, and containing at least one-half of 1 percent and less than 7 percent alcohol by volume."

In this temporary rule, ATF defines hard cider as wine derived primarily from apples or apple concentrate and water (apple juice, or the equivalent amount of concentrate reconstituted to the original brix of the juice prior to concentration, must represent more than 50 percent of the volume of the finished product); containing no other fruit

product nor any artificial product which imparts a fruit flavor other than apple; containing at least one-half of 1 percent and less than 7 percent alcohol by volume; having the taste, aroma, and characteristics generally attributed to hard cider, and sold or offered for sale as hard cider and not as a substitute for any other alcohol product.

First, this definition specifies that hard cider is a still wine, as required by a recent amendment to the IRC by section 6009 of the Internal Revenue Service Restructuring and Reform Act of 1998, Pub. L. 105-206.

Second, the Act specifically defines hard cider as "containing no other fruit product." We recognize that pear juice has been used as a natural source of additional tannin, and that other wine treating materials, such as citric acid, are derived from fruit. We also recognize that the U.S. cider industry has been experimenting with apple ciders flavored with other fruits. However, the statutory language expressly precludes the addition of any other fruit product. We interpret this prohibition to include natural and artificial flavors which give any fruit character other than apple to the product. Any such flavored ciders will be subject to the appropriate tax rate under 26 U.S.C. 5041(b) (1) through (5).

Third, we recognize that one traditional method of making hard cider involves diluting a higher-alcohol apple wine with juice, concentrate and water, or some other liquid. Wines made in this way are formula wines, in either the special natural wine or other than standard wine category. Formula wines may be classified as hard cider, provided they also meet the statutory definition of hard cider. In the temporary rule, we are interpreting the statutory phrase "derived primarily from apples or apple concentrate and water" to mean that apple juice, or the equivalent amount of concentrate reconstituted to the original brix of the juice prior to concentration, must represent more than 50 percent of the volume of the finished product.

Finally, we include in the definition the requirement that hard cider must have the taste, aroma and characteristics generally attributed to hard cider, and that it must be sold or offered for sale as hard cider. These requirements are added to insure that the tax class of hard cider is properly identified, so that it will not be confused with other types of beverages which are subject to different tax classifications.

Labeling of Hard Cider

Since the term "hard cider" now has tax significance, no wine may be

designated as "hard cider" unless it conforms to the definition of cider in § 24.10 and is eligible for the tax category of hard cider. The reference to cider in the FAA labeling regulations at § 4.21(e)(5) is amended to show that the term "hard cider" is reserved for use in wine eligible for the tax category of hard cider. A new § 24.257(a)(3)(iv) has been added to the IRC wine labeling requirements for wine under 7 percent alcohol by volume to show that wine eligible for the tax category of hard cider will be marked "hard cider" rather than simply "wine" under that section.

Forms Affected by New Tax Class for Hard Cider

The Report of Operations, ATF F 5120.17, has been revised to show a new column reflecting the new tax category of hard cider. If a Formula and Process for Wine, ATF F 5120.29, is submitted for a hard cider, the applicant should specify "hard cider" in addition to the designation "special natural wine" or "other than standard wine." The Excise Tax Return, ATF F 5000.24, requires only a total amount of wine tax, without any breakdown by tax class, so that form will not be affected by this change.

Conforming Changes on Hard Cider

We are amending the definition of "eligible wine" which appears in parts 19, 250 and 251 to clarify that wine in the new tax category of hard cider is not eligible for wine and flavor credit if used in a distilled spirits product. Section 5010 of the Internal Revenue Code, which gives the rules for wine and flavor credit, specifically limits the credit to "wine on which tax would be imposed by paragraph (1), (2), or (3) of section 5041(b) but for its removal to bonded premises" of a distilled spirits plant. These three categories are the still wines containing not more than 14 percent, more than 14 to not more than 21 percent, and more than 21 percent alcohol by volume, respectively. In the past, this meant the two remaining categories, both effervescent wines, were ineligible for credit, and the definitions of "eligible wine" in 27 CFR 19.11, 250.11 and 251.11 state simply that still wine is eligible for wine and flavor credit. Since 26 U.S.C. 5041(b)(6) was added to create a tax category of wine called hard cider, and 26 U.S.C. 5010 was not amended to include 5041(b)(6) in the list of wines eligible for wine credit when used in distilled spirits, the existing regulatory definition of eligible wine as still wine is no longer appropriate. We are amending the definition of eligible wine to reflect more closely the wording of the statute.

Transition to New Rules

Hard cider makers already qualified as wineries will not need to change any aspect of their qualification. Removals of eligible hard cider made after October 1, 1997, may be taxpaid at the new rate. Some hard cider producers may find that the new tax rate reduces their tax liability to the point where they could reduce their bond coverage if they choose to file a superseding bond. While no change was made to the recordkeeping regulations in subpart O of part 24, such records, when kept by tax class, should include records of hard cider after October 1, 1997. Small domestic producers will continue to count production of hard cider as part of their total production for purposes of establishing the level of eligibility for wine tax credit.

While the labeling changes requiring the use of the term "hard cider" on wine eligible for the hard cider tax rate, and prohibiting the use of the term "hard cider" on any wine not eligible for such rate, are effective October 20, 1998, we recognize that it is not practical to enforce the new requirements immediately. Therefore, while the labeling regulations are effective on October 20, 1998, we will allow a six-month period to change labels as necessary. The new requirements will become mandatory on February 17, 1999.

Request for Comments on Cider Regulations

ATF encourages comments, supported by historical or technical data, on the definition of hard cider established in this temporary rule. *The Technology of Winemaking*, Fourth Edition, Amerine et al., AVI Publishing Company, Inc., describes numerous traditional ways of making fermented cider, some of which may not fit the definition of hard cider provided in this temporary rule. We invite comments, including citations of standard references on cider making, on whether adjustments to the definition of hard cider are warranted. For example, is the requirement that more than 50 percent of the volume of the finished product be apple juice or reconstituted apple concentrate adequate to ensure the product has the characteristics of hard cider? Given the prohibition on fruit flavors other than apple, should wine treating and sweetening materials derived from other fruit products (such as citric acid or high fructose liquid sugars) be prohibited in cider?

The proposals discussed in this background material may be modified due to comments and suggestions received.

Other Changes Made by the Taxpayer Relief Act of 1997

Section 910 of the Act amended 26 U.S.C. 5388 by adding a new subsection (c), Use of semigeneric designations, which generally parallels the language of 27 CFR 4.24 on the same subject, but places the existing list of semi-generic designations outside the discretion of the Secretary.

Since the IRC regulations concerning wine labeling appear in 27 CFR 24.257, already modified as discussed above, that regulation has been further modified to incorporate the wording of 26 U.S.C. 5388, concerning the use of semi-generic wine designations. Additionally, the standard of identity for wines under 27 U.S.C. 205 are incorporated by reference in this section. Finally, a cross reference has been placed in § 4.24.

We note that the placement of the rules for use of semi-generic designations in the IRC makes them applicable to wines which contain less than 7 percent alcohol by volume and to wines sold only in intrastate commerce. In this temporary rule, the rules governing the use of semi-generic designations are in both part 4 and part 24, but we request comments on whether there is a need to retain them in part 4 or, alternatively, whether any additional changes are needed to § 4.24 as a result of the amendment to the IRC.

Section 1415 of the Act repealed the requirement for wholesale dealers in liquor to post signs identifying their premises and made conforming changes to sections of the law which referenced that requirement. In this document, ATF is amending the Liquor Dealers' regulations by removing §§ 194.239 through 194.241, which relate to this requirement.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. Moreover, any revenue effects of this rulemaking on small businesses flow directly from the underlying statute. Likewise, any secondary or incidental effects, and any reporting, recordkeeping, or other compliance burdens flow directly from the statute. Pursuant to 26 U.S.C. 7805(f), this temporary regulation will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Executive Order 12866

It has been determined that this temporary rule is not a significant

regulatory action as defined by Executive Order 12866. Therefore, a regulatory assessment is not required.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because no new collection of information is contained in these regulations. Some of the regulatory sections amended by this temporary rule contain collections of information which were previously approved by the Office of Management and Budget (OMB). Although these sections are being amended, the changes are not substantive or material.

Administrative Procedure Act

Because this document merely implements sections of the law which are effective on August 5, 1997 and October 1, 1997, and because immediate guidance is necessary to implement the provisions of the law, it is found to be impracticable to issue this Treasury decision with notice and public procedure under 5 U.S.C. 553(b), or subject to the effective date limitation in section 553(d).

Drafting Information

The principal author of this document is Marjorie Ruhf, of the Regulations Division, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of ATF and the Treasury Department participated in developing the document.

List of Subjects

27 CFR Part 4

Advertising, Consumer protection, Customs duties and inspection, Imports, Labeling, Packaging and containers, Wine.

27 CFR Part 19

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Chemicals, Claims, Customs duties and inspections, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Spices and flavorings, Stills, Surety bonds, Transportation, Vinegar, Virgin Islands, Warehouses, Wine.

27 CFR Part 24

Administrative practice and procedure, Authority delegations, Claims, Electronic fund transfers, Excise taxes, Exports, Food additives, Fruit

juices, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavoring, Surety bonds, Taxpaid wine bottling house, Transportation, Vinegar, Warehouses, Wine.

27 CFR Part 194

Alcohol and alcoholic beverages, Authority delegations, Beer, Claims, Excise taxes, Exports, Labeling, Liquors, Packaging and containers, Penalties, Reporting requirements, Wine.

27 CFR Part 250

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations (Government agencies), Beer, Claims, Customs duties and inspections, Drugs, Electronic funds transfers, Excise taxes, Foods, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Spices and flavorings, Surety bonds, Transportation, Wine.

27 CFR Part 251

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Beer, Customs duties and inspections, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Perfume, Reporting and recordkeeping requirements, Transportation, Wine.

Authority and Issuance

Accordingly, chapter I of title 27, Code of Federal Regulations is amended as follows:

PART 4—LABELING AND ADVERTISING OF WINE

Paragraph 1. The authority citation for 27 CFR part 4 continues to read as follows:

Authority: 27 U.S.C. 205, unless otherwise noted.

Par. 2. Section 4.21 is amended by revising the third sentence of paragraph (e)(5) to read as follows:

§ 4.21 The standards of identity.

* * * * *

(e) *Class 5; fruit wine.* * * *

(5) * * * Fruit wines which are derived wholly (except for sugar, water, or added alcohol) from apples or pears may be designated "cider" and "perry," respectively, and shall be so designated if lacking in vinous taste, aroma, and characteristics; however, the term "hard cider" may not be used to designate any fruit wine; it may only be used to

designate hard cider as defined in part 24 of this chapter. * * *

Par. 3. Section 4.24 is amended by adding a new sentence to the end of paragraph (b)(1) to read as follows:

§ 4.24 Generic, semi-generic, and nongeneric designations of geographic significance.

(b)(1) * * * See § 24.257(c) of this chapter for exceptions to the Director's authority to remove names from paragraph (b)(2) of this section.

PART 19—DISTILLED SPIRITS PLANTS

Par. 4. The authority citation for part 19 continues to read as follows:

Authority: 19 U.S.C. 81c, 1311; 26 U.S.C. 5001, 5002, 5004–5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111–5113, 5142, 5143, 5146, 5171–5173, 5175, 5176, 5178–5181, 5201–5204, 5206, 5207, 5211–5215, 5221–5223, 5231, 5232, 5235, 5236, 5241–5243, 5271, 5273, 5301, 5311–5313, 5362, 5370, 5373, 5501–5505, 5551–5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 5. Section 19.11 is amended by revising the definition of *Eligible wine* to read as follows:

§ 19.11 Meaning of terms.

Eligible wine. Wine on which tax would be imposed by paragraph (1), (2), or (3) of 26 U.S.C. 5041(b) but for its removal to distilled spirits plant premises and which has not been subject to distillation at a distilled spirits plant after receipt in bond.

PART 24—WINE

Par. 6. The authority citation for 27 CFR part 24 continues to read as follows:

Authority: 5 U.S.C. 552(a); 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5081, 5111–5113, 5121, 5122, 5142, 5143, 5173, 5206, 5214, 5215, 5351, 5353, 5354, 5356, 5357, 5361, 5362, 5364–5373, 5381–5388, 5391, 5392, 5511, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7011, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 7. Section 24.10 is amended by adding definitions for *Cider*, *Hard cider*, and *Tax exempt cider*, to read as follows:

§ 24.10 Meaning of terms.

Cider. See definitions for hard cider and tax exempt cider. For a description of an additional product which may be called cider, see § 4.21(e)(5) of this chapter.

Hard cider. Still wine derived primarily from apples or apple concentrate and water (apple juice, or the equivalent amount of concentrate reconstituted to the original brix of the juice prior to concentration, must represent more than 50 percent of the volume of the finished product) containing no other fruit product nor any artificial product which imparts a fruit flavor other than apple; containing at least one-half of 1 percent and less than 7 percent alcohol by volume; having the taste, aroma, and characteristics generally attributed to hard cider; and sold or offered for sale as hard cider.

Tax exempt cider. Cider produced in accordance with § 24.76

Par. 8. The heading of § 24.76 is revised to read as follows:

§ 24.76 Tax exempt cider.

Par. 9. Section 24.257 is amended by revising paragraph (a)(3)(iii), adding a new paragraph (a)(3)(iv), and adding a new paragraph (c) to read as follows:

§ 24.257 Labeling wine containers.

- (a) * * *
- (3) * * *
- (iii) For any wine with less than 7 percent alcohol by volume (except hard cider as defined in § 24.10), the word "wine" or the words "carbonated wine" if the wine contains more than 0.392 grams of carbon dioxide per 100 milliliters, will appear as part of the brand name or in a phrase in direct conjunction with the brand name;
- (iv) For hard cider as defined in § 24.10, the words "hard cider";

(c) *Use of semi-generic designations.*—(1) *In general.* Semi-generic designations may be used to designate wines of an origin other than that indicated by such name only if—

- (i) There appears in direct conjunction therewith an appropriate appellation of origin, as defined in part 4 of this chapter, disclosing the true place of origin of the wine, and
- (ii) The wine so designated conforms to the standard of identity, if any, for such wine contained in part 4 of this chapter or, if there is no such standard, to the trade understanding of such class or type.

(2) *Determination of whether a name is semi-generic.*—(i) *In general.* Except as provided in paragraph (c)(2)(ii) of this section, a name of geographic significance, which is also the designation of a class or type of wine, shall be deemed to have become semi-generic only if so found by the Director.

(ii) *Certain names treated as semi-generic.* The following names shall be treated as semi-generic: Angelica, Burgundy, Claret, Chablis, Champagne, Chianti, Malaga, Marsala, Madeira, Moselle, Port, Rhine Wine or Hock, Sauterne, Haut Sauterne, Sherry, Tokay. (See: 26 U.S.C. 5368, 5388, 5662)

(Approved by the Office of Management and Budget under control number 1512–0503)

Par. 10. Section 24.278 is amended by revising paragraph (d) to read as follows:

§ 24.278 Tax credit for certain small domestic producers.

(d) *Computation of credit.* The credit which may be taken on the first 100,000 gallons of wine (other than champagne and other sparkling wine) removed for consumption or sale by an eligible person during a calendar year shall be computed as follows:

(1) For persons who produce 150,000 gallons or less of wine during the calendar year, the credit is \$0.90 per gallon for wine (\$0.056 for hard cider) eligible for such credit at the time it is removed for consumption or sale;

(2) For persons who produce more than 150,000 gallons but not more than 250,000 gallons during the calendar year, the credit shall be reduced by 1 percent for every 1,000 gallons produced in excess of 150,000 gallons. For example, the credit which would be taken by a person who produced 160,500 gallons of wine and hard cider during a calendar year would be reduced by 10 percent, for a net credit against the tax of \$0.81 per gallon for wine or \$0.0504 for hard cider, as long as the wine or hard cider was among the first 100,000 gallons removed for consumption or sale during the calendar year.

PART 194—LIQUOR DEALERS

Par. 11. The authority citation for 27 CFR part 194 is revised to read as follows:

Authority: 26 U.S.C. 5001, 5002, 5111–5114, 5116, 5117, 5121–5124, 5142, 5143, 5145, 5146, 5206, 5207, 5301, 5352, 5555, 5613, 5681, 5691, 6001, 6011, 6061, 6065, 6071, 6091, 6109, 6151, 6311, 6314, 6402, 6511, 6601, 6621, 6651, 6657, 7011, 7805.

Undesignated Centerheading and §§ 194.239 through 194.241 [Removed and reserved]

Par. 12. The undesignated centerheading preceding § 194.239 is removed, and §§ 194.239, 194.240 and 194.241 are removed and reserved.

PART 250—LIQUOR AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Par. 13. The authority citation for part 250 continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131–5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 203, 205; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 14. Section 250.11 is amended by revising the definition of *eligible* wine to read as follows:

§ 250.11 Meaning of terms.

* * * * *

Eligible wine. Wine on which tax would be imposed by paragraph (1), (2), or (3) of 26 U.S.C. 5041(b) but for its removal to distilled spirits plant premises and which has not been subject to distillation at a distilled spirits plant after receipt in bond.

* * * * *

PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

Par. 15. The authority citation for part 251 continues to read as follows:

Authority: 5 U.S.C. 552(a), 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5054, 5061, 5111, 5112, 5114, 5121, 5122, 5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5555, 6302, 7805.

Par. 16. Section 251.11 is amended by revising the definition of *eligible* wine to read as follows:

§ 251.11 Meaning of terms.

* * * * *

Eligible wine. Wine on which tax would be imposed by paragraph (1), (2), or (3) of 26 U.S.C. 5041(b) but for its removal to distilled spirits plant premises and which has not been

subject to distillation at a distilled spirits plant after receipt in bond.

* * * * *

Signed: July 23, 1998.

John W. Magaw,
Director.

Approved: July 23, 1998.

John P. Simpson
Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).
[FR Doc. 98–22503 Filed 8–20–98; 8:45 am]
BILLING CODE 4810–31–P

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty) of the Navy has determined that USS CONNECTICUT (SSN 22) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special functions as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: 10 August 1998.

FOR FURTHER INFORMATION CONTACT: Captain R.R. Pixa, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington DC 20374–5066, Telephone number: (202) 685–5040.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the

Deputy Assistant Judge Advocate General (Admiralty) of the Navy, under authority delegated by the Secretary of the Navy, has certified that USS CONNECTICUT (SSN 22) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Rule 21(b), pertaining to the arc of visibility of the sidelights; Rule 21(c), pertaining to the arc of visibility of the sternlight; Annex I, section 2(a)(i), pertaining to the height of the masthead light; Annex I, section 2(k), pertaining to the height and relative positions of the anchor lights; and Annex I, section 3(b), pertaining to the location of the sidelights. The Deputy Assistant Judge Advocate General (Admiralty) has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

PART 706—[AMENDED]

Accordingly, 32 CFR Part 706 is amended as follows:

1. The authority citation for 32 CFR Part 706 continues to read:

Authority: 33 U.S.C. 1605.

2. Table One of § 706.2 is amended by adding, in numerical order, the following entry for USS CONNECTICUT:

§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

* * * * *

TABLE ONE

Vessel	Number	Distance in meters of forward mast-head light below minimum required height. § 2(a)(i) Annex 1
USS CONNECTICUT	SSN 22	4.62

3. Table Three of 706.2 is amended by adding, in numerical order, the following entry for USS CONNECTICUT:
§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

TABLE 3

Vessel	No.	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance in-board of ship's sides in meters 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relationship of aft light to forward light in meters 2(K) annex 1
USS CONNECTICUT	SSN 22	232°	112.8°	207°	5.1	10.7	2.8	1.63 below.

Dated: August 10, 1998.
G.A. Cervi,
Lieutenant Commander, JAGC, U.S. Navy,
Acting Deputy Assistant Judge Advocate
General (Admiralty)
 [FR Doc. 98-22472 Filed 8-20-98; 8:45 am]
 BILLING CODE 3810-FF-P

CENTRAL INTELLIGENCE AGENCY
32 CFR Part 1903
Security Protective Service

AGENCY: Central Intelligence Agency.
ACTION: Final rule.

SUMMARY: The Central Intelligence Agency is hereby promulgating regulations which protect its installations within the United States. The classified and highly sensitive worldwide activities of the Agency are directed and supervised from these various installations. Furthermore, all intelligence support functions, including training, for the conduct of the various foreign intelligence activities of the CIA are managed from these installations. Pursuant to section 15 of the Central Intelligence Agency Act of 1949, as amended, the CIA is empowered to promulgate these

regulations, which have the force of law and which are effective immediately.
DATES: Effective Date: August 21, 1998.
FOR FURTHER INFORMATION CONTACT: Paul Morris, Legal Advisor, Center for CIA Security, Central Intelligence Agency, Washington, D.C. 20505 (703) 482-8724; facsimile (703) 734-1283.
ADDRESSES: Central Intelligence Agency, Washington, D.C. 20505.
SUPPLEMENTARY INFORMATION: On 8 November 1984, Congress enacted the Intelligence Authorization Act for Fiscal Year 1985, which amended the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a *et seq.*) to permit the Director of Central Intelligence to authorize Agency personnel within the United States to perform functions identical to those performed by special police officers of the General Services Administration in order to protect Agency installations.
 The legislation empowering GSA special police officers is entitled "An Act to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty on Federal property under the jurisdiction of the Federal Works Agency, and for other purposes" (40 U.S.C. 318). Under this Act, the Administrator of GSA is authorized to

appoint uniformed guards as special police officers. Once appointed, the GSA special police are granted the same powers as sheriffs and constables upon property under the GSA charge and control and are authorized to enforce laws enacted for the protection of persons and property, to prevent breaches of the peace, to suppress affrays or unlawful assemblies, and to enforce with criminal penalties any rules and regulations made and promulgated by the Administrator of the General Services Administration.

As described in section 15 of the Central Intelligence Agency Act of 1949, as amended, the Central Intelligence Agency has the authority to carry out the protective police functions set forth above and has promulgated these regulations pursuant to that authority.

This regulation concerns the management of public property and is issued as a final rule in accordance with 5 U.S.C. 553(a)(2).

Lists of Subjects in 32 CFR Part 1903

Federal buildings and facilities, Security measures, Government property, Government buildings, Defense, Law enforcement, Crime,

Motor vehicles, Security protective service.

For the reasons set forth in the preamble, revise part 1903 of title 32 of the Code of Federal Regulations to read as follows:

PART 1903—CONDUCT ON AGENCY INSTALLATIONS

Sec.

- 1903.1 Definitions.
- 1903.2 Applicability.
- 1903.3 State law applicable.
- 1903.4 Vehicles and traffic safety.
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- 1903.15 Preservation of property.
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- 1903.17 Soliciting, vending, and debt collection.
- 1903.18 Distribution of materials.
- 1903.19 Gambling.
- 1903.20 Penalties and effects on other laws.

Authority: 50 U.S.C. 403o.

§ 1903.1 Definitions.

As used in this part:

Agency installation. For the purposes of this part, the term Agency installation means the property within the Agency Headquarters Compound and the property controlled and occupied by the Federal Highway Administration located immediately adjacent to such Compound, and property within any other Agency installation and protected property (i.e., property owned, leased, or otherwise controlled by the Central Intelligence Agency).

Authorized person. An officer of the Security Protective Service, or any other Central Intelligence Agency employee who has been authorized by the Director of Central Intelligence pursuant to section 15 of the Central Intelligence Agency Act of 1949 to enforce the provisions of this part.

Blasting agents. The term is defined for the purposes of this part as it is defined in Title 18 U.S.C. 841.

Controlled Substance. Any drug or other substance, or immediate precursor that has been defined as a controlled substance in the Controlled Substances Act (Title 21 U.S.C. 801 *et seq.*).

Explosives/Explosive Materials. The term is defined for the purposes of this part as it is defined in Title 18 U.S.C. 841.

Operator. A person who operates, drives, controls, or otherwise has charge of, or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

Permit. A written authorization to engage in uses or activities that are otherwise prohibited, restricted, or regulated.

Possession. Exercising direct physical control or dominion, with or without ownership, over the property.

State law. The applicable and non-conflicting laws, statutes, regulations, ordinances, and codes of the State(s) and other political subdivision(s) within whose exterior boundaries an Agency installation or a portion thereof is located.

Traffic. Pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together, while using any road, path, street, or other thoroughfare for the purpose of travel.

Vehicles. Any vehicle that is self-propelled or designed for self-propulsion, any motorized vehicle, and any vehicle drawn by or designed to be drawn by a motor vehicle, including any device in, upon, or by which any person or property is or can be transported or drawn upon a roadway, highway, hallway, or pathway; to include any device moved by human or animal power. Whether required to be licensed in any State or otherwise.

Weapons. Any firearms or any other loaded or unloaded pistol, rifle, shotgun, or other weapon which is designed to, or may be readily converted to expel a projectile by ignition of a propellant, by compressed gas, or which is spring-powered. Any bow and arrow, crossbow, blowgun, spear gun, hand-thrown spear, sling-shot, irritant gas device, explosive device, or any other implement designed to discharge missiles; or a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of, causing death or serious bodily injury, including any weapon the possession of which is prohibited under the laws of the State in which the Agency installation or portion thereof is located; except that such term does not include a closing pocket knife with a blade of less than 2½ inches in length.

§ 1903.2 Applicability.

The provisions of this part apply to all Agency installations, and to all persons entering on to or when on an Agency installation. They supplement the provisions of Title 18, United States Code, relating to crimes and criminal procedures, and those provisions of

State law that are federal criminal offenses by virtue of the Assimilative Crimes Act, 18 U.S.C. 13. The Director of Central Intelligence, at his discretion, may suspend the applicability of this part, or a portion thereof, on any Agency installation, or any portion of the installation, covered under this part. Where necessary and when consistent with national security requirements notices will be posted on the affected Agency installation to indicate that the applicability of this part or a portion thereof has been suspended.

§ 1903.3 State law applicable.

(a) Unless specifically addressed by the regulations in this part, traffic safety and the permissible use and operation of vehicles within an Agency installation are governed by State law. State law that is now or may later be in effect is adopted and made a part of the regulations in this part.

(b) Violating a provision of State law is prohibited.

§ 1903.4 Vehicles and traffic safety.

(a) *Open container of alcoholic beverage.* (1) Each person within the vehicle is responsible for complying with the provisions of this section that pertain to carrying an open container. The operator of the vehicle is the person responsible for complying with the provisions of this section that pertain to the storage of an open container.

(2) Carrying or storing a bottle, can, or other receptacle containing an alcoholic beverage that is open or has been opened, or whose seal is broken, or the contents of which have been partially removed, within a vehicle on an Agency installation is prohibited.

(3) This section does not apply to:

(i) An open container stored in the trunk of a vehicle or, if a vehicle is not equipped with a trunk, to an open container stored in some other portion of the vehicle designated for the storage of luggage and not normally occupied by or readily accessible to the operator or passenger; or

(iii) An open container stored in the living quarters of a motor home or camper.

(4) For the purpose of paragraph (a)(3)(i) of this section, a utility compartment or glove compartment is deemed to be readily accessible to the operator and passengers of a vehicle.

(b) *Operating under the influence of alcohol, drugs, or controlled substances.* (1) Operating or being in actual physical control of a vehicle is prohibited while.

(i) Under the influence of alcohol, drug or drugs, a controlled substance, or any combination thereof, to a degree

that renders the operator incapable of safe operation; or

(ii) The alcohol concentration in the operator's blood is 0.08 grams or more of alcohol per 100 milliliters of blood or 0.08 grams or more alcohol per 210 liters of breath. Provided, however, that if the applicable State law that applies to operating a vehicle while under the influence of alcohol establishes more restrictive limits of alcohol concentration in the operator's blood or breath, those limits supersede the limits specified in this section.

(2) The provisions or paragraph (b)(1) of this section shall also apply to an operator who is or has been legally entitled to use alcohol or another drug.

(3) *Test.* (i) At the request or direction of an authorized person who has probable cause to believe that an operator of a vehicle within an Agency installation has violated a provision of paragraph (b)(1) of this section, the operator shall submit to one or more tests of blood, breath, saliva, or urine for the purpose of determining blood alcohol, drug, and controlled substance content.

(ii) Refusal by an operator to submit to a test is prohibited and may result in detention and citation by an authorized person. Proof of refusal may be admissible in any related judicial proceeding.

(iii) Any test or tests for the presence of alcohol, drugs, and controlled substances shall be determined by and administered at the direction of an officer of the Security Protective Service.

(iv) Any test shall be conducted by using accepted scientific methods and equipment of proven accuracy and reliability and operated by personnel certified in its use.

(4) *Presumptive levels.* (i) The results of chemical or other quantitative tests are intended to supplement the elements of probable cause used as the basis for the arrest of an operator charged with a violation of this section. If the alcohol concentration in the operator's blood or breath at the time of the testing is less than the alcohol concentration specified in paragraph (b)(1)(ii) of this section this fact does not give rise to any presumption that the operator is or is not under the influence of alcohol.

(ii) The provisions of paragraph (b)(4)(i) of this section are not intended to limit the introduction of any other competent evidence bearing upon the question of whether the operator, at the time of the alleged violation, was under the influence of alcohol, a drug or drugs, or a controlled substance, or any combination thereof.

§ 1903.5 Enforcement of parking regulations.

(a) A vehicle parked in any location without authorization, pursuant to a fraudulent, fabricated, copied or altered parking permit, or parked contrary to the directions of posted signs or markings, shall be subject to any penalties imposed by this section and the vehicle may be removal from the Agency installation at the owner's risk and expense. The Central Intelligence Agency assumes no responsibility for the payment of any fees or costs related to the removal and/or storage of the vehicle which may be charged to the owner of the vehicle by the towing organization.

(b) The use, attempted use or possession of a fraudulent, fabricated, copied or altered parking permit is prohibited.

(c) The blocking of entrances, driveways, sidewalks, paths, loading platforms, or fire hydrants on an Agency installation is prohibited.

(d) This section may be supplemented or the applicability suspended from time to time by the Director of the Center for CIA Security, or by his or her designee, by the issuance and posting of such parking directives as may be required, and when so issued and posted, such directives shall have the same force and effects as if made a part thereof.

(e) Proof that a vehicle was parked in violation of the regulations of this section or directives may be taken as *prima facie* evidence that the registered owner was responsible for the violation.

§ 1903.6 Admission on to an Agency Installation.

(a) Access on to any Agency installation shall be controlled and restricted to ensure the orderly and secure conduct of Agency business. Admission on to an Agency installation or into a restricted area on an Agency installation shall be limited to Agency employees and other persons with proper authorization.

(b) All persons entering on to or when on an Agency installation shall, when required and/or requested, produce and display proper identification to authorized persons.

(c) All personal property, including but not limited to any packages, briefcases, other containers or vehicles brought on to, on, or being removed from an Agency installation are subject to inspection and search by authorized persons.

(d) A full search of a person may accompany an investigative stop or an arrest.

(e) Persons entering on to an Agency installation or into a restricted area who refuse to permit an inspection and search will be denied further entry and will be ordered to leave the Agency installation or restricted area pursuant to § 1903.7(a) of this part.

(f) All persons entering on to or when on any Agency installation shall comply with all official signs of a prohibitory, regulatory, or directory nature at all times while on the Agency installation.

(g) All persons entering on to or when on any Agency installation shall comply with the instructions or directions of authorized persons.

§ 1903.7 Trespassing.

(a) Entering, or remaining on any Agency installation without proper authorization is prohibited. Failure to obey an order to leave given under this section by an authorized person, or reentry or attempted reentry onto the Agency installation after being ordered to leave or after being instructed not to reenter by an authorized person under this section is also prohibited.

(b) Any person who violates the provisions of this part may be ordered to leave the Agency installation by an authorized person. A violator's reentry may also be prohibited.

§ 1903.8 Interfering with Agency functions.

The following are prohibited:

(a) *Interference.* Threatening, resisting, intimidating, or intentionally interfering with a government employee or agent engaged in an official duty, or on account of the performance of an official duty.

(b) *Violation of a lawful order.* Violating the lawful order of an authorized person to maintain order and control, public access and movement during fire fighting operations, law enforcement actions, and emergency operations that involve a threat to public safety or government resources, or other activities where the control of public movement and activities is necessary to maintain order and public health or safety.

(c) *False information.* Knowingly giving false information:

(1) To an authorized person investigating an accident or violation of law or regulation; or

(2) On an application for a permit.

(d) *False report.* Knowingly giving a false report for the purpose of misleading an authorized person in the conduct of official duties, or making a false report that causes a response by the government to a fictitious event.

§ 1903.9 Explosives.

(a) Using, possessing, storing, or transporting explosives, blasting agents,

ammunition or explosive materials is prohibited on any Agency installation, except as authorized by the Director of the Center for CIA Security. When permitted, the use, possession, storage, and transportation shall be in accordance with applicable Federal and State laws, and shall also be in accordance with applicable Central Intelligence Agency rules and/or regulations.

(b) Using, possessing, storing, or transporting items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes is prohibited.

§ 1903.10 Weapons.

(a) Except as provided in paragraph (c) of this section, knowingly possessing or causing to be present a weapon on an Agency installation, or attempting to do so is prohibited.

(b) Knowingly possessing or causing to be present a weapon on an Agency installation, incident to hunting or other lawful purposes is prohibited.

(c) This section does not apply—

(1) Where Title 18 U.S.C. 930 applies;

(2) To any person who has received authorization from the Director of the Center for CIA Security, or from his or her designee to possess, carry, transport, or use a weapon in support of the Agency's mission or for other lawful purposes as determined by the Director of the Center for CIA Security;

(3) To the lawful performance of official duties by an officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law; or

(4) To the possession of a weapon by a Federal official or a member of the Armed Forces if such possession is authorized by law.

§ 1903.11 Restrictions on photographic, transmitting, and recording equipment.

(a) Except as otherwise authorized under this section, the following are prohibited on Agency installations:

(1) Possessing a camera, other visual or audio recording devices, or electronic transmitting equipment of any kind.

(2) Carrying a camera, other visual or audio recording devices, or electronic transmitting equipment of any kind.

(3) Using a camera, other visual or audio recording devices, or electronic transmitting equipment of any kind.

(b) This section does not apply to any person using, possessing or storing a government or privately owned cellular telephone or pager while on any Agency

installation. The Central Intelligence Agency may regulate or otherwise administratively control cellular telephones and pagers outside the provisions of this part.

(c) This section does not apply to any officer, agent, or employee of the United States, a State, or a political subdivision thereof, who may enter on to an Agency installation to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law.

(d) This section does not apply to any person who has received approval from the Director of the Center for CIA Security, or from his or her designee to carry, transport, or use a camera, other visual or audio recording devices, or electronic transmitting equipment while on an Agency installation.

§ 1903.12 Alcohol beverages and controlled substance.

(a) *Alcoholic beverages.* The possession, transportation of alcoholic beverages in closed containers and their consumption on an Agency installation will be administratively controlled by the Agency outside the provisions of this part.

(b) *Controlled substances.* The following are prohibited on an Agency installation:

(1) The delivery of a controlled substance, except when distribution is made by a licensed physician or pharmacist in accordance with applicable Federal or State law, or as otherwise permitted by Federal or State law. For the purpose of this paragraph, delivery means the actual, attempt, or constructive transfer of a controlled substance.

(2) The possession of a controlled substance, unless such substance was obtained by the possessor directly from, or pursuant to a valid prescription or ordered by, a licensed physician or pharmacist, or as otherwise allowed by Federal or State law.

§ 1903.13 Intoxicated on an Agency Installation.

Presence on an Agency installation when under the influence of alcohol, a drug, or a controlled substance or a combination thereof to a degree that interferes with, impedes or hinders the performance of the official duties of any government employee, or damages government or personal property is prohibited.

§ 1903.14 Disorderly conduct.

A person commits disorderly conduct when, with intent to cause public alarm, nuisance, jeopardy, or violence, or knowingly or recklessly creating a risk thereof, such person commits any of the following prohibited acts:

(a) Engages in fighting or threatening, or in violent behavior.

(b) Acts in a manner that is physically threatening or menacing, or acts in a manner that is likely to inflict injury or incite an immediate breach of peace.

(c) Makes noises that are unreasonable considering the nature and purpose of the actor's conduct, location, time of day or night, and other factors that would govern the conduct of a reasonable prudent person under the circumstances.

(d) Uses obscene language, an utterance, or gesture, or engages in a display or act that is obscene.

(e) Impedes or threatens the security of persons or property, or disrupts the performance of official duties by employees, officers, contractors or visitors on an Agency installation or obstructs the use of areas on an Agency installation such as entrances, foyers, lobbies, corridors, concourses, offices, elevators, stairways, roadways, driveways, walkways, or parking lots.

§ 1903.15 Preservation of Property.

The following are prohibited:

(a) *Property Damage.* Destroying or damaging private property.

(b) *Theft.* The theft of private property, except where Title 18 U.S.C. 661 applies.

(c) *Creation of hazard.* The creation of hazard to persons or things, the throwing of articles of any kind from or at buildings, vehicles, or persons while on an Agency installation.

(d) *Improper disposal.* The improper disposal of trash or rubbish while on an Agency installation.

§ 1903.16 Restriction on animals.

Animals, except for those animals used for the assistance of persons with disabilities, or animals under the charge and control of the Central Intelligence Agency, shall not be brought onto an Agency installation for other than official purposes.

§ 1903.17 Soliciting, vending, and debt collection.

Commercial or political soliciting, vending of all kinds, displaying or distributing commercial advertising, collecting private debts or soliciting alms on any Agency installation is prohibited. This does not apply to:

(a) National or local drives for funds for welfare, health, or other purposes as authorized by Title 5 CFR parts 110 and 950 as amended and sponsored or approved by the Director of Central Intelligence, or by his or her designee.

(b) Personal notices posted on authorized bulletin boards and in compliance with Central Intelligence

Agency rules governing the use of such authorized bulletin boards advertising to sell or rent property of Central Intelligence Agency employees or their immediate families.

§ 1903.18 Distribution of materials.

Distributing, posting, or affixing materials, such as pamphlets, handbills, or flyers, on any Agency installation is prohibited except as authorized by § 1903.17(b), or by other authorization from the Director of the Center for CIA Security, or from his or her designee.

§ 1903.19 Gambling.

Gambling in any form, or the operation of gambling devices, is prohibited. This prohibition shall not apply to the vending or exchange of chances by licensed blind operators of vending facilities for any lottery set forth in a State law and authorized by the provisions of the Randolph-Sheppard Act (Title 20 U.S.C. 107 *et seq.*).

§ 1903.20 Penalties and effects on other laws.

(a) Whoever shall be found guilty of violating any rule or regulation enumerated in this part is subject to the penalties imposed by Federal law for the commission of a Class B misdemeanor offense.

(b) Nothing in this part shall be construed to abrogate or supersede any other Federal law or any non-conflicting State or local law, ordinance or regulation applicable to any location where the Agency installation is situated.

Dated: August 7, 1998.

Richard D. Calder,

Deputy Director for Administration.

[FR Doc. 98-22354 Filed 8-20-98; 8:45 am]

BILLING CODE 6310-02-M

POSTAL SERVICE

39 CFR Part 20

Global Direct—Canada Admail Service

AGENCY: Postal Service.

ACTION: Interim rule and request for comment.

SUMMARY: Global Direct—Canada Admail is an international mail service primarily intended for major printing firms, direct marketers, mail order companies, and other high volume mailers seeking easier access to the Canadian domestic postal system. The service is intended to provide mail delivery in an average of 5–10 business days in major urban areas throughout Canada. Ancillary services for local business reply and the return of undeliverable mail are also introduced for use with Global Direct—Canada Admail service.

DATES: The interim regulations are effective August 21, 1998. Comments must be received on or before September 21, 1998.

ADDRESSES: Written comments should be sent to the Manager, Pricing, Costing, and Classification, Room 370–IBU, International Business Unit, U.S. Postal Service, Washington, DC 20260–6500. Copies of all written comments will be available for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday, in the International Business Unit, 10th Floor, 901 D Street SW, Washington DC.

FOR FURTHER INFORMATION CONTACT: Walter J. Grandjean, (202) 314–7256.

SUPPLEMENTARY INFORMATION: In cooperation partnership with Canada Post Corporation (CPC), the Postal Service is introducing Global Direct—Canada Admail. This international mail service is primarily intended for major printing firms, direct marketers, mail order companies, and other high-volume mailers seeking easier access to the Canadian domestic postal system. It is intended to provide mail delivery in

an average of 5–10 business days in major urban areas throughout Canada. Ancillary services for local business reply and the return of undeliverable mail are also introduced for use with Global Direct—Canada Admail.

Participating mailers must sign a service agreement with the Postal Service which defines the conditions of mailing under which they will enter Global Direct—Canada Admail. Since all mailings are subject to CPC's eligibility and mail preparation requirements for CPC's Addressed Admail, they must be sorted on the basis of CPC Letter Carrier Presort option or National Distribution Guide Sort option. CPC-certified sortation and address accuracy software is required.

To qualify, mailers must agree to mail a minimum of 25,000 Global Direct—Canada Admail items for delivery to Canadian addressees per mailing. The mailpieces must bear an authorized CPC or USPS permit imprint and be paid for through a USPS advance deposit account. In addition, a completed postage statement must accompany each mailing that is deposited at a designated acceptance point.

Mailers who want to establish a local, in-country identity in Canada, can place a specified CPC permit imprint on their mailpieces in combination with a Canadian return address. All others must use their USPS permit imprint in combination with a U.S. domestic return address.

The service requires participating U.S. mailers to prepare their postal items as Canadian domestic mail. The USPS then transports these mailpieces to Canada, where they are turned over to CPC for entry into Canada's domestic mail system. Mailers must deposit their mail at one of six offices.

Postage rates are determined by the size, weight, and level of sortation of the items being mailed. The interim postage rates for Global Direct—Canada Admail service are as follows:

Weight not over 1.76 ounces	Letter Carrier Presort (LCP)		National Distribution Guide (NDG)	
	Standard	Large	Standard	Large
Letter Carrier Direct	\$0.216	\$0.234	N/A	N/A
Station .....	.223	.245	\$0.245	\$0.269
Direct Rural .....	.245	.269	.245	.269
City .....	.248	.273	.259	.287
Distribution Center Facility .....	.255	.277	.269	.291
Forward Consolidation Point .....	.269	.291	.277	.312
Residue .....	.284	.312	.298	.337
Each additional pound over 1.76 ounce .....	.544	.626	.544	.626

NOTE: A extra charge of 3.5 cents may be charged for the number of items not meeting address accuracy requirements.

Every item must meet size and weight requirements for its type. The size standards are as follows:

WEIGHT AND SIZE LIMITS

	Length	Width	Thickness
CARDS/ENVELOPES:			
Standard (Short/Long) Items.			
Minimum	5 1/2 in. (140 mm)	3 9/16 in. (90 mm)	0.007 in. (0.18 mm)
Maximum	9 5/8 in. (245 mm)	5 7/8 in. (150 mm)	3/16 in. (5 mm)
Large (Oversized) Items			
	14 7/8 in. (380 mm)	10 9/16 in. (270 mm)	13/16 in. (20 mm)
OTHER ITEMS¹			
Standard (Short/Long) Items:			
Minimum	3 15/16 in. (100 mm)	2 3/4 in. (70 mm)	0.007 in. (0.18 mm)
Maximum	9 5/8 in. (245 mm)	5 7/8 in. (150 mm)	3/16 in. (5 mm)
Large (Oversized) Items			
	14 7/8 in. (380 mm)	10 9/16 in. (270 mm)	13/16 in. (20 mm)
Maximum Weight		17.6 oz.(500 grams)	

¹ Other items are defined as items other than cards and envelopes.

Mailers who are interested in using the service must furnish the following information to the Postal Service at least 14 days prior to their planned first mailing date and enter into a service agreement:

1. Customer's name and address.
2. Proposed initial mailing date and frequency.
3. Mailing location.
4. The type of items, including size and weight, that will be mailing.
5. Number of items in the proposed mailing.
6. Mail sort option used.
7. The mailing equipment that the customer intends to use to prepare items.
8. Ancillary services used.

Concurrent with the establishment of a service agreement, the designated post office of entry is instructed to accept and verify the customer's mail prior to its being dispatched to Canada.

In addition to mail service, the Postal Service is offering a local Canadian business reply service. Under this service the mailer may distribute pre-addressed cards and letters to addressees in Canada. Customers then mail these items, without prepayment of postage, to an address in Canada. The Postal Service has an arrangement with CPC to have the mail delivered to the U.S. addressee at which time the addressee will pay the postage. The rates for this service are \$0.45 for items not weighing over 1.06 ounces (30 grams) and \$0.65 for items weighing over 1.06 ounces (30 grams) but not over 1.76 ounces (50 grams). Specifications for this service are contained in Publication 524, Global Direct—Canada Admail Service Guide.

If a mailer using a Canadian identity (Canadian postage indicia and return address) wants undeliverable Canada Admail items returned through the Postal Service, the items must be endorsed "Return Postage Guaranteed." The mail must bear the return address

specified by the Postal Service and will be returned to the U.S. mailer. The rates for this service are:

Weight (not over)	Rate
3.52 oz. (100 grams)	\$0.80
7.04 oz. (200 grams)	1.32
17.60 oz.(500 grams)	2.09

If a U.S. permit is used, returned items are subject to the applicable surface printed matter postage that would have been paid from the United States to Canada.

Although the Postal Service is exempted by 39 U.S.C. 410(a) from the advance notice requirements of the Administrative Procedure Act regarding rulemaking (5 U.S.C. 553), interested parties are invited to submit written data, views, or comments regarding this interim rule to the address above.

The Postal Service is adopting the following interim amendments to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

List of Subjects in 39 CFR Part 20

Foreign relations, International postal service.

PART 20—[AMENDED]

1. The authority citation for 39 CFR Part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. Chapter 6 of the International Mail Manual is amended by changing the title of 610, re-numbering old or current 610 as 611, and adding new part 612 to read as follows:

CHAPTER 6—SPECIAL PROGRAMS

610 Global Direct Service

611 Global Direct—Mexico Direct

* * * * *

612 Global Direct—Canada Admail

612.1 Description

Global Direct—Canada Admail is an international mail service that is available on the basis of a service agreement between the Postal Service and a qualifying mailer. Under this service a mailer must enter identical printed matter items that meet the applicable eligibility, makeup, and preparation requirements for Canadian Post domestic Addressed Admail service. The Postal Service transports the items to Canada for entry into that country's domestic mail system. The mailer is responsible for ensuring that the items meet Canada Post Corporation's makeup and preparation requirements.

612.2 Qualifying Mailers and Mailing Locations

612.21 Qualifying Mailers

Qualifying mailers must agree to mail a minimum of 25,000 Admail items for delivery to Canadian addressees per mailing. All tendered mailpieces must conform to the applicable makeup and preparation requirements for Canadian domestic mail, as specified by Canada Post Corporation (CPC). CPC-certified sortation and address accuracy software is required.

612.22 Mailing Locations

Mailings may be deposited only at the following offices as specified in the service agreement:

- John F Kennedy Airport Mail Center, John F Kennedy International Airport, Building 250, Jamaica NY 11430-9998
- New Jersey International Bulk Mail Center, U.S. Postal Service, 80 County RD, Jersey City NJ 07097-9998
- Buffalo Auxiliary Service Facility, Buffalo Processing and Distribution Center, 1200 William ST, Buffalo NY 14240-9998

Detroit Processing and Distribution Center, U.S. Postal Service, 1401 W Fort, Detroit MI 48233-9997

AMC O'Hare International Annex, US Postal Service, 3333 Mount Prospect RD, Franklin Park IL 60131-1347

Seattle Processing and Distribution Center, U.S. Postal Service, 2454 Occidental Ave S, Seattle WA 98134-9997

612.3 Postage

612.31 Rate

The rate of postage is determined by the size, weight, and level of sortation of the items being mailed as specified below:

Weight not over 1.76 ounces	Letter Carrier Presort (LCP)		National Distribution Guide (NDG)	
	Standard	Large	Standard	Large
Letter Carrier Direct	\$0.216	\$0.234	N/A	N/A
Station .....	.223	.245	.245	.269
Direct Rural .....	.245	.269	.245	.269
City .....	.248	.273	.259	.287
Distribution Center Facility .....	.255	.277	.269	.291
Forward Consolidation Point .....	.269	.291	.277	.312
Residue .....	.284	.312	.298	.337
each additional pound over 1.76 ounces .....	.544	.626	.544	.626

NOTE: A extra charge of 3.5 cents may be charged for the number of items not meeting address accuracy requirements.

612.32 CPC Size Definitions

Every item must meet size and weight requirements for its type. The size standards are as follows:

WEIGHT AND SIZE LIMITS

	Length	Width	Thickness
CARDS/ENVELOPES:			
Standard (Short/Long) Items:			
Minimum	5½ in. (140 mm)	3⅞ in. (90 mm) .....	.007 in. (0.18 mm.)
Maximum	9⅝ in. (245 mm)	5⅞ in. (150 mm)	¾ in. (5 mm)
Large (Oversized) Items	14⅞ in. (380 mm)	10⅞ in. (270 mm)	1⅜ in. (20 mm)
OTHER ITEMS¹			
Standard (Short/Long) Items:			
Minimum	3⅞ in. (100 mm)	2¾ in. (70 mm) .....	.007 in. (0.18 mm)
Maximum	9⅝ in. (245 mm)	5⅞ in. (150 mm)	¾ in. (5 mm)
Large (Oversized) Items	14⅞ in. (380 mm)	10⅞ in. (270 mm)	1⅜ in. (20 mm)
Maximum Weight		17.6 oz.(500 grams)	

¹ Other items are defined as items other than cards and envelopes.

612.33 Postage Payment Method

Postage must be paid through an advance deposit account. Qualifying mailers have the option of placing a CPC permit imprint on their mailpieces in combination with a Canadian return address or a customer specific USPS permit imprint in combination with a domestic U.S. return address.

612.34 Postage Statement

Mailers must compute the total postage on PS Form 3656, Postage Statement—Global Direct Canada Admail, furnished by the Postal Service. A separate postage statement must be prepared for each individual mailing.

612.4 Preparation Requirements

Mailers are responsible for ensuring that items tendered under the Global Direct—Canada Admail service comply

with CPC's domestic mail preparation requirements.

612.5 Ancillary Services 612.51 Business Reply Service

This service provides for the return of Canadian business reply mail through the Postal Service to a specified address in Canada. Detailed specifications for this service are contained in Publication 524, Global Direct—Canada Admail Service Guide. The rates for this service are \$0.45 for items not weighing over 1.06 ounces (30 grams) and \$0.65 for items weighing over 1.06 ounces (30 grams) but not over 1.76 ounces (50 grams).

612.52 Return of Undeliverable Mail

Mailers using a Canadian identity (Canadian indicia and return address) may have undeliverable items returned to the U.S. through a Canadian return address. The sender must endorse items

“Return Postage Guaranteed” and use the return address specified by the Postal Service. The rates are:

Weight (not over)	Rate
3.52 oz. (100 grams)	\$0.80
7.04 oz. (200 grams)	1.32
17.60 oz.(500 grams)	2.09

If a U.S. permit is used, returned items are subject to the applicable surface printed matter postage that would have been paid from the United States to Canada.

612.6 Advance Notification

Mailers who are interested in using the Global Direct—Canada Admail service must furnish the following information to the Postal Service at least 10 business days prior to their first planned mailing date:

1. Customer's name and address.

2. Proposed initial mailing date and frequency.
3. Mailing location.
4. The type of items, including size and weight, that will be mailing.
5. Number of items in the proposed mailing.
6. Mail sort option used.
7. The mailing equipment that the customer intends to use to prepare items.
8. Ancillary services used.

All correspondence pertaining to Global Direct—Canada Admail service should be directed to:
Market Segment Manager Publishing,
International Business Unit, US Postal
Service, 475 L'Enfant Plz SW 370 IBU,
Washington DC 20260-6500

612.7 Service Agreement

Based on the mailer's input, the Postal Service prepares a service agreement to cover the projected mailing(s). This agreement stipulates the conditions of mailing. Concurrent with the preparation of the service agreement, instructions are issued to the designated post office of entry regarding the acceptance and verification of the prospective customer's mailpieces.

* * * * *

A transmittal letter changing the relevant pages in the International Mail Manual will be published and automatically transmitted to all subscribers. Notice of issuance of the transmittal will be published in the **Federal Register** as provided by 39 CFR 20.3.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 98-22481 Filed 8-20-98; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 126-0082a FRL-6140-6]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District, Yolo-Solano Air Quality Management District, and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action on revisions to the California State Implementation Plan. The revisions concern rules from the

following Districts: South Coast Air Quality Management District (SCAQMD), Yolo-Solano Air Quality Management District (YSAQMD), and Ventura County Air Pollution Control District (VCAPCD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rules control VOCs from screen printing and graphic arts operations. Thus, EPA is finalizing the approval of these revisions into the California SIP under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas.

DATES: This rule is effective on October 20, 1998 without further notice, unless EPA receives adverse comments by September 21, 1998. If EPA received such comments, then it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the rule revisions and EPA's evaluation report for each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, SW, Washington, DC 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 92123-1095

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182

Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616.

Ventura County Air Pollution Control District, 669 County Square Drive, Ventura, CA 93003.

FOR FURTHER INFORMATION CONTACT: Andrew Steckel, Rulemaking Office, AIR-4, Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San

Francisco, CA 94105, Telephone: (415) 744-1185.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rules being approved into the California SIP include: SCAQMD Rule 1130.1, Screen Printing Operations, YSAQMD Rule 2.29, Graphic Arts Printing Operations, and VCAPCD Rule 74.19.1, Screen Printing Operations. These rules were submitted by the California Air Resources Board (CARB) to EPA on March 3, 1997 (1130.1), November 30, 1994 (2.29), and October 18, 1996 (74.19.1).

II. Background

On March 3, 1978, EPA promulgated a list of ozone nonattainment areas under the provisions of the Clean Air Act, as amended in 1977 (1977 Act or pre-amended Act), that included the South Coast Air Basin, the Sacramento Metro Area, and Ventura County. 43 FR 8964, 40 CFR 81.305. On May 26, 1988, EPA notified the Governor of California, pursuant to section 110(a)(2)(H) of the 1977 Act, that the above districts' portions of the California SIP were inadequate to attain and maintain the ozone standard and requested that deficiencies in the existing SIP be corrected (EPA's SIP-Call). On November 15, 1990, the Clean Air Act Amendments of 1990 were enacted. Pub. L. 101-549, 104 Stat. 2399, codified at 42 U.S.C. 7401-7671q. In amended section 182(a)(2)(A) of the CAA, Congress statutorily adopted the requirement that nonattainment areas fix their deficient reasonably available control technology (RACT) rules for ozone and established a deadline of May 15, 1991 for states to submit corrections of those deficiencies.

Section 182(a)(2)(A) applies to areas designated as nonattainment prior to enactment of the amendments and classified as marginal or above as of the date of enactment. It requires such areas to adopt and correct RACT rules pursuant to pre-amended section 172(b) as interpreted in pre-amendment guidance.¹ EPA's SIP-Call used that guidance to indicate the necessary corrections for specific nonattainment areas. The South Coast Air Basin is classified as extreme, the Sacramento

¹ Among other things, the pre-amendment guidance consists of those portions of the proposed post-1987 ozone and carbon monoxide policy that concern RACT, 52 FR 45044 (November 24, 1987); "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations, Clarification to Appendix D of November 24, 1987 **Federal Register** Notice" (Blue Book) (notice of availability was published in the **Federal Register** on May 25, 1988); and the existing control technique guidelines (CTGs).

Metro Area and Ventura County are classified as severe,² and therefore, these areas were subject to the RACT fix-up requirement and the May 15, 1991 deadline.

The State of California submitted many revised RACT rules for incorporation into its SIP on March 3, 1997, November 30, 1994, and October 18, 1996, including the rules being acted on in this document. This document addresses EPA's direct-final action for SCAQMD Rule 1130.1, Screen Printing Operations, YSAQMD Rule 2.29, Graphic Arts Printing Operations, and VCAPCD Rule 74.19.1, Screen Printing Operations. SCAQMD amended Rule 1130.1 on December 13, 1996, YSAQMD adapted Rule 2.29 on May 25, 1994, and VCAPCD adopted Rule 74.19.1 on June 11, 1996. These submitted rules were found to be complete on August 12, 1997 (1130.1), January 30, 1995 (2.29), and December 19, 1996 (74.19.1) pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51 Appendix V³ and are being finalized for approval into the SIP.

SCAQMD's Rule 1130.1 and VCAPCD's Rule 74.19.1 regulate emissions of volatile organic compounds (VOCs) emanating from screen printing operations, and YSAQMD's Rule 2.29 limits emissions of VOCs from graphic arts facilities. VOCs contribute to the production of ground level ozone and smog. These rules were originally adopted as part of the above districts' efforts to achieve the National Ambient Air Quality Standard (NAAQS) for ozone and in response to EPA's SIP-Call and the section 182(a)(2)(A) CAA requirement. The following is EPA's evaluation and final action for these rules.

III. EPA Evaluation and Action

In determining the approvability of a VOC rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). The EPA interpretation of these requirements,

²The South Coast Air Basin, the Sacramento Metro Area, and Ventura County retained their designation of nonattainment and were classified by operation of law pursuant to sections 107(d) and 181(a) upon the date of enactment of the CAA. On April 25, 1995, EPA published a final Rule granting the State's request to reclassify the Sacramento Metro Area to severe from serious. 60 CFR 20237. This reclassification became effective on June 1, 1995.

³EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

which forms the basis for today's action, appears in the various EPA policy guidance documents listed in footnote 1. Among those provisions is the requirement that a VOC rule must, at a minimum, provide for the implementation of RACT for stationary sources of VOC emissions. This requirement was carried forth from the pre-amended Act.

For the purpose of assisting state and local agencies in developing RACT rules, EPA prepared a series of Control Technique Guideline (CTG) documents. The CTGs are based on the underlying requirements of the Act and specify the presumptive norms for what is RACT for specific source categories. Under the CAA, Congress ratified EPA's use of these documents, as well as other Agency policy, for requiring States to "fix-up" their RACT rules. See section 182(a)(2)(A). The CTG applicable to YSAQMD Rule 2.29 is entitled, Control of Volatile Organic Emissions from Existing Stationary Sources—Volume VIII: Graphic Arts—Rotogravure and Flexography—EPA-450/2-78-033. SCAQMD Rule 1130.1 and VCAPCD Rule 74.19.1 cover source categories for which EPA has not published a CTG. Accordingly, these rules were evaluated for consistency with the general RACT requirement of the Clean Air Act (CAA Section 110 and part D). Further interpretations of EPA policy are found in the Blue Book, referred to in footnote 1. In general, these guidance documents have been set forth to ensure that VOC rules are fully enforceable and strengthen or maintain the SIP.

There is currently no version of SCAQMD Rule 1130.1, Screen Printing Operations in the SIP. The submitted rule includes the following provisions:

- Applicability section including a statement of the rule's purpose;
- Reference to Rule 102 for the exempt compound listing;
- Option of using emission control equipment or using reduced VOC content inks and coatings;
- Test methods for VOC contents of coatings and inks;
- Test methods for metal contents of inks;
- Test methods for determining capture and control efficiency of an emission control device;
- Rule exemptions for firms emitting small quantities of VOCs.

There is currently no version of YSAQMD's Rule 2.29, Graphic Arts in the SIP. The submitted rule includes the following provisions:

- Statement of applicability;
- Exemptions for firms emitting small quantities of VOCs;

- Operation specific standards limiting the VOC content of inks and coatings;
 - Option of using an emission control system, or reduced VOC content inks and coatings;
 - Test methods for determining the VOC content of inks and coatings;
 - Test methods for determining the capture and control efficiency of an emission control system;
 - Record keeping requirements.
- There is currently no version of VCAPCD's Rule 74.19.1, Screen Printing Operations in the SIP. The submitted rule includes the following provisions:
- Statement of applicability;
 - Reactive organic compound (ROC) limits for specific end-use products and substrates;
 - Option to use an emission control system in lieu of using low ROC coatings;
 - Cleaning methods and storage conditions of ROC containing materials;
 - Record keeping requirements;
 - Exemption for firms using small quantities of ROC containing material;
 - Test methods for measurement of ROC content of inks, coatings, adhesives, resists, and solvents;
 - Test method to determine the metal content of metallic ink;
 - Test method to measure capture and control efficiency of an emission control system.

EPA has evaluated the submitted rules and has determined that they are consistent with the CAA, EPA regulations, and EPA policy. Therefore, SCAQMD Rule 1130.1, Screen Printing Operations, YSAQMD Rule 2.29, Graphic Arts Printing Operations, and VCAPCD Rule 74.19.1, Screen Printing Operations are being approved under section 110(k)(3) of the CAA as meeting the requirements of section 110(a) and part D.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective October

20, 1998 without further notice unless the Agency receives relevant adverse comments by September 21, 1998.

If the EPA received such comments, then EPA will publish a timely withdrawal of the direct final rule and informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. The EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on October 20, 1998 and no further action will be taken on the proposed rule.

IV. Administrative Requirements

A. Executive Orders 12866 and 13045

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The final rule is not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks," because it is not an "economically significant" action under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. Union Electric Co. v. U.S. EPA, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the Federal Register. This rule is not a "major" rule as defined by 5 U.S.C. 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 20, 1998. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition

for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: July 28, 1998.

Sally Seymour,

Acting Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(207)(i)(C)(6), (241)(i)(C) and (244)(i)(D), to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(207) * * *

(i) * * *

(C) * * *

(6) Rule 2.29, adopted on May 25, 1994.

* * * * *

(241) * * *

(i) * * *

(C) Ventura County Air Pollution Control District.

(J) Rule 74.19.1, adopted on June 11, 1996.

* * * * *

(244) * * *

(i) * * *

(D) South Coast Air Quality Management District.

(1) Rule 1130.1, adopted on August 2, 1991 and amended on December 13, 1996.

* * * * *

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 271**

[FRL-6147-3]

Washington: Withdrawal of Immediate Final Rule for Authorization of State Hazardous Waste Management Program Revision

AGENCY: Environmental Protection Agency (EPA).

ACTION: Immediate final rule withdrawal.

SUMMARY: Due to receipt of an adverse written comment, EPA is withdrawing the immediate final rule published on Tuesday, July 7, 1998 (63 FR 36587) for the approval of the State of Washington's authorization revision to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). As stated in the **Federal Register** document, if adverse written comments were received by August 6, 1998, a notice of withdrawal of the immediate final rule would be published in the **Federal Register**. EPA will address the comments received in a subsequent final action in the near future.

DATES: This withdrawal is effective on August 21, 1998.

FOR FURTHER INFORMATION CONTACT: Nina Kocourek, U.S. Environmental Protection Agency, Region 10, 1200 Sixth Avenue, WCM-122, Seattle, WA 98101. Telephone: (206) 553-6502.

SUPPLEMENTARY INFORMATION: See the information provided in the immediate final rule located in the final rules section of the July 7, 1998 (63 FR 36587), **Federal Register**, and in the short document located in the proposed rule section of the July 7, 1998 (63 FR 36652) **Federal Register**.

List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Incorporation by reference, Indian lands, Intergovernmental relations, Penalties, Reporting and record keeping requirements, Water pollution control, Water supply.

Authority: This action is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, 6974(b).

Dated: August 11, 1998.

Chuck Clarke,

Regional Administrator, Region 10.

[FR Doc. 98-22544 Filed 8-20-98; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES**Administration for Children and Families****45 CFR Parts 302, 304 and 307**

RIN 0970-AB70

Computerized Support Enforcement Systems

AGENCY: Office of Child Support Enforcement (OCSE), ACF, HHS.

ACTION: Final rule.

SUMMARY: This final rule implements provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), related to child support enforcement program automation. Under PRWORA, States must have in effect a statewide automated data processing and information retrieval system which by October 1, 1997, meets all the requirements of title IV-D of the Social Security Act enacted on or before the date of enactment of the Family Support Act of 1988, and by October 1, 2000, meets all the title IV-D requirements enacted under PRWORA. The law further provides that the October 1, 2000, deadline for systems enhancements will be delayed if HHS does not issue final regulations by August 22, 1998.

EFFECTIVE DATE: This rule is effective August 21, 1998.

FOR FURTHER INFORMATION CONTACT: Robin Rushton (202) 690-1244.

SUPPLEMENTARY INFORMATION:

Statutory Authority

This regulation is published under the authority of several provisions of the Social Security Act (the Act), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). Sections 454(16), 454(24), 454A and 455(a)(3)(A) of the Act (42 U.S.C. 654(16), (24), 654A, and 655(a)(3)(A)), contain requirements for automated data processing and information retrieval systems to carry out the State's IV-D State plan. Other sections, such as section 453 of the Act (42 U.S.C. 653) specify data that the system must furnish or impose safeguarding and disclosure requirements that the system must meet.

This regulation is also published under the general authority of section 1102 (42 U.S.C. 1302) of the Act which requires the Secretary to publish regulations that may be necessary for the efficient administration of the provisions for which she is responsible under the Act.

Background

Full and complete automation is pivotal to improving the performance of the nation's child support program. With a current national caseload of 20 million, caseworkers are dependent on enhanced technology and increased automation to keep up with the massive volume of information and transactions critical to future success in providing support to children.

Under PRWORA, States must build on existing automation efforts to implement the programmatic enhancements the law included for strengthening child support enforcement, including new enforcement tools and a shift in child support distribution requirements to a family-first policy. By October 1, 2000, States must have in place an automated statewide system that meets all the requirements and performs all the functions specified in PRWORA.

These requirements include:

- Functional requirements specified by the Secretary related to management of the program (454A(b)).
- Calculation of performance indicators (454A(c)).
- Information integrity and security requirements (454A(d)).
- Development of a State case registry (454A(e)).
- Expanded information comparisons and other disclosures of information (454A(f)), including to the Federal case registry of child support orders and the Federal Parent Locator Service (FPLS) and with other agencies in the State, agencies of other States and interstate information networks, as necessary and appropriate.
- Collection and distribution of support payments (454A(g)), including facilitating the State's centralized collection and disbursement unit and modifications to meet the revised distribution requirements.
- Expedited Administrative Procedures (454A(h)).

We issued proposed rules in the **Federal Register** on March 25, 1998, (63 FR 14402) setting forth the framework for automation that State systems must have in place by the October 1, 2000, deadline. Thirty letters from State agencies and other interested parties were received as a result. While the vast majority of these comments did not

necessitate changes to the rule, we did make modifications in the preamble discussion and/or the regulation primarily in the following areas as a result of the comments received:

- Sec. 307.11(f), Federal Case Registry Data Elements.
- Sec. 307.15, Independent Verification and Validation.

These changes and several others of a clarifying nature are explained in detail in the following section, Regulatory Provisions. A discussion of all the comments received and our responses follows in the preamble under the Response to Comments section.

Regulatory Provisions

State Plan Requirements (Part 302)

To implement the statutory changes, we revised the regulations at 45 CFR 302.85, "Mandatory computerized support enforcement systems." Current 45 CFR 302.85(a) provides that if the State did not have in effect by October 13, 1988 a computerized support enforcement system that meets the requirements of § 307.10, the State must submit an Advanced Planning Document (APD) for such a system to the Secretary by October 1, 1991, and have an operational system in effect by October 1, 1995.

Section 454(24) of the Act, as amended by PRWORA, provides that the State must have in effect a computerized support enforcement system which by October 1, 1997 meets all IV-D requirements in effect as of the date of enactment (October 13, 1988) of the Family Support Act of 1988. In addition, the State must have a Computerized Support Enforcement System (CSES) which by October 1, 2000, meets all IV-D requirements in effect as of the date of enactment (August 22, 1996) of PRWORA, including all IV-D requirements in that Act.

Section 302.85(a) of the final regulations reiterates the statutory requirements for mandatory automated systems for support enforcement. Section 302.85(a)(1) includes the requirement under existing paragraph (a) that the system be developed in accordance with §§ 307.5 and 307.10 of the regulations and the OCSE guidelines entitled "Automated Systems for Child Support Enforcement: A Guide for States." In addition, § 302.85(a)(2) requires that, by October 1, 2000, a system meeting PRWORA requirements be developed in accordance with §§ 307.5 and 307.11 of the regulations and the OCSE guidelines referenced above.

Change in Federal Financial Participation (Part 304)

To make part 304 regulations consistent with the Act as amended by PRWORA, § 304.20 is amended at paragraph (c) to provide that FFP at the 90 percent rate for the planning, design, development, installation and enhancement of computerized support enforcement systems that meet the requirement of § 307.30(a) is only available until September 30, 1997.

Computerized Support Enforcement Systems (Part 307)

Computerized support enforcement systems is amended throughout to conform part 307 to the changes required by sections 454, 454A, and 455(a) of the Act, as amended by PRWORA and the revisions to 45 CFR 302.85, which were discussed earlier.

The title of § 307.10 is revised to read "Functional requirements for computerized support enforcement systems in operation by October 1, 1997", and to add titles for two new sections, "Sec. 307.11 Functional requirements for computerized support enforcement systems in operation by October 1, 2000" and "Sec. 307.13 Security and Confidentiality of computerized support enforcement systems in operation by October 1, 2000" to reflect these changes.

Section 307.0, "Scope of this part," is revised to reflect the new requirements of sections 454, 454A, 455(a) of the Act, as amended, and section 344(a)(3) of PRWORA regarding statewide automated CSEs. New statutory language is referenced in the introductory section and a new paragraph (c) is added to refer to the security and confidentiality requirements for CSEs. Paragraphs (c) through (h) are redesignated as paragraphs (d) through (i).

In § 307.1, "Definitions", the definition of "Business day" has been added as defined in the new section 454A(g)(2) of the Act. Accordingly, paragraphs (b) through (j) are redesignated as paragraphs (c) through (k). In addition, in the redesignated paragraphs (d) and (g), the citation "Sec. 307.10" is replaced with the citations "Secs. 307.10, or 307.11" to reflect the regulatory changes made below.

Mandatory Computerized Support Enforcement Systems

Mandatory computerized support enforcement systems at 45 CFR 307.5 is amended as follows:

To reflect the amended section 454(24) of the Act, paragraphs (a) and (b) are eliminated in their entirety and

a new paragraph (a) is added. Paragraphs (c) through (h) are redesignated as (b) through (g).

Paragraph (a)(1) provides that each State must have in effect by October 1, 1997, an operational computerized support enforcement system which meets the requirements in 45 CFR 302.85(a)(1) related to the Family Support Act of 1988 requirements and that OCSE will review the systems to certify that these requirements are met. Under paragraph (a)(2), each State is required to have in effect, by October 1, 2000, an operational computerized support enforcement system which meets the requirements in 45 CFR 302.85(a)(2) related to PRWORA requirements.

In addition, under paragraph (d), the reference to "Section 307.10" is replaced by "Sections 307.10 or 307.11."

Functional Requirements for Computerized Support Enforcement Systems

To reflect the statutory changes, the title of § 307.10 "Functional requirements for computerized support enforcement systems." is revised to read "Functional requirements for computerized support enforcement systems in operation by October 1, 1997." In the introductory language, the citation "Sec. 302.85(a)" is replaced by the citation "Sec. 302.85(a)(1) to reflect changes made earlier in the regulations. The citation "AFDC" is replaced with the citation "TANF" (Temporary Assistance for Needy Families) in paragraph (b)(10).

Paragraph (b)(14) is deleted because the requirement for electronic data exchange with the title IV-F program (Job Opportunities and Basic Skills Training Program) is no longer operative since under PRWORA States had to eliminate their IV-F programs by July 1, 1997. Paragraphs (b)(15) and (16) are redesignated as paragraphs (b)(14) and (15).

A new § 307.11, "Functional requirements for computerized support enforcement systems in operation by October 1, 2000," is added and reiterates the statutory requirements in sections 454(16) and 454A of the Act, as discussed below.

The introductory language of § 307.11 specifies that each State's computerized support enforcement system established and operated under the title IV-D State plan at § 302.85(a)(2) must meet the requirements in this regulation. Under paragraph (a), the CSES in operation by October 1, 2000 must be planned, designed, developed, installed or enhanced and operated in accordance

with an initial and annually updated APD approved under § 307.15 of the regulations. As explained in the proposed rule, if a State elects to enhance its existing CSES to meet PRWORA requirements, it has the option of submitting either a separate APD or combining the Family Support Act and PRWORA requirements in one APD update. If a State elects to develop a new CSES, a separate implementation APD must be submitted.

Under paragraph (b), the CSES must control, account for, and monitor all the factors in the support collection and paternity determination process under the State plan which, at a minimum, include the factors in the regulation. Under paragraph (b)(1), the system must control, account for, and monitor the activities in § 307.10(b) of the regulations which a CSES in operation by October 1, 1997, must meet, except those activities in paragraphs (b)(3), (8), and (11) of § 307.10. These reporting, financial accountability, and security activities are replaced by similar or expanded provisions discussed later in this preamble that reflect statutory changes from PRWORA.

Paragraph (b)(2) describes the tasks that the computerized support enforcement system must have the capacity to perform with the frequency and in the manner required under or by the regulations that implement title IV-D of the Act. Paragraph (b)(2)(i) requires the CSES to perform the functions discussed below and any other functions the Secretary of HHS may specify related to the management of the State IV-D program.

Under paragraph (b)(2)(i)(A), the system must control and account for the use of Federal, State, and local funds in carrying out the State's IV-D program either directly or through an interface with State financial management and expenditure information systems. States can meet the financial accountability requirements through an interface. This provision is intended to provide States flexibility to continue existing practices which may be in place including the use of an auxiliary system. We have added reference to the use of auxiliary systems in the regulatory language.

Paragraph (b)(2)(i)(B) requires that the system maintain the data necessary to meet Federal reporting requirements for the IV-D program on a timely basis as prescribed by the Office of Child Support Enforcement. This requirement is similar to the functional requirements at § 307.10(b)(3) that a system must meet by October 1, 1997.

Paragraph (b)(2)(ii)(A) requires the CSES to enable the Secretary of HHS to determine State incentive payments and

penalty adjustments required by sections 452(g) and 458 of the Act through the use of automated processes to: (1) Maintain the necessary data for paternity establishment and child support enforcement activities in the State; and, (2) calculate the paternity establishment percentage for the State for each fiscal year. Under this requirement, the system must maintain the necessary data and calculate for each fiscal year the State's paternity establishment percentage under section 452(g) of the Act. The system must also maintain the data necessary to determine State incentive payments under section 458 of the Act. In addition, under paragraph (b)(1), the State will continue to be required to compute and distribute incentive payments to political subdivisions in accordance with § 307.10(b)(6) of the regulations.

Paragraph (b)(2)(ii)(B) requires the system to enable the Secretary to determine State incentive payments and penalty adjustments required by sections 452(g) and 458 of the Act by having in place system controls to ensure: (1) The completeness, and reliability of, and ready access to, the data on State performance for paternity establishment and child support enforcement activities in the State; and, (2) the accuracy of the paternity establishment percentage for the State for each fiscal year. Under this provision, the system controls apply to data related to the calculation of the State's paternity establishment percentage, and the calculation of incentive payments. Data regarding the paternity establishment percentage and incentive payments is reported to the Federal government in accordance with instructions issued by OCSE.

Paragraph (b)(2)(iii) requires the system to have controls (e.g., passwords or blocking of fields) to ensure strict adherence to the systems security policies described in § 307.13(a) of the regulations. Under § 307.13(a), the State IV-D agency must have written policies concerning access to data by IV-D agency personnel and sharing of data with other persons.

Under paragraph (b)(3), the system must control, account for, and monitor the activities in the Act added by PRWORA not otherwise addressed in this part. Paragraph (c) requires that the system, to the extent feasible, assist and facilitate the collection and disbursement of support payments through the State disbursement unit operated under section 454B of the Act. Under paragraph (c)(1), the system must transmit orders and notices to employers and other debtors for the

withholding of income: (1) Within 2 business days after the receipt of notice of income, and the income source subject to withholding from the court, another State, an employer, the Federal Parent Locator Service, or another source recognized by the State, and (2) using uniform formats prescribed by the Secretary.

Paragraph (c)(2) requires the system to monitor accounts, on an ongoing basis, to identify promptly failures to make support payments in a timely manner. Paragraph (c)(3) requires the system to automatically use enforcement procedures, including enforcement procedures under section 466(c) of the Act, if support payments are not made in a timely manner. These procedures include Federal and State income tax refund offset, intercepting unemployment compensation insurance benefits, intercepting or seizing other benefits through State or local governments, intercepting or seizing judgments, settlements, or lottery winnings, attaching and seizing assets of the obligor held in financial institutions, attaching public and private retirement funds, and imposing liens in accordance with section 466(a)(4) of the Act.

Paragraph (d) requires that, to the maximum extent feasible, the system be used to implement the expedited administrative procedures required by section 466(c) of the Act. These procedures include: ordering genetic testing for the purpose of establishing paternity under section 466(a)(5) of the Act; issuing a subpoena of financial or other information to establish, modify, or enforce a support order; requesting information from an employer regarding employment, compensation, and benefits of an employee or contractor; accessing records maintained in automated data bases such as records maintained by other State and local government agencies described in section 466(c)(1)(D) of the Act and certain records maintained by private entities regarding custodial and non-custodial parents described in section 466(c)(1)(D) of the Act; increasing the amount of monthly support payments to include an amount for support arrears; and, changing the payee to the appropriate government entity when support has been assigned to the State, or required to be paid through the State disbursement unit.

Paragraph (e) requires the State to establish a State case registry (SCR) which must be a component of the computerized child support enforcement system. This registry is essentially a directory of electronic case records or files. Paragraph (e)(1)

contains definitions of terms used in this section.

Paragraph (e)(2) describes the records which the registry must contain. Under paragraph (e)(2)(i), the registry must contain a record of every case receiving child support enforcement services under an approved State plan. Under paragraph (e)(2)(ii), the registry must contain a record of every support order established or modified in the State on or after October 1, 1998.

Under paragraph (e)(3) each record must include standardized data elements for each participant. These data elements include the name(s), social security number(s), date of birth, case identification number(s) and other uniform identification numbers, data elements required under paragraph (f)(1) of this section for the operation of the Federal case registry (FCR), issuing State of an order, and any other data elements required by the Secretary. In response to comments on the proposed rule, we added "the issuing State of the order." We made this change because as commenters correctly pointed out, information on the issuing State of the order is essential in processing interstate cases.

Under paragraph (e)(4), each record must include payment data for every case receiving services under the IV-D State plan that has a support order in effect. Under this provision, the payment data must include the following information: (1) Monthly (or other frequency) support owed under the order, (2) other amounts due or overdue under the order including arrearages, interest or late payment penalties and fees, (3) any amount described in paragraph (e)(4) (i) and (ii) of this section that has been collected, (4) the distribution of such collected amounts, (5) the birth date and, beginning no later than October 1, 1999, the name and social security number of any child for whom the order requires the provision of support, and (6) the amount of any lien imposed under the order in accordance with section 466(a)(4) of the Act.

Under paragraph (e)(5), the State using the CSES must establish and update, maintain, and regularly monitor case records in the State case registry for cases receiving services under the State plan. In the proposed rule, we invited public comment as to whether timeframes or other standards should be set for the monitoring and updating of records and if so what timeframes and standards would be applied. As noted in the response to comments found later in this preamble, while many commenters responded to this request, the responses varied widely. Therefore, we are not

adding timeframes to this section of the regulation.

To ensure that information on an established IV-D case is up to date, the State must regularly update the record to make changes to the status of a case, the status of and information about the participants of a case, and the other data contained in the case record. This includes: (1) Information on administrative and judicial orders related to paternity and support, (2) information obtained from comparison with Federal, State or local sources of information, (3) information on support collections and distributions, and (4) any other relevant information. In the proposed rule, we included reference to "administrative actions and proceedings" under item (1) above. We have deleted this language in response to comments on the proposed rule pointing out that the information in orders is most useful and while relevant to the Statewide system, other information on actions and proceedings would not be meaningful for purposes of the case registry.

Under the paragraph (e)(6), the State is authorized to meet the requirement in paragraph (e)(2)(ii) of this section which requires the State case registry to have a record of every support order established or modified in the State on or after October 1, 1998, by linking local case registries of support orders through an automated information network. However, linked local case registries established in the State's computerized support enforcement system must meet all other requirements in paragraph (e) of this section.

Under paragraph (f), the State must use the computerized support enforcement system to extract information at such times and in such standardized format or formats, as required by the Secretary, for the purposes of sharing and comparing information and receiving information from other data bases and information comparison services to obtain or provide information necessary to enable the State, other States, the Office of Child Support Enforcement or other Federal agencies to carry out the requirements of the Child Support Enforcement program. The use and disclosure of certain data is subject to the requirements of section 6103 of the Internal Revenue Code and the system must meet the security and safeguarding requirements for such data specified by the Internal Revenue Service. The system must also comply with safeguarding and disclosure requirements specified in the Act.

Under paragraph (f)(1), effective October 1, 1998, the State must furnish

information in the State case registry to the Federal case registry. To ensure the effective implementation of the Federal case registry, required data elements on IV-D cases must be reported by October 1, 1998, to be followed by initial non-IV-D submissions on or before January 1, 1999. States must furnish information to the Federal case registry, including updates as necessary, and notices of expiration of support orders, except that States have until October 1, 1999, to furnish certain child data. In the proposed rule, we invited public comment as to whether timeframes for the submission of data on new cases or orders and for the submission of updated information should be specified. While we clarified the above dates, with two exceptions we have not added additional timeframes because there was no indication that this would be helpful. With respect to the exceptions noted, commenters noted that it was especially important that the Family Violence indicator and the Federal case registry information be up-to-date and therefore, we have added a requirement that the Family Violence indicator and the Federal case registry information be updated within five business days of receipt by the IV-D agency of new or changed information, including information which would necessitate adding or removing a Family Violence indicator.

Sections 453(h)(2) and (3) of the Act requires the inclusion of child data in the Federal case registry and provide the Secretary of the Treasury with access to Federal case registry data for the purpose of administering those sections of the Internal Revenue Code of 1986 which grant tax benefits based on the support or residence of children, such as the Earned Income Tax Program.

Under this rule, States must provide to the Federal case registry the following data elements on participants: (1) State Federal Information Processing Standard (FIPS) and optionally, county code; (2) State case identification number; (3) State member identification number; (4) case type (IV-D, non-IV-D); (5) social security number and any necessary alternative social security numbers; (6) name, including first, middle, last name and any necessary alternative names; (7) sex (optional); (8) date of birth; (9) participant type (custodial party, non-custodial parent, putative father, child); (10) family violence indicator (domestic violence or child abuse); (11) indication of an order; (12) locate request type (optional); (13) locate source (optional), and (14) any other information as the Secretary may require.

With respect to domestic violence information identified in item 10 above and addressed under paragraph (f)(1)(x) of this rule, section 453(b)(2) of the Act states that no information in the Federal Parent Locator Service shall be disclosed to any person if the State has notified the Secretary that the State has reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or the child of such parent. OCSE will not disclose any information on a participant in a IV-D case or non-IV-D support order to any person unless otherwise specified in section 453(b)(2), if the State has included a "family violence" indicator on such participant.

Section 453(b)(2) of the Act provides that a court may have access to information in a case when a participant in the case has been identified with a Family Violence indicator. This section provides that disclosure to a court or agent of the court, may occur if, upon receipt of the information, the court or agent of the court determines whether disclosure beyond the court could be harmful to the parent or the child and, if the court makes such a determination, the court or its agent shall not make such disclosure.

Accordingly, under paragraph (f)(2), the CSES must request and exchange information with the Federal parent locator service for the purposes specified in section 453 of the Act. As stipulated in the statute, the Secretary will not disclose information received under section 453 of the Act when to do so would contravene the national policy or security interests of the United States or the confidentiality of census data or, as indicated above, if the Secretary has received notice of reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or the child of such parent.

Under paragraph (f)(3), the CSES must exchange information with State agencies, both within and outside of the State, administering programs under title IV-A and title XIX of the Act, as necessary to perform State agency responsibilities under title IV-A, title IV-D and title XIX.

Under the paragraph (f)(4), the CSES must exchange information with other agencies of the State, and agencies of other States, and interstate information networks, as necessary and appropriate, to assist the State and other States in carrying out the Child Support Enforcement program.

Security and Confidentiality for Computerized Support Enforcement Systems

With the mandates of the Family Support Act of 1988, and most recently of PRWORA, State public assistance agencies have been given additional tools to locate individuals involved in child support cases and visitation and custody orders and their assets.

With the use of these automated data processing (ADP) systems, and the data they maintain and manipulate, come concerns about the security and privacy of the information resident in these systems. In order to protect this information, our regulations require that States must have policies and procedures in place to ensure the integrity and validity of their automated data processing systems.

This rule reiterates statutory requirements in section 454A(d) of the Act addressing security and privacy issues by adding new regulations at 45 CFR 307.13, "Security and confidentiality for computerized support enforcement systems in operation after October 1, 1997."

Paragraph (a) requires the State IV-D agency to have safeguards on the integrity, accuracy, completeness of, access to, and use of data in the CSES, including written policies concerning access to data by IV-D agency personnel and sharing of data with other persons. Under paragraph (a)(1), these policies must address access to and use of data to the extent necessary to carry out the IV-D program. This includes the access to and use of data by any individual involved in the IV-D program, including personnel providing IV-D services under a cooperative or purchase-of-service agreement or other arrangement.

Under paragraph (a)(2), these policies must specify the data that may be used for particular IV-D program purposes and the personnel permitted access to such data. This provision applies to all personnel who have access to data on the CSES.

In response to a comment, we have revised the language in the proposed rule under paragraph (a)(3) to cover the disclosure of information to State agencies administering programs under titles IV-A and XIX of the Act. Pursuant to section 454A(f)(3) of the Act, State IV-D agencies are required to exchange information with State IV-A and XIX agencies as necessary to carry out the title IV-A, and XIX programs. As drafted in the NPRM, this provision did not clearly identify the specific disclosures of information that were

authorized and therefore, was confusing.

Paragraph (b) requires the State IV-D agency to monitor routine access and use of the computerized support enforcement system through methods such as audit trails and feedback mechanisms to guard against and identify unauthorized access or use. States have flexibility in meeting this requirement, so long as the IV-D agency monitors routine access and use of the system.

Paragraph (c) requires the State IV-D agency to have procedures to ensure that all personnel, including State and local staff and contractors, who may have access to or be required to use confidential program data in the CSES are: (1) Informed of applicable requirements and penalties, including those in section 6103 of the Internal Revenue Service Code, and (2) adequately trained in security procedures. Under this requirement, State procedures must address Federal and State safeguarding requirements and the security and safeguarding requirements for data obtained from the Internal Revenue Service.

Finally, paragraph (d) requires the IV-D agency to have administrative penalties, including dismissal from employment, for unauthorized access to, disclosure or use of confidential information. In the proposed rule we solicited comments on all areas of computer systems security and data privacy relative to these regulations. We received relatively little input on this section of the proposed rules. One commenter asked that timeframes be added so that nothing would be left to State discretion, another indicated that the level of rulemaking was adequate and a couple of others asked that we limit rulemaking to the statute. Given this array of positions, and the fact that we heard no strong reaction to this section we are not making changes to the language in the proposed rule.

Approval of Advance Planning Documents

The regulations at 45 CFR 307.15 speak to certain APD requirements specific to CSE automated system development. These rules make conforming amendments to address the changes made by PRWORA and to codify certain existing requirements and authorities related to APD and APDU oversight. We revised 45 CFR 307.15, "Approval of advance planning documents for computerized support enforcement systems," to reflect new functional requirements the State must meet by October 1, 2000.

Prior to this final rule, paragraph (b)(2) required that the APD specify how the objectives of the system will be carried out throughout the State, including a projection of how the proposed single State system will meet the functional requirements and encompass all political subdivisions of the State by October 1, 1997. This paragraph is revised to require that the APD specify how the objectives of a CSES that meets the functional requirements in § 307.10 of the regulations, or the functional requirements in § 307.11 of the regulations, will be carried out throughout the State including a projection of how the proposed system will meet the functional requirements and encompass all political subdivisions of the State by October 1, 1997, or also meet the additional functional requirements and encompass all political subdivisions of the State by October 1, 2000.

States may submit a separate APD for each group of functional requirements. The State may also update its current APD for the development and implementation of a system to meet the October 1, 1997, requirements in order to address the functional requirements that must be met by October 1, 2000. We also replaced the citation "Sec. 307.10" with the citations "Secs. 307.10, or 307.11" where it appears in paragraphs (a), (b), and (c).

A number of States experienced difficulty in developing systems that complied with Family Support Act requirements and, as a consequence, failed to meet the October 1, 1997, deadline for having such systems in place. In response, we have made several changes in these regulations to strengthen the oversight and management of CSE systems development projects.

First, we will aggressively monitor State CSE development efforts and as stated in the proposed rule we intend to conduct on-site technical assistance visits and reviews in all States this year, as we did last year. States whose system development efforts are lagging will receive multiple visits. We are in the process of procuring the services of one or more contractors to augment our ability to monitor States progress and provide project assistance.

In addition, we will more closely review State APD and APDU submissions. One area of focus will be on the resources available to: (1) Monitor the progress of systems development efforts, (2) assess deliverables, and (3) take corrective action if the project goes astray. We will not approve a State's APD unless we are

convinced that adequate resources and a well conceived project management approach are available for these purposes, as well as for the systems design and implementation processes.

Most States already retain Quality Assurance assistance, using either contractors or State staff. We will not approve a State's APD unless it evidences adequate quality assurance services. States with a history of troubled systems development efforts will have to rigorously demonstrate that such resources are available to the project and are integrated into the project's management. All reports prepared by a State's quality assurance provider must be submitted directly to OCSE at the same time they are submitted to the State's project management.

This rule provides for more systematic determinations and monitoring of key milestones in States' CSE systems development efforts, and more closely ties project funding to those milestones. Systems should be implemented in phased, successive modules as narrow in scope and brief in duration as practicable, each of which serves a specific part of the overall child support mission and delivers a measurable benefit independent of future modules. Specifically, we added language to § 307.15(b)(9) to clarify that the APD must contain an estimated schedule of life-cycle milestones and project deliverables (modules) related to the description of estimated expenditures by category. The regulation includes a list of milestones which must be addressed as provided in the September 1996 "DHHS State Systems Guide".

(OCSE will issue an addendum to the Guide to provide more information on milestones.) These life cycle milestones should include, where applicable: Developing the general and/or detailed system designs; preparing solicitations and awarding contracts for contractor support services, hardware and software; developing a conversion plan, test management plan, installation plan, facilities management plan, training plan, users' manuals, and security and contingency plans; converting and testing data; developing, modifying or converting software; testing software; training staff; and, installing, testing and accepting systems. Specifically, we are requiring that the APD must include milestones relative to the size, complexity and cost of the project and at a minimum address: Requirements analysis, program design, procurement and project management.

We will treat seriously States' failure to meet critical milestones and

deliverables or to report promptly and fully on their progress toward meeting those milestones. We will approach these problems in several ways. States shall reduce risk by: Using, when possible, fully-tested pilots, simulations or prototypes that accurately model the full-scale system; establish clear measures and accountability for project progress; and, securing substantial worker involvement and user buy-in throughout the project.

With respect to funding, we will generally provide funding under an approved APD only for the most immediate milestones; funding related to achievement of later milestones will be contingent upon the successful completion of antecedent milestones. For States with proven track records in CSE systems development, we will continue our practice of providing funding approval on an annual basis. Since current regulations provide sufficient authority to limit funding in this way, we are not proposing any additional regulatory changes but rather reaffirming in this preamble management practices which we will follow under existing authority.

In addition, in § 307.15(b)(10) we have expanded the requirements for an implementation plan and backup procedures to require certain States to obtain independent validation and verification services (IV&V). These States include those: (1) That do not have in place a statewide automated child support enforcement system that meets the requirements of the FSA of 1988; (2) which fail to meet a critical milestone, as identified in their APDs; (3) which fail to timely and completely submit APD updates; (4) whose APD indicates the need for a total system redesign; (5) developing systems under waivers pursuant to section 452(d)(3) of the Social Security Act; or, (6) whose system development efforts we determine are at risk of failure, significant delay, or significant cost overrun.

With respect to this last item, we would point out that Year 2000 systems compliance is critical to State child support enforcement program automation efforts. Accordingly, the requirement above would apply to States which are not Year 2000 compliant and which do not have an existing assessment and monitoring mechanism in place. We would consider any such State at serious risk of systems failure.

Also with respect to this last item, OCSE will carefully review States' system development efforts, using States' APD and APDU submissions, other documentation, on-site reviews

and monitoring, etc., relating to States' efforts to meet PRWORA requirements. Based on this review, OCSE will determine the type and scope of Independent Validation and Verification (IV&V) services that a State must utilize and will so require such IV&V services as a condition of its approval of the State's APD and associated funding or contract-related documents. As indicated in the proposed rule, OCSE has obtained the services of a contractor to assist in making this determination.

Independent validation and verification efforts must be conducted by an entity that is independent from the State. We would only provide very limited exceptions to this requirement based on a State's request. For example, we would consider an exception in a situation where a State has an existing IV&V provider in place which is independent of the child support agency (or other entity responsible for systems development), which meets all criteria set forth in these rules and where the State's systems development efforts are on track as a result.

The independent validation and verification provider must:

- Develop a project work plan. The plan must be provided directly to OCSE at the same time it is given to the State.
- Review and make recommendations on both the management of the project, both State and vendor, and the technical aspects of the project. The results of this analysis must be provided directly to OCSE at the same time they are given to the State.
- Consult with all stakeholders and assess user involvement and buy-in regarding system functionality and the system's ability to meet program needs.
- Conduct an analysis of past project performance (schedule, budget) sufficient to identify and make recommendations for improvement.
- Provide a risk management assessment and capacity planning services.
- Develop performance metrics which allow tracking of project completion against milestones set by the State.

The RFP and contract for selecting the IV&V provider must be submitted to OCSE for prior approval and must include the experience and skills of the key personnel proposed for the IV&V analysis. In addition, the contract must specify by name the key personnel who actually will work on the project.

ACF recognizes that many States already have obtained IV&V services and as indicated in the proposed rule, OCSE will review those arrangements to determine if they meet the criteria specified above.

The requirement that a State obtain an IV&V provider if it significantly misses one or more milestones in their APD is intended to assist the State in obtaining an independent assessment of their system development project. The IV&V provider will make an independent assessment and recommendations for addressing the systemic problems that resulted in the missed milestones before the situation reaches the point where suspension of the State's APD and associated Federal funding approval is necessary. Any reports prepared by an IV&V provider must be submitted to OCSE at the same time they are submitted to the State's project manager. The responsibility, authority and accountability for successful completion of systems' projects rests with the designated single and separate State child support agency. OCSE also has a need to receive these independent validation and verification reports in a timely manner to fulfill their program stewardship and oversight responsibilities. As a general rule, OCSE will seek State reaction before acting upon any report submitted directly to us from a State-level IV&V contractor to avoid the possibility of acting upon misconceptions and erroneous data.

In addition, if a State fails to meet milestones in its APD, OCSE may fully or partially suspend the APD and associated funding. OCSE currently has authority under 45 CFR 307.40 to suspend a State's APD if "the system ceases to comply substantially with the criteria, requirements, and other provision of the APD * * *" This action may include suspension of future systems efforts under the APD until satisfactory corrective action is taken. In such cases, funding for current efforts, i.e., those not affected by the suspension, would continue to be available, although OCSE would closely monitor such expenditures. In more serious cases, suspension would involve cessation of all Federal funds for the project until such time as the State completed corrective action. In response to this proposal, several commenters recommended the use of a corrective action plan as an alternative reaction to a missed milestone. Another commenter raised the concern that a link between project funding and a missed milestone will further delay implementation. We believe the existing language provides sufficient flexibility to address these comments. As indicated above, funding would cease only in the most serious cases.

As indicated in the Response to Comments section of this preamble, we received a number of comments on this requirement. We continue to believe

that IV&V services will be necessary in some instances to ensure efficient and timely program automation.

However, we also want to ensure that such assistance does not undermine or duplicate State efforts. When a trigger under these rules is reached pointing to the need for an IV&V provider, OCSE will, in close consultation with the States, assess the type and scope of IV&V services a State must utilize. The assessment will include whether OCSE through its Federal IV&V contracts can provide the independent review needed or whether the State will need to obtain its own IV&V services. Given OCSE's limited resources and the limited size of our IV&V contract, the independent reviews provided under the Federal IV&V contract are expected to be few in number and for smaller-scale, not lengthy IV&V reviews.

Review and Certification of Mandatory Automated Systems

We revised 45 CFR 307.25, "Review and certification of computerized support enforcement systems," by replacing the citation "Sec. 307.10" with the citations "Secs. 307.10, or 307.11" in the introductory language to reflect other changes made in this document.

FFP Availability

We also revised § 307.30, "Federal financial participation at the 90 percent rate for computerized support enforcement systems", to reflect changes made to section 455(a)(3) of the Act by section 344(b)(1) of PRWORA regarding the limited extension of 90 percent Federal financial participation.

Paragraph (a) specifies that financial participation is available at the 90 percent rate for expenditures made during Federal fiscal years 1996 and 1997 for the planning, design, development, installation or enhancement of a CSES as described in §§ 307.5 and 307.10, but limited to the amount in an APD or APDU submitted on or before September 30, 1995, and approved by OCSE.

Paragraph (b) provides that Federal funding at the 90 percent rate is available in expenditures for the rental or purchase of hardware and proprietary operating/vendor software during the planning, design, development, installation, enhancement or operation of a CSES described in §§ 307.5 and 307.10.

Paragraph (b)(1) specifies that Federal funding at the 90 percent rate is available until September 30, 1997, on a limited basis in accordance with paragraph (a) of this section for such expenditures.

Similarly, under paragraph (b)(2), FFP is available at the 90 percent rate until September 30, 1997, for expenditures for the rental or purchase of proprietary operating/vendor software necessary for the operation of hardware during the planning, design, development, installation or enhancement of a computerized support enforcement system in accordance with the limitations in paragraph (a) of this section, and the OCSE guideline entitled "Automated Systems for Child Support Enforcement: A Guide for States." FFP at the 90 percent rate remains unavailable for proprietary applications software developed specifically for a CSES. (See OCSE-AT-96-10 dated December 23, 1996 regarding the procedures for requesting and claiming 90 percent Federal funding.)

ACF is issuing regulations simultaneously to implement the provisions in section 455(a)(3)(B) of the Act, regarding the availability and allocation of Federal funding at the 80 percent rate for Statewide systems.

With respect to regular funding, we amended 45 CFR 307.35, "Federal financial participation at the applicable matching rate for computerized support enforcement systems", by replacing the citation "Sec. 307.10" with the citations "Secs. 307.10, or 307.11" in paragraph (a) to reflect other changes made in this document.

Suspension of APD Approval

Similar to the above, we are proposing to amend 45 CFR 307.40, "Suspension of approval of advance planning document for computerized support enforcement systems," to make a conforming change to replace the citation "Sec. 307.10" with the citations "Secs. 307.10, or 307.11" in paragraph (a) to reflect other changes made in this document.

Response to Comments

We received comments from a total of 30 commenters on the proposed rule published in the **Federal Register** March 25, 1998 (63 FR 14462) from State agencies and other interested parties. Specific comments and our response follows.

General Comments

1. *Comment:* One commenter expressed concern that the regulation simply mirrored the statute and asked when States could anticipate further clarification.

Response: We believe the statute provides a clear and adequate framework within which to regulate. However, the certification guide provides further explanation of the

statutory and regulatory requirements for States' CSES certification. This guide was shared with all States on April 8, 1998, via OCSE AT-98-13 and was distributed at three OCSE-sponsored systems conferences held in March, 1998. The guide may also be downloaded from OCSE's Internet site (<ftp://ftp.acf.dhhs.gov/pub/oss/cse/csecert.exe>).

2. *Comment:* The FSA 1988 requirements called for a description in the APD of a cost-to-benefit measurement methodology that the State intended to use in the project. A commenter suggested that a confirmation on what OCSE's expectations are in this regard for PRWORA system certification would be helpful.

Response: OCSE-AT-96-10 provides guidance in this area that may be helpful to the commenter. Specifically, the guidance explains that States that choose to enhance their existing FSA '88 certified system have the option of continuing to utilize that cost-benefit analysis, or to close out that project when the benefits exceed the cost and establish a new cost-benefit analysis for the PRWORA project.

State Plan Requirements (Part 302)

1. *Comment:* One commenter questioned why the Certification Guide is needed in light of the regulations and suggested that it be eliminated. A couple of other commenters agreed with this suggestion. The first commenter went on to say that if the Guide is published, it should be incorporated in the rules so that it is available at the time of rule promulgation. Another commenter urged prompt release of the Guide in final form.

Response: This rule does not initiate reference to the Guide in regulations but rather continues the procedures that have been in place since the Family Support Act automation requirements were implemented. As such, this rule merely updates the reference to speak to the Certification Guide which incorporates PRWORA requirements and recommendations made by a State/Federal workgroup established for this purpose. The Guide was disseminated to States (OCSE-AT-98-13) on April 8, 1998, and is posted on OCSE's Web site. It also was disseminated at the March 1998 Systems conferences. The Certification Guide for PRWORA will be finalized in conjunction with these final automation regulations.

2. *Comment:* One commenter noted that the preamble discussion of the State plan requirements incorrectly stated that section 454(24) of the Act provides

that States have in effect by October 1, 1997 all IV-D requirements in PRWORA.

Response: The commenter correctly pointed out a mistake in the preamble which we have fixed. The reference should have cited the October 1, 1997, deadline in reference to the Family Support Act automation requirements, not the automation requirements added by PRWORA.

Computerized Support Enforcement Systems (Part 307)

Functional Requirements for Computerized Support Enforcement Systems (§ 307.11)

1. *Comment:* One commenter recommended that we limit any additional functional requirements to those required by statute or added by the Secretary after consultation with State IV-D Directors, noting that this would continue the collaborative, partnership process being promoted by OCSE.

Response: We will continue to consult with the States in developing additional functional requirements for child support automated systems. We appreciate the collaborative, partnership process evidenced by the Federal/State workgroup that developed the functional requirements for automated systems in the Revised Certification Guide and the workgroups associated with the Expanded Federal Parent Locator Service.

2. *Comment:* One commenter asked for clarification of the requirement that the system "control, account for, and monitor the activities described in PRWORA not otherwise addressed in this part."

Response: The State/Federal certification work group has reviewed the existing certification requirements and has determined that existing functional requirements in the Guide related to Family Support Act requirements are sufficient for PRWORA requirements. Specifically, the Guide provides for the system to update and maintain in the automated case record all information, facts, events and transactions necessary to describe a case and all actions taken with respect to a case. The system must perform case monitoring to ensure that case actions are accomplished within required time frames. The system must maintain information required to prepare Federal reports, must generate reports to assist in case management and processing, and must ensure and maintain the accuracy of data.

3. *Comment:* One commenter questioned the inclusion of language from section 454(16) of the Act and our

authority to regulate based on this language. The commenter asked that the first sentence of § 307.11(b) be deleted, recognizing that it derives from section 454(16) of the Act, "State plan for child and spousal support," not from section 454A of the Act, "Automated data processing" and that the list of ADP tasks be limited to those under section 454A of the Act.

Response: The commenter is correct that this provision is from section 454(16) of the Act. However, that section speaks to the State plan requirement for automated systems for child support and thus is relevant to this rulemaking. The discussion of statutory authority for this rulemaking indicates that the rule implements new requirements found under sections 454(16), 454(24), 454A and 455(a)(3)(A) of the Act. We would also point out with respect to the first sentence, that this is not a new provision but rather is identical to the language in the prior rules for implementing the Family Support Act.

4. *Comment:* Two commenters expressed concern that the requirement that the system control and account for the use of Federal, State and local funds directly or through an interface with State financial management and expenditure information went beyond the statute and would be difficult to implement.

Response: The statute provides under section 454A(b) that the system perform functions including controlling and accounting for Federal, State and local funds and implies that this function is to be part of the statewide system. Our intent in regulating this provision is to provide maximum flexibility and permit States to continue to meet the financial accountability requirements through an auxiliary system. In fact, most of the systems we have seen do have this type of interface. However, we agree that an interface would not always be required and did not intend to require an interface when one wasn't necessary. We've modified the language in the regulation accordingly.

5. *Comment:* Two commenters asked whether the intent of the requirement that States maintain the necessary data for paternity establishment and child support enforcement activities in the State for each fiscal year is that the system maintain out-of-wedlock birth statistics?

Response: We do not require States to maintain out-of-wedlock birth statistics in the CSES. These statistics may be maintained by another State agency, such as State Vital Statistics agencies. However, the State IV-D agency must have access to this data to ensure

accurate calculation of the paternity establishment standard and to meet Federal reporting requirements.

6. *Comment:* One commenter pointed out that the requirement for the system to "allocate" performance indicators should actually be that the system "calculate" the indicators.

Response: The commenter is correct and we have revised the regulation accordingly.

7. *Comment:* One commenter suggested that since the PRWORA incentive formula is still unknown, the requirement for the system to compute performance indicators be excluded from the October 1, 2000 deadline.

Response: The requirement that the system compute performance indicators used for incentives speaks to requirements for computing incentives under the existing incentive formula as well as the formula enacted by the Congress in Pub. L. 105-200.

8. *Comment:* One commenter asked for clarification of the reference to "other benefits" in the statute at section 466(c) which speaks to enforcement procedures including Federal and State income tax refund offset, intercepting unemployment compensation insurance benefits, intercepting or seizing other benefits through State or local governments.

Response: "Other benefits" as referenced in the statute merely refers to any other benefits that may be seized under State law to enforce child support beyond what is specifically referenced in the Act.

9. *Comment:* One commenter requested clarification of the requirement that the State case registry be a component of the statewide automated system.

Response: Section 454A(e) of the Act requires that the automated system of each State include a registry to be known as the State case registry and contain a record of each case in which services are being provided under title IV-D and each support order entered or modified on or after October 1, 1998. The section further provides that non-IV-D orders may be maintained on a linked registry of support orders. The IV-D agency is responsible for ensuring that the State case registry functionality for non-IV-D orders is met, regardless of whether the State opts to meet the non-IV-D order requirements through the Statewide automated system or through an automated network of local linkages.

10. *Comment:* We received a number of comments in response to our solicitation of views regarding whether time frames or other standards should be set for the monitoring and updating of records in the State case registry

(SCR) and, if these should be set, what time frames and standards would be applied.

Commenters stated that factors such as the size of the caseload, the status of pending automation and the cost effectiveness of updating and monitoring may impact a States capability to update the State case registry. Many commenters suggested that present regulatory time frames were adequate to update and monitor the State case registry. Others noted time frames should be included in the Certification Guide.

Additional commenters recommended specific time frames pointing out that States may adopt varying approaches to updating and monitoring if these requirements are not specifically delineated in regulation.

Response: There was no clear preponderance of comments on this issue. In the absence of a distinct standard being recommended by those commenting on these regulations, no additional regulations will be promulgated with respect to time frames. Those time lines which are prescribed by the System Certification Guide will remain in effect.

11. *Comment:* Comments regarding updating and monitoring of the Federal case registry were also solicited. Comments ranged from requiring updates weekly, to no regulation whatsoever.

Response: Due to the great disparity of comments, we chose to allow States flexibility to determine when to update data in the State case registry. However, for national consistency and accuracy of Federal case registry data, we chose to impose the requirement of updating data in the Federal case registry within five (5) business days.

12. *Comment:* One comment recommended changing the definition of "Participant" to more clearly include paternity orders.

Response: We agree with this position and have amended the definition as follows: (i) Participant means an individual who owes or is owed a duty of support, imposed or imposable by law, or with respect to or on behalf of whom a duty of support is sought to be, established, or who is an individual connected to an order of support or a child support case being enforced.

13. *Comment:* One commenter recommended the definition of participant be amended by deleting the reference to custodial party and inserting in its place the word custodian, because of the legal implications the word party may have.

Response: The term custodial party is used to encompass not only parents, but

also others who may have physical custody of a child, but not necessarily legal custody. This term is defined in a variety of documents which have been issued with respect to the design and implementation of State case registries and the Federal case registry. To introduce another term at this point would be confusing and counterproductive.

14. *Comment:* We received a suggestion to amend the definition of "locate request type" to more accurately reflect that a locate may be used for paternity and support establishment purposes.

Response: We agree with this position and have inserted the words "or support" in the definition.

15. *Comment:* A comment was received requesting greater detail on what records must be included in the State case registry.

Response: The State case registry shall contain a record of: (i) Every case receiving child support enforcement services under an approved State plan and (ii) every support order established or modified in the State on or after October 1, 1998.

16. *Comment:* Several commenters expressed concern about gathering non-IV-D information for inclusion in State case registries. It was recommended the regulation provide a phase-in approach with regard to non-IV-D information.

Response: The Federal case registry will be operational on October 1, 1998, and capable of accepting information on all IV-D cases and all orders entered or modified on or after that date. In order to ensure the effective implementation of State case registries and the Federal case registry, the Secretary is planning a staggered schedule for the initial submissions to the Federal case registry. The reporting of the required data elements on IV-D cases will begin on October 1, 1998, to be followed by initial non-IV-D submissions on or before January 1, 1999. We successfully implemented the National Directory of New Hires by using a similar approach of staggering new hire and quarterly wage submissions.

17. *Comment:* One commenter requested guidance on the way in which non-IV-D information is to be added to a State case registry.

Response: The request for guidance on the manner in which non-IV-D information is to be added to the State case registry exceeds the purpose of these regulations. The purpose of these regulations is to provide the provisions necessary for implementation of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 as it relates to child support

enforcement program automation. However, the Office of Child Support Enforcement is committed to providing technical assistance and guidance on collecting and maintaining of non-IV-D data. Information on this issue may be found in the Federal case registry Implementation Guide, Chapter 3—State case registry.

18. *Comment:* One commenter asked if Federal financial participation was available for gathering and maintaining non-IV-D case payment data if the State determines a unified system to maintain such data was determined to be economical.

Response: Section 454A(e)(4) of the Act provides that payment records shall be maintained for each case record in the State case registry with respect to which services are being provided under the State plan. The statutory language limits the necessity of maintaining payment information to IV-D cases. Therefore, we cannot provide Federal financial participation to extend this to the maintenance of this information on non-IV-D cases.

19. *Comment:* Many commenters were concerned with the statement that the State case registry and Federal case registry data elements include "any other information the Secretary may require as set forth in instructions issued by the Office." Most of these commenters expressed the position that only those established data elements be included in the regulation. There was also concern that data elements be set prior to October 1, 1998.

Response: Those data elements presently delineated in the regulation are the only ones required on October 1, 1998, to be reported to the Federal case registry. Through working with States to identify their needs, additional data elements may become necessary to assist States in processing child support cases. The primary reason for allowing the Secretary to adopt additional data elements is to maintain flexibility to respond to States' requests for enhancements in the Federal case registry. If the Secretary requires additional data elements in the future, States will be given adequate notice of the changes and ample time to make the necessary system changes.

20. *Comment:* A couple of commenters asked for clarification of the minimum data elements necessary for support orders on both the State case registry and the Federal case registry.

Response: The data elements contained in the regulation at paragraphs (e)(3) and (f)(1) are required for IV-D cases and for support orders which are entered or modified on or after October 1, 1998. The data elements

listed at paragraph (e)(4) are only required for IV-D cases with support orders in effect.

21. *Comment:* Commenters also suggested that in addition to the data element listing the existence of an order, that we should also include the State where the order was issued. Commenters generally felt the State where the order was issued was critical information for Uniform Interstate Family Support Act (UIFSA) and the Full Faith and Credit for Child Support Orders Act purposes. Many commenters also expressed the belief that federal legislation mandated the issuing State of an order be included as a data element on the Federal case registry.

Response: We agree that inclusion of the State where the order was entered is necessary in case processing for UIFSA and Full Faith and Credit for Child Support Orders Act purposes. We have added this to the list of required data elements which a State must maintain on the State case registry.

However, the Federal case registry serves as a pointer system to States and is not intended to contain all of the data with respect to a case or order maintained in the State case registry. Therefore, the Federal case registry will only carry an indication of whether an order exists and not the State where the order was entered. States will be expected to use the Child Support Enforcement Network (CSEnet) to ascertain any additional information on a participant that the State may need. By including a State case registry data element for the State that issued the order, we ensure that CSEnet will be able to quickly process automated transactions of order information for UIFSA purposes.

22. *Comment:* One commenter requested clarification of the distinction between the amounts of support arrears and the amount of a lien since by definition support arrears become liens by operation of law.

Response: We agree with the commenter that inclusion of both the amount of the arrears and the amount of a lien as data elements in the State case registry creates a degree of confusion since these amounts may be identical. However, pursuant to section 466(a)(4) of the Act, the amount of arrears in a case becomes a lien only if the non-custodial parent owns real or personal property in the State or resides in the State. Thus, where a non-custodial parent does not reside or own property in the State enforcing the support obligation or if the value of real property owned in the State is less than the amount of arrears owed, the amount of arrears will differ from the amount of

liens. Section 454A(e) requires both amounts to be listed as State case registry data elements.

23. *Comment:* One commenter requested that the list of standard data elements for the State case registry include administrative and judicial orders, rather than administrative and judicial proceedings. The commenter was of the opinion that it is more useful to limit the information on the case registry to this data.

Response: We agree with the commenter. The data elements have been amended to reflect that information on administrative and judicial orders related to paternity and support be included as a data element in place of information on administrative actions and administrative and judicial proceedings and orders related to paternity and support.

24. *Comment:* A commenter requested clarification of the distinction between disbursement and distribution.

Response: Distribution is the allocation or apportionment of a support collection. Disbursement is the actual dispensing or paying out of the collection. Action Transmittal 97-13 provides a more detailed discussion of the distinction between disbursement and distribution.

25. *Comment:* A comment was received requesting clarification of the meaning of "sharing and comparing with and receiving information from other data bases and information comparisons services to obtain or provide information necessary to enable the State, other States, the Office or other Federal agencies to carry out this chapter." The assumption is this section expands the base of agencies and individuals with access to information.

Response: The intent of the introductory language of § 307.11(f) is to ensure the automated system has the capacity to share, compare and receive information from other data bases as expressly authorized by title IV-D of the Act. See, for example, sections 454A(f) and 466(c)(1)(D) of the Act. Except as provided under sections 454A(f)(3), 453 and 463, these exchanges are for the purposes of obtaining information necessary to carry out the Child Support Enforcement program under title IV-D of the Act. As a result of these comparisons, the IV-D agency is obtaining information, not releasing information. Thus, this section does not generally expand the base of agencies or individuals with access to information. Information sharing activities in the statewide automated system must be conducted in full compliance with the safeguarding provisions of § 307.13,

section 453 of the Act, and section 6103 of the Internal Revenue Code of 1986.

26. *Comment:* We received a comment asking for clarification of the requirement that information be exchanged with State agencies both within the State and with agencies in other States. More particularly, the commenter asked whether the requirement for an exchange of data with agencies in other States was a CSEnet transaction or a direct exchange from the IV-D agency in one State with the IV-A agency or XIX agency in another State.

Response: States' systems must be able to use CSEnet to exchange data with IV-D agencies in other States. CSEnet may not be used to exchange data with IV-A or XIX agencies in other States. Such exchanges may be accomplished through direct exchanges or through their-in-State title IV-A and XIX agencies.

27. *Comment:* We received a comment requesting explicit detail be provided with respect to the requirement that certain data was subject to the requirements of the Internal Revenue Code of 1986.

Response: The term "certain data" refers to taxpayer return information obtained from the Internal Revenue Service. That information is subject to the prohibitions contained in section 6103 of the Internal Revenue Code of 1986. Return information is defined as "a taxpayer's identity, the nature, source, or amount of his income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability, tax withheld, deficiencies, over assessments, or tax payments, whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing, or any other data, received by, recorded by, prepared by, furnished to, or collected by the Secretary with respect to a return or with respect to the determination of the existence, or possible existence, of liability (or the amount thereof) of any person under this title for any tax, penalty, interest, fine, forfeiture, or other imposition, or offense, and any part of any written determination or any background file document relating to such written determination which is not open to public inspection."

28. *Comment:* It was recommended by one commenter that all references to IRS publications be eliminated and the regulation reflect that security standards will be set following consultation between the Secretary and the IRS.

Response: We do not agree with this recommendation. IRS Publication 1075 entitled "The Information Security

Guidelines for Federal, State and Local Agencies" was referenced to assist States in ensuring compliance with IRS requirements.

29. *Comment:* Commenters requested greater detail be provided with regard to updating information reported by a State to the Federal case registry, particularly as it relates to the notice of expiration of a support order.

Response: The definition of expiration of a support order is determined under State law. States are required to notify the Federal case registry when an order expires pursuant to State law. It is critical to keep data current in both the State case registry and the Federal case registry. The primary intent of the Federal case registry is to act as a "pointer" system in notifying States of other States which may have an interest and/or information on a participant.

30. *Comment:* We received a number of comments on the need for greater detail and guidance to States on the issue of a Family Violence indicator as a data element. Commenters suggested criteria be established to guide States on the placement of this indicator and to offer courts guidance on the process whereby they can release information despite the presence of a Family Violence indicator on a person contained within the Federal case registry. One commenter suggested there was a need to provide direction on how and when to update the Family Violence indicator.

Other commenters requested a definition be provided for what constitutes reasonable evidence of domestic violence as that phrase is used within the statute and this regulation. One commenter also expressed the difficulty States would have in collecting Family Violence indicators on orders or cases which are not receiving services under the State plan. One commenter also suggested adding the Family Violence indicator as a data element to the State case registry.

Response: The purpose of these regulations is to provide the provisions necessary for implementation of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 as it relates to child support enforcement program automation. The request for additional guidance with respect to a Family Violence indicator is beyond the scope of these regulations. A definition of reasonable evidence will depend primarily on State law. However, the Office of Child Support Enforcement is committed to providing technical assistance and guidance on the issue of the Family Violence indicator. An Action Transmittal on the issue is forthcoming. It will assist States

in addressing outstanding questions such as placement of the Family Violence indicator, the process for court access to Federal case registry information on a person to whom a Family Violence indicator has been attached and the necessity for updating a case when the circumstances for the placement of the indicator changes. In addition, OCSE is preparing a compilation of State laws and policies regarding the criteria and placement for the Family Violence indicator. OCSE is also participating in the Department of Health and Human Services Violence Against Women Act Steering Committee and has disseminated multiple resources to States regarding family violence. OCSE's Domestic Violence liaison, Susan Notar, may be contacted for further information on this subject at (202) 401-9370.

We agree that it is appropriate to include the Family Violence indicator as a data element within the State case registry for purposes of reporting the Family Violence indicator to the Federal case registry. This data element is already required pursuant to § 307.11(e)(3)(vi) which states that the State case registry shall contain all data elements required under § 307.11(f)(1) of this section for the operation of the Federal case registry.

31. *Comment:* We received comments expressing concern over the lack of access to information by a court when a Family Violence indicator is present. The comment also suggested updates to the Family Violence indicator occur every two (2) days.

Response: Sections 453(b)(2)(A) and (B) of the Act provide that a court may have access to information as permissible under 453 and 463 of the Act, in a case when a participant in the case has been identified with a Family Violence indicator. These sections provide that disclosure to a court, as defined in 453(c)(2) and 463(d)(2) of the Act, or the agent of the court, may occur if upon receipt of the information the court, or agent of the court, determines whether disclosure beyond the court could be harmful to the parent or the child and, if the court makes such a determination, the court and its agents shall not make such disclosure. At the time of the disclosure of this information to the court, the court making the request shall also be notified of the State which placed the Family Violence indicator on a participant. The State which made the determination

that caused the indicator to be placed on a participant shall also be informed that another State's court has requested the Family Violence indicator be overridden.

While we agree the Family Violence indicator is of such a sensitive nature that it requires regular updating, we believe that updating this every two (2) days is unrealistic. To accommodate the necessity of updating this data element, we have added a requirement in § 307.11(f)(1)(x) requiring the Family Violence indicator be updated within five (5) business days of receipt by the IV-D agency of information which would cause the IV-D agency to add or remove a Family Violence indicator.

32. *Comment:* Several commenters requested clarification of the definition of a support order and the order indicator.

Response: A support order is defined in section 453(p) of the Act as "a judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of competent jurisdiction, for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing State, or of the parent with whom the child is living, which provides for monetary support, health care, arrearages, or reimbursement, and which may include related costs and fees, interest and penalties, income withholding, attorney fees, and other relief".

The order indicator data element will be marked "Yes" if a State knows of the existence of an order (as defined above), whether the order was issued by the reporting State or another State.

33. *Comment:* A comment was received suggesting that if the purpose of the Federal case registry was to act as a pointer system to quickly notify States of other States that have an interest and/or information on a participant, the regulations clarify that only interstate cases are to be submitted to the Federal case registry.

Response: Section 453(h) of the Act provides that the Federal case registry shall include abstracts of support orders and other information with respect to each case and order in each State case registry. The State case registry is required by the Act to contain records with respect to each case in which services are being provided by the State agency under the approved State plan

and each support order established or modified in the State on or after October 1, 1998. The reporting requirements of the Act clearly indicate all cases and orders entered or modified on or after October 1, 1998, be included in the State and the required data elements on each be reported to the Federal case registry. There is no stipulation that this only be interstate cases.

Security and Confidentiality for Computerized Support Enforcement Systems (§ 307.13)

1. *Comment:* One commenter supported the need for adequate safeguards for security data but was concerned that the use of employee dismissal is subject to collective bargaining agreements and other constraints and recommended allowing States to determine for themselves what the administrative penalties should be.

Response: We believe the regulatory reference to administrative penalties provides wide State flexibility for identifying appropriate State sanctions. However, security and confidentiality of the information is paramount to the integrity of the system and as such administrative sanctions must include dismissal of employees in appropriate cases.

2. *Comment:* One commenter expressed the view that the section on privacy and confidentiality was difficult to follow and questioned the intent of § 307.13(a)(3), limiting access and disclosure to non-IV-D personnel or for Non-IV-D program purposes as authorized by Federal Law.

Response: We have reviewed the language identified by the commenter and agree that it is confusing. Paragraph (a)(3) was designed to cover the disclosure of information to State agencies administering programs under titles IV-A and XIX of the Act which is authorized under section 454A(f)(3) of the Act. We have revised paragraph (a)(3) to more closely track the language of the statutory provision. Information disclosures to State agencies administering title IV-A or XIX programs are subject to the safeguarding provisions of section 453 of the Act to the extent that the disclosure involves information obtained from the FPLS and section 6103 of the Internal Revenue Code of 1986. The following table clarifies access to FPLS information as specified in sections 453 and 463 of the Act:

ACCESS TO FPLS INFORMATION

Who	Why	How	What	Exceptions
<p>Agent/Attorney of a State who has authority/duty to collect child support and spousal support, which may include a State IV-D agency.</p> <p>Resident parent, legal guardian, attorney or agent of a child not receiving IV-A benefits.</p> <p>§ 453(c)</p>	<p>Establish paternity, establish, modify or enforce child support obligations.</p> <p>§ 453(a)</p>	<p>Request filed in accordance with regulations, 45 CFR § 303.70.</p> <p>Only SPLS can request information from FPLS.</p> <p>—Must contain specified information including attestation.</p> <p>—Fee must be paid.</p> <p>§ 453(d)</p>	<p>Information (including SSN, address, and name, address and FEIN of employer) on, or facilitating the discovery of, the location of any individual—</p> <p>—Who is under an obligation to pay child support,</p> <p>—Against whom a child support obligation is sought,</p> <p>—To whom a child support obligation is owed,</p> <p>—Who has or may have parental rights with respect to a child.</p> <p>Information on the individual's wages, other income from, and benefits of employment (including health care coverage).</p> <p>Information on the type, status, location and amount of any assets of, or debts owed by or to, the individual.</p> <p>§ 453(a)</p>	<p>Disclosure would contravene national policy or security interests of the US, or confidentiality of census data.</p> <p>Notification from State of reasonable evidence of child abuse or domestic violence.</p> <p>§ 453(b)</p>
<p>State Agency that is administering a program operated under a State Plan under subpart 1 of part B or a State plan approved under subpart 2 of part B or under part E.</p> <p>§ 453(c)</p>	<p>To administer such program.</p> <p>§ 453(a)</p>	<p>Same as above.</p> <p>§ 453(d)</p>	<p>Same as above.</p> <p>§ 453(a)</p>	<p>Same as above.</p> <p>§ 453(b).</p>
<p>Court (or agent of the court) with authority to issue an order against an NCP for child support, or to serve as the initiating court in an action to seek a child support order.</p> <p>§ 453(c)</p>	<p>Establish paternity, establish, modify or enforce child support obligations.</p> <p>§ 453(a)</p>	<p>Request filed in accordance with regulations.</p> <p>§ 453(b)</p> <p>Request must be processed through the SPLS, 45 CFR § 303.70</p> <p>SPLS may process request from court to FPLS. 45 CFR § 302.35(c)(2)</p>	<p>Same as above, except can get it despite child abuse or domestic violence notification.</p> <p>§ 453(b)</p>	<p>However, upon notification that FPLS has received notice of child abuse or domestic violence, court must determine whether disclosure of the information to any other person would be harmful.</p> <p>§ 453(b)</p> <p>Above restrictions on information that would compromise national security etc. still apply.</p>
<p>Agent/Attorney of a State who has the authority/duty to enforce a child custody or visitation determination.</p> <p>Agent/Attorney of the US or a State who has authority/duty to investigate, enforce or prosecute the unlawful taking or restraint of a child.</p> <p>§ 463(d)(2)</p>	<p>Make or enforce a child custody or visitation determination.</p> <p>Enforce any federal or State law regarding taking or restraint of a child.</p> <p>§ 463(a)</p>	<p>Request filed in accordance with regulations.</p> <p>State agency receives request and transmits it to Secretary.</p> <p>§ 463(b)—45 CFR § 302.35</p> <p>SPLS made request to FPLS in standard format. SPLS shall identify these cases to distinguish them from other requests.</p> <p>45 CFR § 303.15</p>	<p>Most recent address and place of employment of parent or child.</p> <p>§ 463(c)</p>	<p>Disclosure would contravene national policy or security interests of the US, or confidentiality of census data.</p> <p>Notification from State of reasonable evidence of child abuse or domestic violence.</p> <p>§ 463(c)</p>

ACCESS TO FPLS INFORMATION—Continued

Who	Why	How	What	Exceptions
Court (or agent of court) with jurisdiction to make or enforce a child custody or visitation determination. § 463(d)(2)	Same as above. § 463(a)	Request filed in accordance with regulations. § 463(c) Request must be processed through the SPLS. 45 CFR § 303.70 SPLS may process request from court to FPLS. 45 CFR § 303.35 SPLS makes request to FPLS in standard format. SPLS shall identify these cases to distinguish them from other requests. Upon receipt of response from FPLS, SPLS shall send information directly to the requester, then destroy information related to the request. 45 CFR § 303.15	Same as above, except can get it despite notice of child abuse or domestic violence. § 463(c)	However, no disclosure shall be made to anyone else. However, upon notification that FPLS has received notice of child abuse or domestic violence, and receipt of information that FPLS must determine whether disclosure of the information to any other person would be harmful. § 463(c) Above restrictions on information that would compromise national security still apply.
US Central Authority (under the Hague convention on international child abduction). § 463(e)	Locate any parent or child on behalf of an applicant to central authority in a child abduction case. § 463(e)	Upon request, pursuant to agreement between Secretary of DHHS and the central authority. No fee may be charged. § 463(e)	Most recent address and place of employment. § 463(e)	Restrictions under § 453 (national security etc., domestic violence). § 453(b) and § 463(c)
Secretary of the Treasury § 453(h)(3) and (i)(3)	Administration of federal tax laws. § 453(h)(3) and (i)(3)	Pursuant to procedures developed between the Secretary of Treasury and DHHS.	FCR data and NDNH data. § 453(h)(3) and (i)(3)	
Social Security Administration § 453(j)(1) § 453(j)(4) State IV-D agencies § 453(j) (2) and (3)	Verification. § 453(j)(1) For any purpose. § 453(j)(4) Location of individual in paternity or child support case. § 453(j)(2) Administration of IV-D program. § 453(j)(3)	Pursuant to procedure developed between the Social Security Administration and DHHS. Every 2 business days information comparison in NDNH with the FCR and report back to States within 2 business days after a match is discovered. This would be an automatic match with the statewide automated system. § 453(j)(2)(A & B) When the Secretary determines a data match would be necessary to carry out the purposes of the IV-D program. § 453(j)(3)	FPLS data. § 453(j)(1) NDNH data. § 453(j)(4) FPLS matches. § 453(j) (2) and (3)	Disclosure would contravene national policy or security interest of the US, or confidentiality of census data. Notification from State of reasonable evidence of child abuse or domestic violence. § 453(b)
Researchers. § 453(j)(5)	Research purposes found by the Secretary to be likely to contribute to achieving purposes of IV-A or IV-D programs. § 453(j)(5)	At Secretary's discretion. § 453(j)(5)	Data in each component of the FPLS.	Personal identifiers removed. § 453(j)(5)
State IV-A agencies. § 453(j)(3)	Administration of IV-A program. § 453(j)(3)	When the Secretary determines a data match would be necessary to carry out the purposes of the IV-A program. § 453(j)(3)	FPLS matches. § 453(j)(3)	Disclosure would contravene national policy or security interests of the US, or confidentiality of census data. Notification from State of reasonable evidence of child abuse or domestic violence. § 453(b)

Approval of Advance Planning Documents (§ 307.15)

1. *Comment:* One commenter asked for clarification of the phrase, "how the single State system will encompass all political jurisdictions in the State by October 1, 1997, or October 1, 2000, respectively." The commenter asked for clarification of how all political subdivisions in the State are to be included and, with respect to the date, whether this means that as long as States have IV&V consultants in place and comply with the APD requirements there will not be a federal review until after October 1, 2000?

Response: The requirement that the system cover all political subdivisions of the State was part of the Family Support Act automation rules published October 14, 1992; this is not a new requirement. With respect to the October 1, 2000 date, this is a reference to the date when the State must meet the new automated system requirements of PRWORA. We reserve the right to conduct at any time reviews of CSE systems funded by FFP and plan to increase on-site technical assistance related to automated CSE systems.

2. *Comment:* One commenter suggested that we eliminate the requirement that "adequate resources" be provided in line with the Federal resource limitation, i.e., the cap on enhanced funding.

Response: While PRWORA did cap the amount of FFP reimbursable at the 80 percent matching rate at \$400 million, FFP at the regular 66 percent rate continues to be open-ended. The investment by both the Federal and State government necessitates the need for States to allocate sufficient resources to properly manage a project of this size, complexity and importance; we are making no change to this requirement.

3. *Comment:* A couple of commenters questioned the APD approval process and recommended that the process be eliminated and that a new approach be adopted. One of these commenters suggested a State-Federal partnership to examine and develop an effective new process. The other comment suggested we substitute a very limited planning section to the State plan describing how Federal funding will be used to support the statutory requirement.

Response: The Advanced Planning Document procedures are not limited to automated systems for Child Support Enforcement. The child support systems requirements are based on the APD requirements of 45 CFR part 95 and are used by Food and Nutrition Service for Food Stamps, HCFA for Medicaid, and

ACF for IV-A (prior to TANF), Child Welfare and Child Care programs.

Since 1981, of the \$3.2 billion expended on developing and implementing child support automated systems over the last 17 years, the Federal government has provided \$2.5 billion for development of child support automated systems, a considerable investment. While the amount of enhanced (80%) funding is capped, there is no limitation on the amount of expenditures for systems development at the 66 percent rate, still a considerable investment by the Federal government. The other Federal programs which have no enhanced funding and whose level of regular rate FFP is 50 percent still require States to adhere to APD procedures and certification reviews.

We believe we have a fiduciary responsibility to oversee and monitor this considerable financial investment in automated systems for child support. The commenters blamed APD procedures for past systems development failures, but various independent entities, including the General Accounting Office during their evaluation of CSE systems development, have cited the need for more, not less, monitoring and oversight of the States by the Federal government through the APD process. The importance of automation to child support enforcement cannot be over emphasized.

4. *Comment:* One commenter expressed appreciation for Federal efforts to have a more substantial presence in assisting and monitoring State's development projects. An automated system is a major tool in tracking and enforcing child support and must be efficiently developed. The commenter agrees with the proposal to require a State to obtain IV&V when certain APD requirements are not met, stating that a well organized work plan and schedule based on the critical path method must be used in development of an automation effort of this size and complexity.

Another commenter, commenting as a State with a proven successful track record, indicated that they understand the intent of the quality assurance process, backup procedure, and IV&V as outlined but raised concerns that it may prove to be process-intensive and distracting if too hard a line is taken requiring proven states to provide this level of detail. The commenter raised concern that the potential repercussions include causing disruption to management of the project, escalation of development costs and delay.

Other commenters asked what was meant by projects going astray and in what form corrective action will take place? Other commenters were also concerned about the requirement that quality assurance providers reports be submitted directly to OCSE because they believe State project management should have an opportunity to correct misperceptions or erroneous data prior to submittal. These commenters and another were concerned that this approach will delay State's progress while awaiting approval and additional funding and strongly recommend that steps be taken to ensure this does not occur. They further recommended that if a time period is necessary for OCSE to receive the report, it be 30 days after the State has received the report from the QA vendor.

Still another commenter suggested a collaborative approach between the State and the IV&V to ensure progress is not impeded due to miscommunication between the vendor and the State. Such collaboration could ensure that Federal needs of monitoring and validating system development efforts are met, while State's efforts at timely completion of automation requirements are not impeded.

Response: Independent validation and verification efforts must be conducted by an entity that is independent from the State. We would only provide very limited exceptions to this requirement based on a State's request. For example, we would consider an exception in a situation where a State has an existing IV&V provider in place which is independent of the child support agency (or other entity responsible for systems development), which meets all criteria set forth in these rules and where the State's systems development efforts are on track as a result.

The requirement that OCSE receive the QA and IV&V reports simultaneous with a State should have no impact on State systems development progress since funding approval is not tied to these reports. Further, the State is free to correct any misconceptions or erroneous data in the QA or IV&V reports submitted, but delaying the reports for 30 days or editing them before submittal to OCSE defeats the purpose of OCSE's receiving the reports, i.e., early identification of problems. We would clarify that while we require quarterly progress reports, we encourage more frequent communication, especially during critical system development phases.

5. *Comment:* One commenter raised concerns about the statement in the preamble that States will be required to reduce risk by using, when possible,

fully tested pilots, simulations or prototypes. The commenter expressed the belief that each of the items were key factors in the delay of State's ability to finalize system development under the Family Support Act and led to significant cost overruns.

Other commenters expressed the view that these regulations are an unnecessary burden on States and will not enhance either the system development or system quality assurance process. In fact, the commenters said, this requirement may even delay systems implementation.

We received one recommendation that the requirement for an independent validation and verification (IV&V) provider not be tied to past project performance. The commenter stated that a more efficient use of resources is to concentrate the IV&V review on the merits of the existing APD and related project plans.

Another commenter shared the view that if sufficient time is given, the IV & V requirement is not overly burdensome.

Several commenters were concerned that the cost of this item was never considered in the allocation of the enhanced funding and States required to procure these services will have an unexpected financial burden placed on them. One of these commenters went on to suggest that it should be up to the State to determine the appropriate corrective action, where an IV & V would be only one option.

Response: The suggestions enumerated in the preamble are common best practices recommended by all successful information technology efforts. We are concerned that commenters believe that "establishing clear measures, worker involvement and buy-in" are delaying factors. They should be an essential part of any information technology system development effort. Without these procedures, the systems project has a high probability of failure and delay.

However, we recognize that many States have already obtained IV & V services or conducted the type of review that the proposed IV & V requirement was intended to address. We also recognize that the IV & V services requirement must be structured to avoid delaying the project. When a State's action or inaction triggers the need for IV & V services as specified in § 307.11, we will, in close consultation with the States, assess the value, need for, and type of IV & V services.

OCSE has recently acquired an IV & V service contract. While this contract is not meant to substitute for effective State IV & V reviews, the Federal IV & V contractors may be utilized in some

situations. The assessment will include whether OCSE through its Federal IV & V contractors can provide the independent review needed or whether the State will need to obtain its own IV & V services.

6. *Comment:* One commenter questioned why States already under penalty for missing certification, i.e. the States that have lost all Federal funding, need APD approval since they have no further Federal dollars to lose. The commenter believes this would result in such States being penalized twice.

Response: While several States have received letters of intent to disapprove their State plans because of their failure to meet the October 1, 1997 statutory deadline for State automated system certification, all States receiving such notices have requested a predecisional hearing. Until such time as a hearing is concluded and HHS reaches a final decision, those States will continue to receive Federal funds for child support, including funds for system development to complete those CSE systems. While those States continue to receive Federal funds for systems development and other APD services, Federal APD requirements continue to apply.

7. *Comment:* one commenter pointed out that there are various reasons for missing milestones, citing policy changes as a major factor. Another factor is that PRWORA included enormous automation requirements, yet the resource allocation is diminishing almost simultaneously. The commenter suggests that the best action for missed milestones is a corrective action plan agreed upon by State and Federal representatives.

Related to this, another commenter suggested this requirement be changed to require the submittal of a revised APDU, as soon as the State is "off-plan" if it has missed milestones. Further, OCSE should work with the State and their QA service provider to reach agreement on the corrective actions necessary to assure continued progress and continued funding. If the Federal agency review of this new APDU does not result in approval of the revised approach, then funding could be reduced or eliminated.

Response: Current regulations require States missing significant milestones to submit to ACF for approval a revised schedule and budget in an As-Needed APDU. Current regulations also provide that OCSE may suspend system development funding when a State ceases to comply substantially with its APD. The rule adds additional tools and flexibility to assist States whose systems development efforts are experiencing

difficulty, such as obtaining IV & V services, short of cutting off all funding.

8. *Comment:* One commenter questioned the need for IV & V when determining the need for system redesign, stating that the decision is based on State administration and operational needs and APD approval is already required.

Response: The final rule cites as a trigger for an IV & V a total redesign of the automated CSE system (i.e. replacing existing automated system with new system). We believe that an independent assessment of the system project can bring valuable new insight into the process.

9. *Comment:* One commenter thought the language on Federal oversight was confusing. The commenter noted that it appears that OCSE may be requiring States to acquire IV & V in addition to their QA service provider and questioned the requirement that OCSE has approval authority over the contract and the contractor's key personnel. While several commenters agreed with the requirement for the acquisition of a QA service provider and the need to share specified QA status reports, they do not agree that another layer of review should be added.

Response: Current regulations require prior Federal approval of contracts or contract amendments over certain thresholds. Because of the importance of this activity to system development, the proposed regulations provide for prior approval for IV&V contracts regardless of threshold, if the need for IV&V is triggered by one of the events cited in the regulation.

The final rule enumerates what the IV&V contract the State enters into should have regarding key personnel. That information is intended to assist the State in maintaining those key personnel bid by the vendor on the contract; there is no intent for the Federal government to judge the key personnel proposed in the State's IV&V contract.

10. *Comment:* One commenter raised concerns about the requirement that the IV&V vendor consult with all stakeholders and assess user involvement and buy-in and recommended eliminating the word "all." The commenter indicated agreement that buy-in is critical to success, but stated that attaining consensus from "all" interested parties in any process that involves as many divergent stakeholders as child support does is not possible. The commenter suggested that removal of the word all makes this requirement something that can be done.

Response: We have not changed the language because we believe that the regulation is clear that the IV&V provider must consult with all stakeholders, but not necessarily consult with each and every member of a stakeholder group (i.e. every clerk or the court, or every caseworker) nor does it require the IV&V provider to achieve consensus among "all" stakeholders.

11. *Comment:* One commenter asked how States will be evaluated to determine significant delay or cost overruns? The commenter suggested that we specify the measure to avoid arbitrary measures.

Response: We recognize that all system development projects require some level of schedule and budget revisions. The Implementation Advance Planning Document addresses these topics and requires an estimated schedule and budget which is revised annually or requires an as-needed update. A significant delay is one which affects a State's ability to meet the statutory deadlines in PRWORA. Current regulations at 45 CFR 95.611(c)(2)(ii) require an explanation for significant (10%) cost increases from the previous year and also require States to explain slippage in terms of causes and effect on the overall implementation schedule. For example, for enhanced FFP, § 95.611(c)(2)(ii) requires States to submit an as-needed APDU when there is a projected increase of \$100,000 or 10 percent of the project costs, whichever is less, or a schedule extension of more than 60 days for major milestones.

12. *Comment:* Two commenters pointed out that milestones can be missed due to circumstances beyond the control of the State (i.e. delayed issuance of requirements, changes in requirements, underestimation of changes required due to unknown factors). One of the commenters recommended that States be allowed to correct project plans to modify milestone due dates within reason. The commenter asked for clarification of the procedures that will be used to monitor the completion of milestones and be assured that progress will not be impeded by the monitoring and approval process. The commenter encouraged that funding loss not be threatened without first allowing some room for corrective action by the State.

Response: We believe the APD process and the As-Needed APDU process already provide the State with the opportunity for corrective action. The procedures that will be used to monitor include reports from the State, quarterly reports from the State's QA

vendor, ongoing communications, and on-site monitoring from OCSE staff.

13. *Comment:* One commenter suggested that the list of milestones be a guide or recommendation and that the actual milestones and deliverables to be included in the APD should be negotiable and based on individual State needs and current status.

Response: We agree with this position. Traditional life cycle methodologies will form the basis of milestones for any State, but we are open to negotiating modifications with States to address individual State needs and circumstances.

14. *Comment:* Several commenters charged that the APD and APDU process as it currently exists is extremely burdensome and will become more so with the implementation of this rule. The record keeping which is necessary to annually update the APD is very complex. The commenters indicated that the data needed for the APD is not usually part of the normal operations of the IV-D agency, especially after system implementation, and keeping up with all the data needed for the update requires staff who are dedicated to this type of recording. Since enhanced funding is no longer available for operation of a certified system, a couple of these commenters thought it unreasonable to continue to require an annual update of the APD. One commenter suggested that while elimination of the process would be ideal, at best the APD should be simplified.

Response: Enhanced funding is not the trigger for annual update of the APDU. This requirement applies to all State automated systems development activities, including those funded at the regular matching rate. However, we are in full agreement with the goal to simplify the approval process where possible and appropriate. As mentioned in the preamble, revisions to the APD process affect other programs. We will continue to work with our Federal and State partners to develop innovative ideas and approaches and plan to convene meetings to address this issue.

15. *Comment:* A couple of commenters asked how suspending the APD and associated funding assists States in achieving the goal of systems development. The commenter suggested that a more productive approach might be to provide States experiencing difficulties with technical assistance.

Response: One purpose of the rule is to give us and States additional tools and options for dealing with systems development efforts which are experiencing difficulties. We would agree with the commenter that

suspending funding would not always be the most productive course of action. We certainly agree that technical assistance can be productive in assisting States experiencing difficulties and we are committed to providing such assistance.

The rule also gives us and States a better framework for designing and monitoring system development efforts and facilitates the early identification of difficulties. This should assist us and States in taking appropriate corrective action before more punitive measures, such as suspension of funding, become necessary. However, this rule leaves in place the current regulatory provision that if OCSE finds a State substantially out of compliance with its APD, it must totally suspend all associated funding. The proposal refers to ACF's approval of funds under an approved APD and the intent is to continue to provide some funding for limited, specific functions under the APD to assist the State in addressing the areas of the APD that are out of compliance.

16. *Comment:* Commenters also thought it unclear how a State can identify a failure and a backup procedure since there is no explanation defining at what point a situation becomes a failure, or at what point a backup procedure is to be implemented, and who makes those determinations. The commenter further questioned how a State can account for failures and backup procedures in its projected timetable when the State does not know what failure may occur and when that failure may occur.

Response: The State, in planning an information technology project of the size and complexity of most CSE projects, develops risk management factors that help in identifying possible risks of failure. Current regulations require the inclusion of backup procedures in a State's APD. The final rule expands on that requirement by listing six circumstances that would trigger the need for a specific type of backup procedure, viz, obtaining IV&V services. The first five trigger points are self-explanatory. The sixth trigger point is based on ACF's traditional oversight and monitoring role over ACF-funded State automated systems.

17. *Comment:* Several comments pointed out that the statute does not require an IV&V and questioned whether this wasn't an unfunded mandate. These commenters and others suggested that the provision be eliminated. One commenter stated that although the States are being required to obtain IV&V, it appears that the State-level IV&V will be doing Federal monitoring, that the so-called State-level

IV&V will actually be controlled at the Federal level. The commenter asked if this was the intent.

Response: Obtaining IV&V to review a troubled system is good business practice and has been utilized by numerous State systems as they encountered the very problems enumerated in this proposed regulation. OCSE will obtain its own IV&V contractor which will be assisting the Federal government in its oversight and monitoring role. The State IV&V is not intended to substitute for Federal monitoring. Rather, it is a mechanism whereby a State, and by extension the Federal government, can obtain objective analysis and recommendations to deal with serious system development issues. Funding for IV&V services is available to States at the applicable (66%) FFP rate.

18. *Comment:* One commenter noted that CSES are the only mandated, automated state systems that must pass certification requirements which not only detail what the systems should do, but in many cases, how they should do it. The commenter went on to say that the certification requirements do not take into account the business practices of the States, or successful program performance. The commenter and several others suggested that the systems certification process needs to be more flexible, less focused on systems detail and take into account overall program performance of the State.

Response: Child support differs from other Federally funded programs in at least two respects. The first is that OCSE reimburses States for a higher share of costs—both systems development and administrative costs, than do other Federal programs. With the Federal government funding 66 to 80 percent of costs, one of OCSE's objectives is to ensure that States use automation to the greatest extent practicable in order to keep program costs in line. The second distinction is that approximately one-third of child support cases involve more than one State. Having some consistency in terminology and practices across State automated systems is critical if this portion of the caseload is to be handled efficiently and effectively. The specificity of automation requirements is a reflection of the programmatic provisions of the CSE authorizing statute; and under current financing arrangements, States in the aggregate reap a substantial financial return from the Program and stand to gain even more as effectiveness and efficiency improve due to automation.

In developing the certification guide for PRWORA requirements, OCSE

heavily involved States early on in the process via a Federal/State work group. One of the guiding principles followed by this Federal/State work group was to avoid prescriptive requirements and micro-management of the functionality of the State's CSE system. Comparison of those sections of the certification guide related to PRWORA with those sections related to Family Support Act requirements will show that we've substantially reduced the prescriptiveness and detail.

19. *Comment:* One commenter recommended that States be permitted to have flexibility in plan development for projects rather than be restricted to phased successive models as narrow in scope and brief in duration as practicable.

Response: Use of life cycle methodology for system development is considered good business practice. However, we agree that the process should be commensurate with the size and scope of the development effort. OCSE recognizes, for example, that for States that choose to enhance their existing Family Support Act certified CSE systems to meet the new PRWORA system requirements, the milestones and project methodologies may differ from traditional life cycle methodologies associated with building entirely new systems. The utilization of the traditional life cycle methodologies should be commensurate with the size, scope, complexity and risk of the enhancement. If a State feels that using traditional life cycle methodologies is inappropriate to its project, it should contact OCSE and discuss alternatives.

20. *Comment:* One commenter suggested that it might help if the Federal government had a group of State resources that were familiar with these projects and they groomed them as a team to go into a State, do the evaluation, etc., at Federal expense.

Similarly, another commenter suggested that we consider the practicality of developing a mentoring or coaching arrangement where the more proven States would be joined with other States which may be struggling with their system development effort to share ideas and brainstorm solutions to obstacles.

Response: OCSE has been supportive of the "peer-to-peer" assistance approach and will consider funding State systems experts to assist other States in system development. For example, West Virginia, Puerto Rico, Virginia, Iowa and Washington State have all lent the expertise of their CSE systems staff to assist other States. ACF intends to follow-up on the suggestion for a resource directory and specialized

training as a method of improving technical assistance to States. State staff certainly would bring a practical hands-on expertise and experience to the project. However, with all States working to meet the same statutory deadlines, OCSE does not believe that the States can spare the time and resources needed to substitute entirely for independent validation and verification of State systems development.

21. *Comment:* One commenter noted that the automation requirements of PRWORA require significantly more data sharing between the States and with DHHS but that unfortunately, the Family Support Act of 1988 mandated that all States IV-D systems have certain functionality, it did not require that these systems have common protocol and data structures. According to the commenter, this first became a problem as States brought up CSENet and experienced numerous errors in exchanging case information and will continue to be a significant problem with the Federal case registry process. In addition, there are no common definitions for some of the basic data elements involved: e.g., case, Family Violence indicator, etc. Common definitions must be established and adhered to by all States for effective communication between the disparate systems.

Response: We acknowledge that PRWORA requires increased data sharing between States and that neither the statute nor regulations require that statewide CSE systems have common protocols and data structures. In these rules, we have attempted to strike a balance between providing common definitions, standardized data elements, and uniform transmission protocols and maintaining States' flexibility in designing systems that meet their business needs. OCSE, as required by statute, has recently specified common definitions and data reporting forms for Federal reporting purposes that will become effective October 1, 1998. In both CSENet and FCR, we are working with State work groups to develop valid transaction tables, "Good Manners Guides," and implementation and interface guidance documents to assist States in exchanging data without intruding on a State's prerogative to design its statewide CSE systems to best meet its needs.

FFP Availability (§ 307.30)

1. *Comment:* One commenter requested clarification on whether the 80 percent match includes costs of developing policies and procedures and training. The commenter recommended

that if the response is affirmative that this be made explicit in guidance.

Response: Training is not eligible for enhanced Federal financial participation. This funding limitation was applicable to 90% enhanced funding and did not change under PRWORA for 80% funding. Only training for trainers is eligible for enhanced matching; training of staff is reimbursable at the normal 66 percent matching rate.

2. *Comment:* One commenter asked that we modify software and ownership rights regulations so ownership rights are option. The commenter suggested that we should act as a model to test a more flexible approach that is used widely in other areas of government

Response: This is not a new requirement, nor is it unique to child support enforcement. It is a restatement of current regulations that apply to all automated systems, not just CSE. Over the course of the last few years, through various interagency workgroups and research efforts and public-private partnerships (such as the Human Service Information Technology Advisory Group), we have examined the issue of Federal software rights in licenses, and State and local government software ownership. Our conclusion consistently has been that the Federal policy in this area, as stated in Federal regulations at 45 CFR 95.617, and as restated in our child support automation regulations at 45 CFR 307.30, is appropriate and best protects the Federal interest in CSE and other Federal systems development efforts. We are unfamiliar with any other, approach that is used widely in other areas of government as stated by the commenter.

This policy does not apply to proprietary operating/vendor software packages (e.g., ADATABASE or TOTAL) which are provided at established

catalog or market prices and sold or leased to the general public, nor is it applicable to commercial off-the-shelf software because these types of software are not unique to public assistance programs.

Executive Order 12866

Executive Order 12866 requires that regulations be drafted to ensure that they are consistent with the priorities and principles set forth in the Executive Order. The Department has determined that this rule is consistent with these priorities and principles. The changes in this rule include IV-D State plan amendments, new functional requirements for CSEs, and limited extension of 90 percent Federal funding.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act (Pub. L. 96-354) requires the Federal government to anticipate and reduce the impact of regulations and paperwork requirements on small entities. The Secretary certifies that these regulations will not have a significant economic impact on a substantial number of small entities because the primary impact of these regulations is on State governments.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995, Pub. L. 104-13, all Departments are required to submit the Office of Management and Budget (OMB) for review and approval any reporting or recordkeeping requirements inherent in a proposed or final rule.

When an OMB control number is issued, it will be published in the **Federal Register** as required by law. This final rule contains information collection requirements in §§ 302.85(a)(1) and (2), 307.11 (e) and (f), 307.13 (a) and (c), and 307.15(b)(2) which the Department has submitted to OMB for its review.

More specifically, §§ 302.85(a) (1) and (2) include IV-D State plan amendments; §§ 307.11 (e) and (f) include procedures for establishing a State case registry (SCR) and for providing information to the Federal case registry (FCR), § 307.13(a) includes written policies concerning access to data by IV-D agency personnel and sharing of data with other persons to carry out IV-D program activities, § 307.13(c) includes procedures that all personnel with access to or use of confidential data in the CSES be informed of applicable requirements and penalties, and receive training in security procedures, and § 307.15 describes several requirements for an advance planning document for a Statewide computerized support enforcement system.

The respondents to the information collection requirements in this rule are the State child support enforcement agencies of the 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. The respondents also include the courts that handle family, juvenile, and/or domestic relations cases within the 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. The Department requires this collection of information: (1) To determine compliance with the requirements for a Statewide computerized support enforcement system; (2) to determine State compliance with statutory requirements regarding informing IV-D personnel of integrity and security requirements for data maintained in the CSES; and (3) for States to make funding requests through advance planning documents, and APD updates.

These information collection requirements will impose the estimated total annual burden on the States described in the table below.

Information collection	Number of respondents	Responses per respondent	Average burden per response	Total annual burden
302.85 (a)(1) and (2)	27	1	.5	13.5
307.11(f)(1)	54	.....	114.17	6,165
307.11(f)(1)	54	1	46.27	2,499
307.11(f)(1)	54	162,963	.083	730,400
307.11(f)(1)	54	52	1.41	3,959
307.11(e)(2)(ii)	54	25,200	.046	62,597
307.11(e)(1)(ii)	3,045	447	.029	39,472
307.13(a) and (c)	27	1	16.7	451
307.15 (APD)	9.33	1	240	2239
307.15 (APDU)	62.33	1	60	3740
Total .....	.....	.....	.....	851,535.5

The Administration for Children and Families invited comments by the public in the proposed rule on the information collection in:

- Evaluating whether the proposed collections are necessary for the proper performance of the functions of ACF, including whether the information will have practical utility;
• Evaluating the accuracy of ACF's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
• Enhancing the quality, usefulness, and clarity of the information to be collected; and
• Minimizing the burden of the collection of information on those who have to respond, including the use of appropriate automated, electronic, mechanical, or other technology to permit electronic submission of responses.

No comments were received on this information collection on the associated estimated burden hours. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532) requires that a covered agency prepare a budgetary impact statement before promulgating a rule that includes and Federal mandate that may result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year.

We have determined that this rule will not impose a mandate that will result in the expenditure by State, local and Tribal governments, in the aggregate, or by the private sector, of more than \$100 million in any one year. Accordingly, we have not prepared a budgetary impact statement, specifically addressed the regulatory alternatives considered, or prepared a plan for informing and advising any significantly or uniquely impacted small government.

Congressional Review of Rulemaking

This rule is not a "major" rule as defined in Chapter 8 of 5 U.S.C.

List of Subjects

45 CFR Part 302

Child support, Grant programs—social programs, Reporting and recordkeeping requirements, Unemployment compensation.

45 CFR Part 304

Child support, Grant programs—social programs, Penalties, Reporting and recordkeeping requirements, Unemployment compensation.

45 CFR Part 307

Child support, Grant programs—social programs, Computer technology, Reporting and recordkeeping requirements.

(Catalog of Federal Domestic Assistance Program No. 93.563, Child Support Enforcement Program)

Dated: June 30, 1998.

Olivia A. Golden,

Assistant Secretary for Children and Families.

Approved: July 28, 1998.

Donna E. Shalala,

Secretary, Department of Health and Human Services.

For the reasons set forth in the preamble, 45 CFR parts 302, 304, and 307 are amended as set forth below.

PART 302—STATE PLAN REQUIREMENTS

1. The authority citation for part 302 continues to read as follows:

Authority: 42 U.S.C. 651 through 658, 660, 664, 666, 667, 1302, 1396(a)(25), 1396b(d)(2), 1396b(o), 1396b(p) and 1396(k).

§ 302.85 [Amended]

2. Section 302.85 is amended by revising paragraph (a) to read as follows:

(a) General. The State plan shall provide that the State will have in effect a computerized support enforcement system:

(1) By October 1, 1997, which meets all the requirements of Title IV-D of the Act which were enacted on or before the date of enactment of the Family Support Act of 1988, Pub. L. 100-485, in accordance with §§ 307.5 and 307.10 of this chapter and the OCSE guideline entitled "Automated Systems for Child Support Enforcement: A Guide for States." This guide is available from the Child Support Information Systems Division, Office of State Systems, ACF, 370 L'Enfant Promenade, SW., Washington, DC 20447; and

(2) By October 1, 2000, which meets all the requirements of title IV-D of the Act enacted on or before the date of enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, in accordance with §§ 307.5 and 307.11 of this chapter and the OCSE guideline referenced in paragraph (a)(1) of this section.

* * * * *

PART 304—FEDERAL FINANCIAL PARTICIPATION

1. The authority citation for part 304 continues to read as follows:

Authority: 42 U.S.C. 651 through 655, 657, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

§ 304.20 [Amended]

2. In § 304.20, reference to "Until September 30, 1995" in paragraph (c) is revised to read "Until September 30, 1997".

PART 307—COMPUTERIZED SUPPORT ENFORCEMENT SYSTEMS

1. The authority citation for part 307 is revised to read as follows:

Authority: 42 U.S.C. 652 through 658, 664, 666 through 669A, and 1302.

§ 307.0 [Amended]

2. Section 307.0 is amended by revising the introductory text; redesignating paragraphs (c) through (h) as paragraphs (d) through (i); and adding a new paragraph (c) to read as follows:

* * * * *

This part implements sections 452(d) and (e), 454(16) and (24), 454A, and 455(a)(1)(A) and (B), and (a)(3)(A) of the Act which prescribe:

* * * * *

(c) Security and confidentiality requirements for computerized support enforcement systems;

* * * * *

§ 307.1 [Amended]

3. Section 307.1 is amended by redesignating paragraphs (b) through (j) as paragraphs (c) through (k); replacing the citation "§ 307.10" with the citations "§ 307.10, or § 307.11" in the newly designated paragraphs (d) and (g); and adding a new paragraph (b) to read as follows:

* * * * *

(b) Business day means a day on which State offices are open for business.

* * * * *

§ 307.5 [Amended]

4. Section 307.5 is amended by removing paragraphs (a) and (b); redesignating paragraphs (c) through (h) as paragraphs (b) through (g); replacing the citation "§ 307.10" with the citations "§ 307.10, or § 307.11" in the newly redesignated paragraph (b); and adding a new paragraph (a) to read as follows:

* * * * *

(a) Basic requirement. (1) By October 1, 1997, each State must have in effect

an operational computerized support enforcement system, which meets Federal requirements under § 302.85(a)(1) of this chapter, OCSE will review each system to certify that these requirements are met; and

(2) By October 1, 2000, each State must have in effect an operational computerized support enforcement system, which meets Federal requirements under § 302.85(a)(2) of this chapter. OCSE will review each system to certify that these requirements are met.

* * * * *

§ 307.10 [Amended]

5. Section 307.10 is amended in the introductory text by replacing the citation “§ 302.85(a)” with the citation “§ 302.85(a)(1)”; replacing “AFDC” with “TANF” in paragraph (b)(10); removing paragraph (b)(14); redesignating paragraphs (b)(15) and (16) as paragraphs (b)(14) and (15); and revising the section heading to read as follows:

§ 307.10 Functional requirements for computerized support enforcement systems in operation by October 1, 1997.

* * * * *

6. Section 307.11 is added to read as follows:

§ 307.11 Functional requirements for computerized support enforcement systems in operation by October 1, 2000.

At a minimum, each State's computerized support enforcement system established and operated under the title IV-D State plan at § 302.85(a)(2) of this chapter must:

(a) Be planned, designed, developed, installed or enhanced, and operated in accordance with an initial and annually updated APD approved under § 307.15 of this part;

(b) Control, account for, and monitor all the factors in the support collection and paternity determination processes under the State plan. At a minimum, this includes the following:

(1) The activities described in § 307.10, except paragraphs (b)(3), (8) and (11); and

(2) The capability to perform the following tasks with the frequency and in the manner required under, or by this chapter:

(i) Program requirements. Performing such functions as the Secretary may specify related to management of the State IV-D program under this chapter including:

(A) Controlling and accounting for the use of Federal, State and local funds in carrying out the program either directly, through an auxiliary system or through an interface with State financial

management and expenditure information; and

(B) Maintaining the data necessary to meet Federal reporting requirements under this chapter in a timely basis as prescribed by the Office;

(ii) Calculation of Performance Indicators. Enabling the Secretary to determine the incentive payments and penalty adjustments required by sections 452(g) and 458 of the Act by:

(A) Using automated processes to:

(1) Maintain the requisite data on State performance for paternity establishment and child support enforcement activities in the State; and

(2) Calculate the paternity establishment percentage for the State for each fiscal year;

(B) Having in place system controls to ensure the completeness, and reliability of, and ready access to, the data described in paragraph (b)(2)(i)(A)(1) of this section, and the accuracy of the calculation described in paragraph (b)(2)(i)(A)(2) of this section; and

(iii) System Controls: Having systems controls (e.g., passwords or blocking of fields) to ensure strict adherence to the policies described in Sec. 307.13(a); and

(3) Activities described in the Act that were added by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, not otherwise addressed in this part.

(c) Collection and Disbursement of Support Payments. To the maximum extent feasible, assist and facilitate the collection and disbursement of support payments through the State disbursement unit operated under section 454B of the Act through the performance of functions which, at a minimum, include the following:

(1) Transmission of orders and notices to employers and other debtors for the withholding of income;

(i) Within 2 business days after receipt of notice of income, and the income source subject to withholding from a court, another State, an employer, the Federal Parent Locator Service, or another source recognized by the State; and

(ii) Using uniform formats prescribed by the Secretary;

(2) Ongoing monitoring to promptly identify failures to make timely payment of support; and

(3) Automatic use of enforcement procedures, including procedures under section 466(c) of the Act if payments are not timely;

(d) Expedited Administrative Procedures. To the maximum extent feasible, be used to implement the expedited administrative procedures required by section 466(c) of the Act.

(e) State case registry. Have a State case registry that meets the requirements of this paragraph.

(1) Definitions. When used in this paragraph and paragraph (f) of this section, the following definitions shall apply.

(i) Participant means an individual who owes or is owed a duty of support, imposed or imposable by law, or with respect to or on behalf of whom a duty of support is sought to be established, or who is an individual connected to an order of support or a child support case being enforced.

(ii) Participant type means the custodial party, non-custodial parent, putative father, or child, associated with a case or support order contained in the State or Federal case registry.

(iii) locate request type refers to the purpose of the request for additional matching services on information sent to the Federal case registry, for example, a IV-D locate (paternity or support establishment or support enforcement), parental kidnapping or custody and visitation.

(iv) locate source type refers to the external sources a locate submitter desires the information sent to the Federal case registry to also be matched against.

(2) The State case registry shall contain a record of:

(i) Every IV-D case receiving child support enforcement services under an approved State plan; and

(ii) Every support order established or modified in the State on or after October 1, 1998.

(3) Standardized data elements shall be included for each participant. These data elements shall include:

(i) Names;

(ii) Social security numbers;

(iii) Dates of birth;

(iv) Case identification numbers;

(v) Other uniform identification numbers;

(vi) Data elements required under paragraph (f)(1) of this section necessary for the operation of the Federal case registry;

(vii) Issuing State of an order; and

(viii) Any other information that the Secretary may require.

(4) The record required under paragraph (e)(2) of this section shall include information for every case in the State case registry receiving services under an approved State plan that has a support order in effect. The information must include:

(i) The amount of monthly (or other frequency) support owed under the order;

(ii) Other amounts due or overdue under the order including arrearages,

interest or late payment penalties and fees;

(iii) Any amounts described in paragraph (e)(4) (i) and (ii) of this section that have been collected;

(iv) The distribution of such collected amounts;

(v) The birth date and, beginning no later than October 1, 1999, the name and social security number of any child for whom the order requires the provision of support; and

(vi) The amount of any lien imposed in accordance with section 466(a)(4) of the Act to enforce the order.

(5) Establish and update, maintain, and regularly monitor case records in the State case registry for cases receiving services under the State plan. To ensure information on an established IV-D case is up to date, the State should regularly update the system to make changes to the status of a case, the participants of a case, and the data contained in the case record. This includes the following:

(i) Information on administrative and judicial orders related to paternity and support;

(ii) Information obtained from comparisons with Federal, State or local sources of information;

(iii) Information on support collections and distributions; and

(iv) Any other relevant information.

(6) States may link local case registries of support orders through an automated information network in meeting paragraph (e)(2)(ii) of this section provided that all other requirements of this paragraph are met.

(f) Information Comparisons and other Disclosures of Information. Extract information, at such times and in such standardized format or formats, as may be required by the Secretary, for purposes of sharing and comparing with, and receiving information from, other data bases and information comparison services, to obtain or provide information necessary to enable the State, other States, the Office or other Federal agencies to carry out this chapter. As applicable, these comparisons and disclosures must comply with the requirements of section 6103 of the Internal Revenue Code of 1986 and the requirements of section 453 of the Act. The comparisons and sharing of information include:

(1) Effective October 1, 1998, (or for the child data, not later than October 1, 1999) furnishing the following information to the Federal case registry on participants in cases receiving services under the State plan and in support orders established or modified on or after October 1, 1998, and providing updates of such information within five (5) business days of receipt

by the IV-D agency of new or changed, information, including information which would necessitate adding or removing a Family Violence indicator and notices of the expiration of support orders:

(i) State Federal Information Processing Standard (FIPS) code and optionally, county code;

(ii) State case identification number;

(iii) State member identification number;

(iv) Case type (IV-D, non-IV-D);

(v) Social security number and any necessary alternative social security numbers;

(vi) Name, including first, middle, last name and any necessary alternative names;

(vii) Sex (optional);

(viii) Date of birth;

(ix) Participant type (custodial party, non-custodial parent, putative father, child);

(x) Family violence indicator (domestic violence or child abuse);

(xi) Indication of an order;

(xii) Locate request type (optional);

(xiii) Locate source (optional); and

(xiv) Any other information of the Secretary may require.

(2) Requesting or exchanging information with the Federal parent locator service for the purposes specified in section 453 of the Act;

(3) Exchanging information with State agencies, both within and outside of the State, administering programs under titles IV-A and XIX of the Act, as necessary to perform State agency responsibilities under this chapter and under such programs; and

(4) Exchanging information with other agencies of the State, and agencies of other States, and interstate information networks, as necessary and appropriate, to assist the State and other States in carrying out the purposes of this chapter.

7. Section 307.13 is added to read as follows:

§ 307.13 Security and confidentiality for computerized support enforcement systems in operation after October 1, 1997.

The State IV-D agency shall:

(a) *Information integrity and security.* Have safeguards on the integrity, accuracy, completeness of, access to, and use of data in the computerized support enforcement system. These safeguards shall include written policies concerning access to data by IV-D agency personnel, and the sharing of data with other persons to:

(1) Permit access to and use of data to the extent necessary to carry out the State IV-D program under this chapter; and

(2) Specify the data which may be used for particular IV-D program purposes, and the personnel permitted access to such data; and

(3) Permit access to and use of data for purposes of exchanging information with State agencies administering programs under titles IV-A and XIX of the Act to the extent necessary to carry out State agency responsibilities under such programs in accordance with section 454A(f)(3) of the Act.

(b) *Monitoring of access.* Monitor routine access to and use of the computerized support enforcement system through methods such as audit trails and feedback mechanisms to guard against, and promptly identify unauthorized access or use;

(c) *Training and information.* Have procedures to ensure that all personnel, including State and local staff and contractors, who may have access to or be required to use confidential program data in the computerized support enforcement system are:

(1) Informed of applicable requirements and penalties, including those in section 6103 of the Internal Revenue Service Code and section 453 of the Act; and

(2) Adequately trained in security procedures; and

(d) *Penalties.* Have administrative penalties, including dismissal from employment, for unauthorized access to, disclosure or use of confidential information.

* * * * *

§ 307.15 [Amended]

8. Section 307.15 is amended by replacing the citation “§ 307.10” with the citations “§ 307.10, or § 307.11” in paragraphs (a), (b), introductory text, (b)(1), (b)(5), (b)(7), and (c); and revising paragraph (b)(2), (b)(9) and (b)(10) to read as follows:

* * * * *

(b) * * *

(2) The APD must specify how the objectives of the computerized support enforcement system in § 307.10, or § 307.11 will be carried out throughout the State; this includes a projection of how the proposed system will meet the functional requirements of § 307.10, or § 307.11 and how the single State system will encompass all political subdivisions in the State by October 1, 1997, or October 1, 2000 respectively.

* * * * *

(9) The APD must contain a proposed budget and schedule of life-cycle milestones relative to the size, complexity and cost of the project which at a minimum address requirements analysis, program design,

procurement and project management; and, a description of estimated expenditures by category and amount for:

- (i) Items that are eligible for funding at the enhanced matching rate, and
- (ii) items related to developing and operating the system that are eligible for Federal funding at the applicable matching rate;

(10) The APD must contain an implementation plan and backup procedures to handle possible failures in system planning, design, development, installation or enhancement.

(i) These backup procedures must include provision for independent validation and verification (IV&V) analysis of a State's system development effort in the case of States:

- (A) that do not have in place a statewide automated child support enforcement system that meets the requirements of the FSA of 1988;
- (B) States which fail to meet a critical milestone, as identified in their APDs;
- (C) States which fail to timely and completely submit APD updates;
- (D) States whose APD indicates the need for a total system redesign;
- (E) States developing systems under waivers pursuant to section 452(d)(3) of the Social Security Act; or,
- (F) States whose system development efforts we determine are at risk of failure, significant delay, or significant cost overrun.

(ii) Independent validation and verification efforts must be conducted by an entity that is independent from the State (unless the State receives an exception from OCSE) and the entity selected must:

- (A) Develop a project workplan. The plan must be provided directly to OCSE at the same time it is given to the State.
- (B) Review and make recommendations on both the management of the project, both State and vendor, and the technical aspects of the project. The IV&V provider must

provide the results of its analysis directly to OCSE at the same time it reports to the State.

(C) Consult with all stakeholders and assess the user involvement and buy-in regarding system functionality and the system's ability to meet program needs.

(D) Conduct an analysis of past project performance sufficient to identify and make recommendations for improvement.

(E) Provide risk management assessment and capacity planning services.

(F) Develop performance metrics which allow tracking project completion against milestones set by the State.

(iii) The RFP and contract for selecting the IV&V provider (or similar documents if IV&V services are provided by other State agencies) must include the experience and skills of the key personnel proposed for the IV&V analysis and specify by name the key personnel who actually will work on the project and must be submitted to OCSE for prior approval.

* * * * *

§ 307.25 [Amended]

9. Section 307.25 is amended by replacing the citation “§ 307.10” with the citations “§ 307.10, or § 307.11” in the introductory text.

§ 307.30 [Amended]

10. Section 307.30 is amended by revising paragraph (a) introductory text and paragraph (b) to read as follows:

* * * * *

(a) *Conditions that must be met for FFP.* During the Federal fiscal years 1996, and 1997, Federal financial participation is available at the 90 percent rate in expenditures for the planning, design, development, installation or enhancement of a computerized support enforcement system as described in §§ 307.5 and 307.10 limited to the amount in an advance planning document, or APDU

submitted on or before September 30, 1995, and approved by OCSE if:

* * * * *

(b) *Federal financial participation in the costs of hardware and proprietary software.* (1) Until September 30, 1997, FFP at the 90 percent rate is available in expenditures for the rental or purchase of hardware for the planning, design, development, installation or enhancement of a computerized support enforcement system as described in § 307.10 in accordance with the limitation in paragraph (a) of this section.

(2) Until September 30, 1997, FFP at the 90 percent rate is available for expenditures for the rental or purchase of proprietary operating/vendor software necessary for the operation of hardware during the planning, design, development, installation or enhancement of a computerized support enforcement system in accordance with the limitation in paragraph (a) of this section, and the OCSE guideline entitled “Automated Systems for Child Support Enforcement: A Guide for States.” FFP at the 90 percent rate is not available for proprietary application software developed specifically for a computerized support enforcement system. § 307.35 of this part regarding reimbursement at the applicable matching rate.)

* * * * *

§ 307.35 [Amended]

11. Section 307.35 is amended by replacing the citation “§ 307.10” with the citations “§ 307.10, or § 307.11” in paragraph (a)

* * * * *

§ 307.40 [Amended]

12. Section 307.40 is amended by replacing the citation “§ 307.10” with the citations “307.10, or § 307.11” in paragraph (a).

Proposed Rules

Federal Register

Vol. 63, No. 162

Friday, August 21, 1998

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 97-CE-139-AD]

RIN 2120-AA64

Airworthiness Directives; Aerostar Aircraft Corporation PA-60-600 and PA-60-700 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all Aerostar Aircraft Corporation (Aerostar) PA-60-600 and PA-60-700 series airplanes. The proposed AD would require repetitively inspecting the forward face of each wing's 55-percent upper spar cap for cracks above the main landing gear fitting in the top of the wheel well, and replacing or repairing any cracked upper spar cap. The proposed AD is the result of reports of spanwise cracks in the area above the main landing gear attachment on two of the affected airplanes. The actions specified by the proposed AD are intended to detect and correct fatigue cracking of the wing upper spar cap, which could result in structural failure of the wing spar to the point of failure with consequent loss of control of the airplane.

DATES: Comments must be received on or before October 13, 1998.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-139-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Aerostar Aircraft Corporation, 3608 S.

Davison Boulevard, Spokane, Washington 99224-5799; telephone: (509) 455-8872, facsimile: (509) 838-0831. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Richard N. Simonson, Aerospace Engineer, FAA, Aircraft Certification Office, 1601 Lind Avenue, SW, Renton, Washington 98055-4056; telephone: (425) 227-2597; facsimile: (425) 227-1181.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 97-CE-139-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 97-CE-139-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received two reports of spanwise cracks in the area above the main landing gear attachment on Aerostar PA-60-600 and PA-60-700 series airplanes. In particular these cracks are occurring in the 55-percent upper spar cap area above the main landing gear fitting in the top of the wheel well.

This condition, if not detected and corrected in a timely manner, could result in structural failure of the wing spar to the point of failure with consequent loss of control of the airplane.

Relevant Service Information

Aerostar has issued Service Bulletin SB600-132, dated September 3, 1997, which specifies procedures for inspecting the forward face of each wing's 55-percent upper spar cap for cracks above the main landing gear fitting in the top of the wheel well.

The FAA's Determination

After examining the circumstances and reviewing all available information related to the incidents described above, the FAA has determined that AD action should be taken to detect and correct fatigue cracking of the wing upper spar cap. If not detected and corrected, cracking of the wing upper spar cap could result in structural failure of the wing spar to the point of failure with consequent loss of control of the airplane.

Explanation of the Provisions of the Proposed AD

Since an unsafe condition has been identified that is likely to exist or develop in other Aerostar Models PA-60-600, PA-60-601, PA-60-601P, PA-60-602P, and PA-60-700P airplanes of the same type design, the FAA is proposing AD action. The proposed AD would require repetitively inspecting the forward face of each wing's 55-percent upper spar cap for cracks above the main landing gear fitting in the top of the wheel well, and replacing or repairing any cracked upper spar cap.

Accomplishment of the proposed inspections would be required in accordance with Aerostar Service Bulletin SB600-132, dated September 3, 1997. The proposed repair (if necessary) would be required to be accomplished in accordance with an FAA-approved

repair scheme. Accomplishment of the proposed replacement (if necessary) would be required in accordance with the applicable maintenance manual.

Cost Impact

The FAA estimates that 600 airplanes in the U.S. registry would be affected by the proposed AD, that it would take approximately 2 workhours per airplane to accomplish the proposed initial inspection, and that the average labor rate is approximately \$60 an hour. Based on these figures, the total cost impact of the initial inspection specified in the proposed AD on U.S. operators is estimated to be \$72,000, or \$120 per airplane.

These figures only take into account the costs of the proposed initial inspection and do not take into account the costs of repetitive inspections and the costs associated with any repair that would be necessary if cracks are found. The FAA has no way of determining the number of repetitive inspections an owner/operator will incur over the life of the airplane, or the number of airplanes that will need replacement or repair.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

Aerostar Aircraft Corporation: Docket No. 97-CE-139-AD.

Applicability: All serial numbers of the following airplane models, certificated in any category:

PA-60-600 (Aerostar 600)
PA-60-601P (Aerostar 601P)
PA-60-700P (Aerostar 700P)
PA-60-601 (Aerostar 601)
PA-60-602P (Aerostar 602P)

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To detect and correct fatigue cracking of the wing upper spar cap, which could result in structural failure of the wing spar to the point of failure with consequent loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 100 hours TIS, inspect the forward face of each wing's 55-percent upper spar cap for cracks above the main landing gear fitting in the top of the wheel well. Accomplish this inspection in accordance with the INSTRUCTIONS section of Aerostar Service Bulletin SB600-132, dated September 3, 1997. The initial inspection must be accomplished using dye penetrant methods and all subsequent inspections must be, at the very least, visual inspections.

(b) If any crack(s) is/are found during any inspection required by paragraph (a) of this AD, prior to further flight, accomplish either paragraph (b)(1) or (b)(2) of this AD (below):

(1) Replace the upper spar cap in accordance with the applicable maintenance manual, and continue to repetitively inspect as required by paragraph (a) of this AD; or

(2) Obtain a repair scheme from the manufacturer through the FAA, Small Airplane Directorate, at the address specified in paragraph (d) of this AD; incorporate this scheme; and continue to repetitively inspect as required by paragraph (a) of this AD, unless specified differently in the instructions to the repair scheme.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Seattle Aircraft Certification Office (ACO), 1601 Lind Avenue, SW, Renton, Washington 98055-4056. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(e) All persons affected by this directive may obtain copies of the document referred to herein upon request to the Aerostar Aircraft Corporation, 3608 S. Davison Boulevard, Spokane, Washington 99224-5799; or may examine this document at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on August 13, 1998.

Michael Gallagher,

Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 98-22542 Filed 8-20-98; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 4, 19, 24, 194, 250 and 251

(Notice No. 859)

RIN 1512-AB71

Implementation of Public Law 105-34, Sections 908, 910 and 1415, Related to Hard Cider, Semi-Generic Wine Designations, and Wholesale Liquor Dealers' Signs (97-2523)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Notice of proposed rulemaking cross referenced to temporary regulations.

SUMMARY: In the Rules and Regulations portion of this **Federal Register**, the Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing temporary regulations to implement sections 908, 910 and 1415 of the Taxpayer Relief Act of 1997. The new law made changes in the excise tax on hard cider, clarified the authority to use semi-generic designations on wine labels, and repealed the requirement for wholesale dealers in liquors to post signs. The wine regulations are amended to incorporate the new cider tax rate and to recognize the labeling changes relative to the designation of hard cider. These regulations are also amended to incorporate the semi-generic wine designations, and the liquor dealers' regulations are amended to eliminate the requirement for posting a sign. Clarifying changes are made to parts 19, 250 and 251. In this notice of proposed rulemaking, ATF invites comments on the temporary rule.

DATES: Written comments must be received on or before October 20, 1998.

ADDRESSES: Send written comments to: Chief, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, PO Box 50221, Washington, DC 20091-0221, Attention: Notice Number 859.

FOR FURTHER INFORMATION CONTACT: Marjorie D. Ruhf, Regulations Branch, 650 Massachusetts Avenue, NW, Washington, DC 20226; (202) 927-8230; or mdruhf@atfhq.atf.treas.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

It has been determined that this proposed rule is not a significant regulatory action as defined by Executive Order 12866. Therefore, a regulatory assessment is not required.

Regulatory Flexibility Act

It is hereby certified that these proposed regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. The revenue effects of this rulemaking on small businesses flow directly from the underlying statute. Likewise, any secondary or incidental effects, and any reporting, recordkeeping, or other compliance burdens flow directly from the statute. Pursuant to 26 U.S.C. 7805(f), this proposed regulation will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Public Participation

ATF requests comments on the temporary regulations from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practicable to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

Comments may be submitted by facsimile transmission (FAX) to (202) 927-8602, provided the comments: (1) Are legible, (2) are 8½" × 11" in size, (3) contain a written signature, and (4) are three pages or less in length. This limitation is necessary to assure reasonable access to the equipment. Comments sent by FAX in excess of three pages will not be accepted. Receipt of FAX transmittals will not be acknowledged. Facsimile transmitted comments will be treated as originals.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting the comment is not exempt from disclosure. During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right, in light of all circumstances, to determine if a public hearing is necessary.

The temporary regulations in this issue of the **Federal Register** amend the regulations in 27 CFR Parts 4, 19, 24, 194, 250 and 251. For the text of the temporary regulations see T.D. ATF-398, published in the Rules and Regulations section of this issue of the **Federal Register**.

Drafting Information

The principal author of this document is Marjorie D. Ruhf, Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of ATF and the Treasury Department participated in developing the document.

Signed: July 23, 1998.

John W. Magaw,
Director.

Approved: July 23, 1998.

John P. Simpson,
Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 98-22502 Filed 8-20-98; 8:45 am]

BILLING CODE 4810-31-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 184-0094; FRL-6149-4]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing a disapproval of revisions to the California State Implementation Plan (SIP). These revisions concern the potential exemption of sources from applicable emission limits contained in permits and in source category specific rules when excess emissions occur due to an unavoidable malfunction. EPA has evaluated these revisions and is proposing to disapprove them because they contain deficiencies that, if approved, would weaken the SIP.

DATES: Comments on this proposed action must be received in writing on or before September 21, 1998.

ADDRESSES: Comments may be mailed to: Andrew Steckel, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule and EPA's evaluation report of the rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule are also available for inspection at the following locations:

Environmental Protection Agency, Air Docket (6102), 401 M Street, SW., Washington, DC 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 L Street, Sacramento, CA 95812.

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765.

FOR FURTHER INFORMATION CONTACT: Thomas C. Canaday, Rulemaking Office (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1202.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rule being proposed for disapproval is South Coast Air Quality Management District (SCAQMD) Rule 430—Breakdown Provisions. Rule 430

was submitted to EPA by the SCAQMD on October 18, 1996.

II. Background

This document addresses EPA's proposed action for South Coast Air Quality Management District (SCAQMD) Rule 430—Breakdown Provisions. SCAQMD adopted Rule 430 on July 12, 1996, and submitted it to EPA on October 18, 1996. Rule 430 was found to be complete on April 23, 1997, pursuant to EPA's completeness criteria that are set forth in 40 CFR part 51, appendix V.¹

III. EPA Evaluation and Proposed Action

In determining the approvability of a rule, EPA must evaluate the rule for consistency with the requirements of the CAA and EPA regulations, as found in section 110 and part D of the CAA and 40 CFR part 51 (Requirements for Preparation, Adoption and Submittal of Implementation Plans). EPA's interpretation of these requirements, which forms the basis for this action, appears in EPA policy guidance documents. EPA policy on excess emissions resulting from unavoidable malfunctions is contained in a memorandum dated February 15, 1983, entitled "Policy on Excess Emissions During Startup, Shutdown, Maintenance, and Malfunctions" (the Bennett Memo). In general, the guidance document cited above, as well as other relevant and applicable guidance documents, have been set forth to ensure that submitted rules meet Federal requirements, are fully enforceable, and strengthen or maintain the SIP.

There is currently no version of South Coast Air Quality Management District (SCAQMD) Rule 430—Breakdown Provisions in the SIP. The submitted rule includes the following provisions:

- General provisions establishing the applicability of the rule and providing for certain exceptions.
- Requirements for facilities seeking relief under Rule 430. Facilities shall report breakdowns within one hour, shall shut down malfunctioning equipment within twenty-four hours of a breakdown, and shall submit a detailed Breakdown Emissions Report within thirty days.
- Provisions authorizing the SCAQMD Executive Officer to investigate reported breakdowns and to determine whether relief under Rule 430 shall be granted.

- Provisions allowing a source the option of operating malfunctioning equipment past the twenty-four hour time limit provided a petition for an emergency variance has been filed.

SCAQMD Rule 430 requires the source to demonstrate to the satisfaction of the SCAQMD Executive Officer that a malfunction did not result from improper operation or maintenance procedures in order to obtain relief from enforcement. Rule 430 provides that if these criteria are met, then no violation of the rule or permit condition containing the applicable emission limit will have occurred. The Bennett memo explains that it is EPA policy to approve SIP revisions concerning excess emissions due to malfunction which contain an "enforcement discretion approach." Under this approach, even if the source demonstrates that the excess emissions are due to an unavoidable malfunction, these emissions still constitute a violation of the applicable requirement. This distinction is significant because the occurrence of a violation gives rise to EPA enforcement prerogatives in addition to the power to impose penalties, namely the power to seek an injunction against the source. It is EPA policy that even if a malfunction is determined by EPA to have been unavoidable according to the criteria set forth in the Bennett memo, EPA may still seek to enjoin the facility from further operation if such an injunction is necessary in order to preserve the National Ambient Air Quality Standards (NAAQS), Prevention of Significant Deterioration (PSD) increments, or other air quality related values. A further deficiency of SCAQMD Rule 430 is that it provides complete discretion to the Executive Officer to determine whether penalties shall be imposed in response to excess emissions due to a malfunction. It is EPA policy that the Agency cannot be bound by the decision of the District from seeking penalties for a violation of the SIP.

Rules submitted to EPA for approval as revisions to the SIP must be fully enforceable, must maintain or strengthen the SIP, and must conform with EPA policy in order to be approved by EPA. As described above, SCAQMD Rule 430 contains deficiencies related to the preservation of EPA's injunctive prerogative, as well as to the rule's binding of EPA to the Executive Officer's discretion with respect to the imposition of penalties. SCAQMD Rule 430, if approved, would create a potential exemption of sources from applicable emissions limits contained in the SIP. While EPA policy allows for the creation of such potential exemptions, the deficiencies identified in Rule 430

undermine the prerogatives retained by EPA for protecting the NAAQS, PSD increments, and other air quality related values in those instances where exemptions are allowed. Thus the submitted Rule 430 would, if approved, weaken the SIP. A more detailed discussion of EPA's evaluation of SCAQMD Rule 430 can be found in the Technical Support Document, dated July 30, 1998, prepared by EPA for the rule.

Because of the identified deficiencies, EPA cannot grant approval of SCAQMD Rule 430 under section 110(k)(3) and part D. Therefore, in order to maintain the SIP, EPA is proposing a disapproval of this rule because it contains deficiencies which must be corrected in order to fully meet the requirements of sections 182(a)(2), 182(b)(2), 182(f), and part D of the CAA. Under section 179(a)(2), if the Administrator disapproves a submission under section 110(k) for an area designated nonattainment, based on the submission's failure to meet one or more of the elements required by the Act, the Administrator must apply one of the sanctions set forth in section 179(b) unless the deficiency has been corrected within 18 months of such disapproval. Section 179(b) provides two sanctions available to the Administrator: Highway funding and offsets. The 18 month period referred to in section 179(a) will begin on the effective date of EPA's final disapproval. Moreover, the final disapproval triggers the Federal Implementation Plan (FIP) requirement under section 110(c).

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any State implementation plan. Each request for revision to the State implementation plan shall be considered separately in light of specific technical, economic and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Administrative Requirements

A. Executive Orders 12866 and 13045

The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

The proposed rules are not subject to E.O. 13045, entitled "Protection of Children from Environmental Health Risks and Safety Risks," because they are not "economically significant" actions under E.O. 12866.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare

¹ EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 301, and subchapter I, part D of the CAA do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its action concerning SIPs on such grounds. *Union Electric Co. v. U.S. EPA*, 427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7671q.

Dated: August 13, 1998.

Laura Yoshii,

Acting Regional Administrator, Region IX.

[FR Doc. 98-22531 Filed 8-20-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 136-0082b; FRL-6140-7]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District, Yolo-Solano Air Quality Management District, and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from screen printing operations, and graphic arts.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no relevant adverse comments are received no further activity is contemplated in relation to this proposed rule. If EPA receives relevant adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time.

DATES: Comments must be received in writing by September 21, 1998.

ADDRESSES: Written comments should be addressed to: Andrew Steckel, Rulemaking Office (AIR-4), Air

Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations: California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814 South Coast AQMD, 21865 E. Copley Drive, Diamond Bar, CA 91765-4182 Yolo-Solano AQMD, 1947 Galileo Court, Suite 103, Davis, CA 95616 Ventura County APCD, 669 County Square Drive, Ventura, CA 93003

FOR FURTHER INFORMATION CONTACT:

Andrew Steckel, Rulemaking Section (AIR-4), Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1185.

SUPPLEMENTARY INFORMATION: This document concerns South Coast Air Quality Management District Rule 1130.1, Screen Printing Operations, submitted to EPA on March 3, 1997, Yolo-Solano Air Quality Management District Rule 2.29, Graphic Arts Printing Operations, submitted to EPA on November 30, 1994, and Ventura County Air Pollution Control District Rule 74.19.1, Screen Printing Operations, submitted to EPA on October 18, 1996 by the California Air Resources Board. For further information, please see the information provided in the Direct Final action that is located in the Rules Section of this **Federal Register**.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: July 31, 1998.

Felicia Marcus,

Regional Administrator, Region 9.

[FR Doc. 98-22336 Filed 8-20-98; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 27

[WT Docket No. 98-136; FCC 98-142]

Services in the 2.3 GHz and 47 GHz Bands

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: On June 30, 1998, the Federal Communications Commission

(Commission) adopted a *Notice of Proposed Rulemaking (NPRM)* that proposes licensing and operating rules for the 47.2–48.2 GHz (47 GHz) band, and proposes that licenses for this band be acquired through competitive bidding under the Commission's rules. The Commission also proposes to license the 47 GHz band under the Commission's rules, as modified to reflect the particular characteristics and circumstances of services offered through the use of spectrum in the 47 GHz band. The Commission seeks comment on how Government and non-Government licensees can effectively share the 47 GHz band. In addition, in a few instances, the Commission proposes that modifications to the rules be made applicable to the 2.3 GHz band. The Commission also proposes to modify the rules to clarify those rules that apply to both the 2.3 GHz band and the 47 GHz band.

DATES: Comments are due on or before September 21, 1998, and reply comments on or before October 13, 1998. Written comments by the public on the proposed information collections are due September 21, 1998. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed information collections on or before October 20, 1998.

ADDRESSES: Federal Communications Commission, Office of the Secretary, Room 222, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 234, 1919 M Street, NW, Washington, DC 20554, or via the Internet to jboley@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725–17th Street, NW, Washington, DC 20503, or via the internet to fain_t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT:
Auction Information: Julie Buchanan, 202–418–0660.

Legal Information: Eli Johnson, 202–418–1310.

Technical Information: Ed Jacobs, 202–418–1310.

For additional information concerning the information collections contained in this *NPRM*, contact Judy Boley at 202–418–0214, or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the *NPRM* in WT Docket No. 98–136, FCC 98–142, adopted June 30, 1998, and released July 29, 1998. The complete text of this *NPRM* is available for inspection and copying during

normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (202) 857–3800, 1231 20th Street, NW, Washington, DC 20036. The complete text is also available under the file name [fcc98142.wp](http://www.fcc.gov/Bureaus/Wireless/Orders/1998) or [fcc98142.txt](http://www.fcc.gov/Bureaus/Wireless/Orders/1998) on the Commission's internet site at <http://www.fcc.gov/Bureaus/Wireless/Orders/1998>.

To file formally in this proceeding, you must file an original plus four copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original plus nine copies. You should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, DC 20554.

Comments may also be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings* (63 FR 24121, May 1, 1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet E-Mail. To obtain filing instructions for E-Mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your E-Mail address.>" A sample form and directions will be sent in reply.

Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, at the Federal Communications Commission, 1919 M Street, NW, Washington, DC 20554.

Paperwork Reduction Act

This *NPRM* contains proposed information collections. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this *NPRM*, as required by the Paperwork Reduction Act of 1995, Pub. L. 104–13. Public and agency comments are due at the same time as other comments on this *NPRM*; OMB notification of action is due 60 days

from date of publication of this *NPRM*. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Approval Number: 3060–XXXX.

Title: Amendment to part 27 of the Commission's Rules To Revise Rules for Services in the 2.3 GHz Band and To Include Licensing of Services In the 47 GHz Band.

Form No.: N/A.

Type of Review: New Collection.

Respondents: Business or other for-profit.

Number of Respondents: 60 respondents. Approximately nine responses per respondent may be required for a total of 540 responses.

Estimated Time Per Response: 1–20 hours per response. These responses include various coordination requirements between licensees, maintaining and filing information required under part 27, notifications of voluntary and involuntary discontinuance, reduction or impairment of service by common carriers, and non-common carriers providing fixed service under part 27 and a reporting requirement to demonstrate the safety of stratospheric platform operations.

Total Annual Burden: 5,100 hours.

Estimated costs per respondent: Zero. The Commission estimates respondents will utilize in-house staff to prepare the required information.

Needs and Uses: The information collections contained in this *NPRM* are needed to ensure that 47 GHz licensees who operate as common carriers providing fixed services comply with Title II requirements of the Communications Act, as amended, concerning the filing of tariffs, maintaining of records, liabilities and discontinuance of services. If these fixed common carriers involuntarily discontinue, reduce, or impair service for a period longer than 48 hours, they are required to notify the Commission as to the reason for the discontinuance, reduction or impairment of service. Similarly, if a non-common carrier 47 GHz licensee voluntarily discontinues, reduces or impairs service that operator must give the Commission written notice within seven days of the event.

In addition, the information collections contained in this *NPRM* concern proposed requirements that 47 GHz licensees coordinate among themselves to reduce interference and notify the Commission of their actions. Furthermore, the *NPRM* proposes to require 47 GHz licensees that operate stratospheric platforms to report on measures to protect public safety. All of these reporting requirements are meant to ensure efficient use of the 47 GHz spectrum and to promote the public interest.

Synopsis of the Notice of Proposed Rulemaking

1. In an earlier proceeding,¹ the Commission decided to make the 47 GHz band available for commercial use and to license the spectrum under a flexible framework that is consistent with permitting the band to be used for all the services permitted under the United States Table of Allocations. Accordingly, the *NPRM* proposes to modify part 27 of the Commission's rules, which currently applies only to services at 2.3 GHz, to include the services to be provided at 47 GHz. The *NPRM* proposes to modify part 27 to the extent necessary to reflect the particular characteristics and circumstances of services to be offered through the use of spectrum in the 47 GHz band. The *NPRM* also proposes to modify part 27 to clarify that the rules contained in part 27 will apply to both the 2.3 GHz band and the 47 GHz band. Additionally, in a few instances, the *NPRM* proposes certain modifications to the part 27 rules that pertain to the 2.3 GHz band.

2. In the United States, the 47 GHz band is allocated to both Government and non-Government operations on a shared co-primary basis. The Commission recognized in proposing bands for satellite or wireless use in an earlier proceeding that sharing with co-primary Government users might create uncertainty regarding the amount of spectrum within a licensed block that would be available for future commercial use.² The *NPRM* seeks comment on the possibilities for sharing between Government and commercial wireless users on frequencies in the 47 GHz band. For example, the *NPRM* seeks comment on whether it is desirable to explore options that would permit exclusive non-Government use in portions of this spectrum and provide

Government users geographic exclusivity in other spectrum.

3. With regard to in-band interference control, the *NPRM* seeks comment on whether a coordination approach or a field strength approach should be utilized. The *NPRM* states that because development of services and technologies that will use the 47 GHz band is just beginning the Commission does not have reliable information at this time on the technical parameters for services that will be offered. The *NPRM* notes that in the past depending on the service the Commission has used one or the other approaches.

4. The *NPRM* also seeks comment concerning the safety of stratospheric platforms that could be used to provide services in the 47 GHz band. These platforms would be multi-ton platforms suspended by balloons floating in the stratosphere over major cities across the Nation. The possibility that these platforms, or parts of them, could fail may present a significant safety concern. Because stratospheric platforms are a novel technology, the Commission does not have a basis or the experience on which to assess this issue and therefore the *NPRM* requests comment on the public safety concerns that these platforms could raise.

5. The *NPRM* proposes to use competitive bidding as the assignment method for initial licenses in the 47 GHz band, if mutually exclusive applications are filed. The *NPRM* tentatively concludes that assignment of licenses through a system of competitive bidding will be consistent with the requirements of Section 309(j) of the Communications Act, as amended by the Balanced Budget Act of 1997. The *NPRM* bases this finding on the fact that the 47 GHz band is not intended to be licensed for public safety radio services; non-commercial educational broadcast stations or public broadcast stations; or digital television service licenses to be provided by terrestrial broadcast licensees to replace their analog television service licenses.

6. The *NPRM* proposes to conduct the auction for initial licenses in conformity with the general competitive bidding rules set forth in part 1, subpart Q, of the Commission's rules. Specifically, the *NPRM* proposes to employ the part 1 rules governing designated entities, application issues, payment issues, competitive bidding design, procedure and timing issues, and anti-collusion requirements. These rules would be subject to any modifications that the Commission adopts in relation to its part 1 competitive bidding rules. The *NPRM* also proposes to adopt the small business definitions that the

Commission adopted for broadband PCS for small and very small businesses.

Ex Parte Presentations

7. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission rules. See generally 47 CFR 1.1202, 1.1203, and 1.1206(a).

Initial Regulatory Flexibility Analysis

8. As required by Section 603 of the Regulatory Flexibility Act (RFA),³ the Commission has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities by the policies and rules proposed in this Notice of Proposed Rulemaking (*NPRM*), WT Docket No. 98-136. Written public comments are requested on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the *NPRM*. The Commission will send a copy of the *NPRM*, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with the RFA.⁴ In addition, the *NPRM* and IRFA (or summaries thereof) will be published in the **Federal Register**.⁵

A. Need for, and Objectives of, the Proposed Rules

9. This rulemaking is being initiated to adopt certain service, licensing, and competitive bidding rules for the 47.2-48.2 GHz (47 GHz) band. In an earlier Report and Order, the Commission opened this band for commercial use and determined to license this spectrum under a flexible framework that permits this band to be used for all services permitted under the U.S. Table of Allocations. In particular, in this *NPRM*, the Commission proposes to license the 47 GHz band under part 27 of the Commission's rules, as modified to reflect the particular characteristics and circumstances of services offered through the use of spectrum in the 47 GHz band. The Commission believes that this approach will encourage new and innovative services and technologies in this band without significantly limiting the range of potential uses for this spectrum.

³ 5 U.S.C. 603. The RFA, see 5 U.S.C. 601-612, has been amended by the Contract with America Advancement Act of 1996, Pub. L. 104-121, 110 Stat. 847 (1996) (CWAA). Title II of the CWAA is the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).

⁴ 5 U.S.C. 603(a).

⁵ See *id.*

¹ *Use of Radio Frequencies Above 40 GHz for New Radio Applications*, 62 FR 43116, Aug. 12, 1997.

² *Spectrum Allocation Proposals for Fixed-Satellite, Fixed, Mobile, and Government Operations*, 62 FR 16129, Apr. 4, 1997.

10. The Commission's objectives for the *NPRM* are: (1) to accommodate the introduction of new uses of spectrum and the enhancement of existing uses; (2) encourage commercial development of equipment that can operate in frequency bands above 40 GHz; and (3) to facilitate the awarding of licenses to entities who value them the most. The Commission also seeks to ensure a regulatory plan for the 47 GHz band that will allow for the efficient licensing and use of the band, eliminate unnecessary regulatory burdens, enhance the competitive potential of the band, and provide a wide variety of radio services to the public.

B. Legal Basis for Proposed Rules

11. The proposed action is authorized under sections 1, 4(i), 7, 10, 201, 202, 208, 214, 301, 303, 308, 309(j), and 310 of the Communications Act of 1934, 47 U.S.C. 151, 154(i), 157, 160, 201, 202, 208, 214, 301, 303, 308, 309(j), 310.

C. Description and Estimate of the Number of Small Entities To Which the Proposed Rules Will Apply

12. For the purposes of this *NPRM*, the RFA defines a "small business" to be the same as a "small business concern" under the Small Business Act,⁶ unless the Commission has developed one or more definitions that are appropriate to its activities.⁷ Under the Small Business Act, a "small business concern" is one that: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) meets any additional criteria established by the Small Business Administration (SBA).⁸

13. The proposals in the *NPRM* affect applicants who wish to provide services in the 47 GHz band. Pursuant to 47 CFR 24.720(b), the Commission has defined "small entity" for Blocks C and F broadband PCS licensees as firms that had average gross revenues of less than \$40 million in the three previous calendar years. This regulation defining "small entity" in the context of broadband PCS auctions has been approved by the SBA.⁹ With respect to 47 GHz license applicants, the Commission proposes to use the small entity definition adopted in the broadband PCS proceeding.

14. The Commission, however, has not yet determined or proposed how many licenses will be awarded, nor will it know how many licensees will be small businesses until the auction, if required, is held. Even after that, the Commission will not know how many licensees will partition their license areas or disaggregate their spectrum blocks, if partitioning and disaggregation are allowed. In view of the Commission's lack of knowledge of the entities which will seek 47 GHz licenses, the *NPRM* therefore assumes that, for purposes of Commission evaluations and conclusions in the IRFA, all of the prospective licensees are small entities, as that term is defined by the SBA or the Commission's proposed definitions for the 47 GHz band.

15. The Commission invites comment on this analysis.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

16. Entities interested in acquiring spectrum in the 47 GHz band will be required to submit license applications and high bidders will be required to apply for their individual licenses. The proposals under consideration in this item also include requiring commercial licensees to make showings that they are in compliance with construction requirements, file applications for license renewals and make certain other filings as required by the Communications Act. The Commission requests comment on how these requirements can be modified to reduce the burden on small entities and still meet the objectives of the proceeding.

E. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

17. The Commission has reduced burdens wherever possible. To minimize any negative impact, however, the *NPRM* proposes certain incentives for small entities which will redound to their benefit. These special provisions include partitioning and spectrum disaggregation. The regulatory burdens the *NPRM* has retained, such as filing applications on appropriate forms, are necessary in order to ensure that the public receives the benefits of innovative new services in a prompt and efficient manner. The Commission will continue to examine alternatives in the future with the objectives of eliminating unnecessary regulations and minimizing any significant economic impact on small entities. The Commission seeks comment on

significant alternatives commenters believe the Commission should adopt.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

18. None.

Ordering Clauses

19. Accordingly, *It is ordered* that these actions *Are taken* pursuant to sections 1, 4(i), 7, 10, 201, 202, 208, 214, 301, 303, 308, 309(j), and 310 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 157, 160, 201, 202, 208, 214, 301, 303, 308, 309(j), 310.

20. *It is further ordered* that *Notice is hereby given* of the proposed regulatory changes described in the *Notice of Proposed Rulemaking*, and that comment is sought on these proposals.

21. *It is further ordered* that the Commission's Office of Public Affairs, Reference Operations Division, *Shall send* a copy of the *Notice of Proposed Rulemaking*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act of 1980, Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612 (1980).

List of Subjects in 47 CFR Part 27

Communications common carriers,
Radio.
Federal Communications Commission.
Magalie Roman Salas,
Secretary.

Rule Changes

For the reasons discussed in the preamble, part 27 of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

PART 27—WIRELESS COMMUNICATIONS SERVICE

1. The authority citation for part 27 continues to read as follows:

Authority: 47 U.S.C. 154, 301, 302, 303, 307, 309, and 332.

2. Section 27.1 is amended by revising paragraph (b) to read as follows:

§ 27.1 Basis and purpose.

* * * * *

(b) *Purpose.* This part states the conditions under which various frequency bands are made available and licensed for the provision of WCS.

* * * * *

3. Section 27.2 is revised to read as follows:

⁶ 15 U.S.C. 632.

⁷ See 5 U.S.C. 601(3) (incorporating by reference the definition of "small business concern" in 5 U.S.C. 632).

⁸ 15 U.S.C. 632.

⁹ See Implementation of Section 309(j) of the Communications Act—Competitive Bidding, PP Docket No. 93-253, Fifth Report and Order, 9 FCC Rcd 5532, 5581-82 (para. 115) (1994).

§ 27.2 Permissible communications.

(a) Subject to the rules contained in this part, any services allocated in § 2.106 of this chapter for non-Government use (column 5) in the frequency bands specified in § 27.5 may be provided by WCS licensees in those bands.

(b) In addition, satellite digital audio radio service (DARS) may be provided using the 2310–2320 and 2345–2360 MHz bands. Satellite DARS service shall be provided in manner consistent with part 25 of this chapter.

4. Section 27.3 is amended by redesignating paragraphs (f), (g), and (h) as paragraphs (g), (h), and (i) and adding a new paragraph (f) to read as follows:

§ 27.3 Other applicable rule parts.

* * * * *

(f) Part 20. This part sets forth the requirements and conditions applicable to commercial mobile radio service providers.

* * * * *

5. Section 27.4 is amended by revising the definition of “wireless communications service” and by adding new definitions in alphabetical order to read as follows:

§ 27.4 Terms and definitions.

* * * * *

Disaggregation. The assignment of discrete portions or “blocks” of spectrum licensed to a geographic licensee or qualifying entity.

* * * * *

High Altitude Platform Station. A station located on an object at an altitude of 20 to 50 km and at a specified, nominal, fixed point relative to the Earth.

* * * * *

Partitioning. The assignment of geographic portions of a licensee’s authorized service area along geopolitical or other boundaries.

* * * * *

Wireless Communications Service. A radiocommunication service that encompasses the allocated radio services in § 2.106 of this chapter designated for non-Government use (column 5) for the frequency band in which the station is licensed.

6. Section 27.5 is amended by adding paragraph (c) to read as follows:

§ 27.5 Frequencies.

* * * * *

(c) Five paired channel blocks are available on a Regional Economic Area Grouping basis as follows:

- Block V: 47.2–47.3 and 47.7–47.8 GHz
Block W: 47.3–47.4 and 47.8–47.9 GHz
Block X: 47.4–47.5 and 47.9–48.0 GHz

- Block Y: 47.5–47.6 and 48.0–48.1 GHz
Block Z: 47.6–47.7 and 48.1–48.2 GHz

7. Section 27.7 is added to subpart A to read as follows:

§ 27.7 Permissible communications services.

(a) Authorization for stations will be granted to provide services on a common carrier basis or a non-common carrier basis or on both a common carrier and non-carrier basis in a single authorization.

(b) Stations may render any kind of communications service consistent with the Commission’s rules and the regulatory status of the station to provide services on a common carrier or non-common carrier basis.

(c) An applicant or licensee may submit a petition at any time requesting clarification of the regulatory status required to provide a specific communications service.

8. Section 27.8 is added to subpart A to read as follows:

§ 27.8 Requesting regulatory status.

(a) Initial applications. An applicant will specify if it is requesting authorization to provide services on a common carrier basis, a non-common carrier basis, or on both a common carrier and non-common carrier basis.

(b) Amendment of pending applications. (1) Any pending application may be amended to:

(i) Change the carrier status requested; or

(ii) Add to the pending request in order to obtain both common carrier and non-common carrier status in a single license.

(2) Amendments to change, or add to, the carrier status in a pending application are minor amendments filed under § 27.313.

(c) Modification of license. (1) A licensee may modify a license to:

(i) Change the carrier status authorized; or

(ii) Add to the status authorized in order to obtain both common carrier and non-common carrier status in a single license.

(2) Applications to change, or add to, the carrier status in a license are modifications not requiring prior Commission authorization. The licensee must notify the Commission within 30 days of the change. If the change results in the discontinuance, reduction, or impairment of an existing service, the licensee is also governed by § 27.71.

9. Section 27.11 is amended by revising paragraph (b) to read as follows:

§ 27.11 Initial authorization.

* * * * *

(b) The initial WCS authorizations shall be granted in accordance with § 27.5.

(1) Authorizations for Blocks A and B will be based on Major Economic Areas (MEAs), as shown in § 27.6. Authorizations for Blocks C and D will be based on Regional Economic Area Groupings (REAGs), as shown in § 27.6.

(2) Authorizations for Blocks V, W, X, Y, and Z will be based on Regional Economic Area Groupings (REAGs), as shown in § 27.6.

(3) Applications for individual sites are not required and will not be accepted, except where required for environmental assessments, in accordance with § 27.59.

10. Section 27.14 is amended by adding paragraphs (a)(1) and (a)(2) to read as follows:

§ 27.14 Construction requirements; Criteria for comparative renewal proceedings.

(a) * * *

(1) As examples of “safe-harbors,” for a WCS licensee that chooses to offer fixed services or point-to-point services, the construction of four permanent links per one million people in its licensed service area at the 10-year renewal mark would constitute substantial service. For a WCS licensee that chooses to offer mobile services or point-to-multipoint services, a demonstration of coverage to 20 percent of the population of its licensed service area at the 10-year renewal mark would constitute substantial service. For a licensee that chooses to offer a fixed-satellite service, one launched satellite in conjunction with construction of one earth station per licensed service area at the 10-year renewal mark would constitute substantial service.

(2) In addition, the Commission may consider such factors as whether the licensee is offering a specialized or technologically sophisticated service that does not require wide coverage to be of benefit to customers, and whether the licensee’s operations serve niche markets or focus on serving populations outside of areas served by other licensees. These safe-harbor examples are intended to provide WCS licensees a degree of certainty as to compliance with the substantial service requirement by the end of the initial license term. Licensees can meet this requirement in other ways, and licensees’ showings will be reviewed on a case-by-case basis.

* * * * *

11. Section 27.15 is amended by revising paragraph (b)(4) and adding paragraph (e) to read as follows:

§ 27.15 Geographic partitioning and spectrum disaggregation.

* * * * *

(b) * * *

(4) *Signal levels.* For purposes of partitioning and disaggregation, WCS systems must be designed so as not to exceed the signal level specified in § 27.55 at or beyond the licensee's service area boundary, unless any affected adjacent service area licensee has agreed to a different signal level.

* * * * *

(e) *Construction requirements—(1) Partitioning.* Partial assignors and assignees for license partitioning have two options to meet construction requirements. Under the first option, the partitioner and partitionee would each certify that they will independently satisfy the substantial service requirement for their respective partitioned areas. If either licensee failed to meet its substantial service showing requirement, only the nonperforming licensee's renewal application would be subject to dismissal. Under the second option, the partitioner certifies that it has met or will meet the substantial service requirement for the entire market. If the partitioner fails to meet the substantial service standard, however, only its renewal application would be subject to forfeiture at renewal.

(2) *Disaggregation.* Partial assignors and assignees for license disaggregation have two options to meet construction requirements. Under the first option, the disaggregator and disaggregatee would certify that they each will share responsibility for meeting the substantial service requirement for the geographic service area. If parties choose this option and either party fails to do so, both licenses would be subject to forfeiture at renewal. The second option would allow the parties to agree that either the disaggregator or the disaggregatee would be responsible for meeting the substantial service requirement for the geographic service area. If parties choose this option, and

the party responsible for meeting the construction requirement fails to do so, only the license of the nonperforming party would be subject to forfeiture at renewal.

12. Section 27.53 is amended by adding a heading to paragraph (a), revising the introductory text of paragraph (a), redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c), to read as follows:

§ 27.53 Emission limits.

(a) *For the band 2305–2360 MHz:* The power of any emission outside the licensee's bands of operation shall be attenuated below the transmitter power (p) within the licensed bands of operation by the following amounts:

* * * * *

(c) *For the 47.2–48.2 GHz band:* The peak power of any emission outside the licensee's authorized bands shall be attenuated below the maximum peak spectral density by at least $43+10 \log$ (p) dB or 80 dB, whichever is less.

* * * * *

13. Section 27.55 is revised to read as follows:

§ 27.55 Field strength limits.

The predicted or measured median field strength at any location at or beyond the border of a WCS service area shall not exceed the following value unless the parties agree to a different field strength. The following value applies to both the initially offered MEA and REAG service areas and to partitioned service areas:

For the 2305–2320 MHz and 2345–2360 MHz bands: 47 dBuV/m.

14. Section 27.57 is revised to read as follows:

§ 27.57 International coordination.

Terrestrial WCS operations in the border areas shall be subject to coordination with bordering countries and provide protection to non-U.S. operations in the appropriate frequency bands. In addition, satellite operations in WCS spectrum shall be subject to

international satellite coordination procedures.

15. Section 27.58 is amended by revising the introductory text of paragraph (a) to read as follows:

§ 27.58 Interference to MDS/ITFS receivers.

(a) WCS licensees operating in the 2.3 GHz band shall bear full financial obligation to remedy interference to MDS/ITFS block down converters if all of the following conditions are met:

* * * * *

16. Section 27.71 is added to subpart C to read as follows:

§ 27.71 Discontinuance, reduction, or impairment of service.

(a) If the service provided by a fixed common carrier licensee is involuntarily discontinued, reduced, or impaired for a period exceeding 48 hours, the licensee must promptly notify the Commission, in writing, as to the reasons for discontinuance, reduction, or impairment of service, including a statement when normal service is to be resumed. When normal service is resumed, the licensee must promptly notify the Commission.

(b) If a fixed common carrier licensee voluntarily discontinues, reduces, or impairs service to a community or part of a community, it must obtain prior authorization as provided under § 63.71 of this chapter. An application will be granted within 30 days after filing if no objections were received.

(c) If a non-common carrier licensee voluntarily discontinues, reduces, or impairs service to a community or part of a community, it must give written notice to the Commission within seven days.

(d) Notifications and requests identified in paragraphs (a) through (c) of this section should be sent to: Federal Communications Commission, Common Carrier Radio Services, 1270 Fairfield Road, Gettysburg, Pennsylvania 17325.

[FR Doc. 98–22352 Filed 8–20–98; 8:45 am]

BILLING CODE 6712–01–P

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

August 14, 1998.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, D.C. 20503 and to Departmental Clearance Office, USDA, OClO, Mail Stop 7602, Washington, D.C. 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-6746.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it

displays a currently valid OMB control number.

National Agricultural Statistics Service

Title: 1998 Farm and Ranch Irrigation Survey.

OMB Control Number: 0535-NEW.

Summary of Collection: The Farm and Ranch Irrigation Survey (FRIS) is an integral part of the 1997 Census of Agriculture and is conducted under the Authority of the Census of Agriculture Act of 1997 (Public Law 105-113). This law requires the Secretary of Agriculture and the National Agricultural Statistics Service (NASS) to conduct a Census of Agriculture in 1998 and every fifth year following 1998. Agricultural irrigation is the largest single use of available U.S. water supplies, accounting for more than two-thirds of all ground-water withdrawals and more than 84 percent of all consumptive uses. Therefore, high quality data on agricultural water use are needed to help public and private sector officials understand and manage this important national resource. NASS collects information using the FRIS.

Need and Use of the Information: NASS will collect information from the FRIS on acres irrigated by land use category, acres and yields of irrigated and nonirrigated crops, quantity of water applied and method of application to selected crops, acres irrigated and quantity of water used by source, acres irrigated by type of water distribution systems, and number of irrigation wells and pumps. The primary purpose of FRIS is to provide detailed data relating to on-farm irrigation activities for use in preparing a wide variety of water-related programs, economic models, legislative initiatives, market analyses, and feasibility studies. The absence of FRIS data would certainly affect irrigation policy decision.

Description of Respondents: Farms.

Number of Respondents: 20,000.

Frequency of Responses: Reporting: Other (One time).

Total Burden Hours: 14,333.

National Agricultural Statistics Service

Title: 1998 Census of Horticultural Specialties.

OMB Control Number: 0535-NEW.

Summary of Collection: The census of horticultural specialties is one of a series of census special studies for the Census of Agriculture which provides more detailed statistics relating to a

specific subject. The census of horticultural specialties is an integral part of the 1997 Census of Agriculture and is conducted under the authority of the Census of Agriculture Act of 1997 (Public Law 105-113). The law requires the Secretary of Agriculture and the National Agricultural Statistics Service (NASS) to conduct a Census of Agriculture in 1998 and every fifth year following 1998. Horticulture is one of the fastest growing segments in the agriculture sector. Horticultural crops are high value crops which farmers could grow to diversify their farming operations, but more information about them is needed. Horticultural operations are large consumers of pesticides and other chemicals, so research funding is critical to this industry to develop more effective horticultural chemicals or plants that are resistant to common diseases. NASS will collect information on horticulture using data from the census.

Need and Use of the Information: NASS will collect information on the number and value of plants grown and sold, the value of land, buildings, machinery and equipment, selected production expenses, irrigation, marketing channels, hired labor, area used for production, and type of structure. The primary objective of the horticultural specialties census is to obtain a comprehensive and detailed picture of the horticultural sector of the economy. Without the census of horticultural specialties, government policy makers and planners would lack valuable information needed to accomplish their missions.

Description of Respondents: Farms; business or other for-profit.

Number of Respondents: 47,000.

Frequency of Responses: Reporting: Other (One time).

Total Burden Hours: 48,371.

National Agricultural Statistics Service

Title: Childhood Agricultural Injury.

OMB Control Number: 0535-NEW.

Summary of Collection: The National Agricultural Statistics Service's (NASS) primary function is to prepare and issue State and National estimates of crop and livestock production. NASS has been asked by the National Institute for Occupational Safety and Health (NIOSH) to conduct a childhood agricultural injury study. Injuries to children living, working, or visiting farms are the focus of a special NIOSH

initiative directed by Congress. A major problem in planning injury prevention programs for these children is the lack of surveillance data, especially for those injuries that are nonfatal. For the study, an injury is defined as any condition that results in one-half day or more of restricted activity (child missed school, could not perform normal activities, missed work). A childhood agricultural injury is defined as any injury meeting this definition that occurred on the farm property (including homestead), or occurred while performing work, either on the farm or off the farm, associated with the farm business. NASS will collect information using a survey.

Need and Use of the Information: NASS will collect information on the estimates of annual childhood agricultural injury incidence rates, annual injury frequencies, and descriptive injury information for children living on, working on, or visiting on farming operations in the United States. Data from the survey will provide a source of consistent information which NIOSH can effectively target funds appropriated by Congress for the prevention of childhood agricultural injuries.

Description of Respondents: Farms.

Number of Respondents: 42,500.

Frequency of Responses: Reporting: Other (One time).

Total Burden Hours: 2,125.

Food Safety and Inspection Service

Title: Pathogen Reduction/Hazard Analysis and Critical Control Point (HACCP) System.

OMB Control Number: 0583-0103.

Summary of Collection: The Food Safety and Inspection Service (FSIS) has been delegated the authority to exercise the functions of the Secretary as provided in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601) and the Poultry Products Inspection Act (PPIA) (21 U.S.C. 451). These statutes mandate that FSIS protect the public by ensuring the meat and poultry products are safe, wholesome, unadulterated, and properly labeled and packaged. FSIS has begun to build the principle of prevention into its inspection program and requires regulated establishments to prepare operating plans and continuously report performance against the plans.

Need and Use of the Information: Information will be collected from establishments as proof that standard operating plans have been developed. Additionally, information must be reported and pertinent records maintained on the occurrence and numbers of pathogenic microorganisms on meat and poultry products. FSIS will

use this information during the inspection process and to determine whether an establishment should change its operating procedures so that the public's health is protected.

Description of Respondents: Business or other for-profit.

Number of Respondents: 7,374.

Frequency of Responses: Recordkeeping; Reporting: On occasion; Other (daily).

Total Burden Hours: 30,686.

Animal and Plant Health Inspection Service

Title: 7 CFR 319.76 Exotic Bee Diseases and Parasites, 7 CFR 322 Honeybees and Honeybee Semen.

OMB Control Number: 0579-0072.

Summary of Collection: The Honeybee Act of 1922 (Title 7, Chapter 11) was created to prevent the introduction and spread of diseases and parasites harmful to honeybees, and the introduction of genetically undesirable plasm of honeybees. The introduction and establishment of new honeybee diseases, parasites, and undesirable honeybee strains in the United States could cause multimillion dollar losses to American agriculture. Diseases and parasites can weaken or kill honeybees, thereby causing substantial reductions in the production of honey and other honeybee products, as well as a reduction in pollination activity. Section 281c of the Honeybee Act provides that honeybees and honeybee semen can only be imported into the United States under rules and regulations prescribed by the Secretary of Agriculture and the Animal and Plant Health Inspection Service (APHIS). Anyone who seeks to import honeybees, honeybee semen, or articles that could harbor diseases or parasites of honeybees must apply to APHIS for an import permit. APHIS will collect various pieces of information concerning the nature and point of origin of the items to be imported using a number of forms and documents.

Need and Use of the Information: APHIS collects information from importers such as name, address, telephone number; the quantity and kinds of articles intended for import; the amount of semen to be imported; the species or subspecies of honeybee from which the semen was collected; the country or locality or origin; the intended port of entry in the United States; the means of transportation; and the expected date of arrival. The information is needed to determine if the honeybee semen or restricted articles are eligible for importation into the United States, and under what conditions (i.e., necessary treatment,

appropriate shipping containers, proper port of entry, etc.).

Description of Respondents: Business or other for-profit; Individuals or households; Farms; Federal Government; State, Local or Tribal Government.

Number of Respondents: 91.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 31.

Food and Nutrition Service

Title: Requisition for Food Coupon Books.

OMB Control Number: 0584-0022.

Summary of Collection: The Food Stamp Act of 1977 requires the Secretary and the Food and Nutrition Service (FNS) to prescribe appropriate procedures for the delivery of food coupon books to coupon issuers and for the subsequent controls to be placed over such coupons by coupon issuers in order to ensure adequate accountability. The regulations at 7 CFR 274.7 and 274.8 require State agencies to establish coupon inventory management systems which include proper control and security procedures, procedures for ordering coupon books and shipping books within the State. These procedures also provide an orderly mechanism for States to order new supplies of food coupon books. FNS will collect information using Form FNS-260, Requisition of Food Coupon Books, to determine what State needs additional coupon books and the details of their order.

Need and Use of the Information: FNS collects information to determine how many coupon books to order, what denominations and when to order more coupon books in order to provide State agencies with inventories that will be adequate to issue program benefits to households on a monthly basis.

Description of Respondents: State, Local or Tribal Government.

Number of Respondents: 1,000.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 3,000.

Food and Nutrition Service

Title: Determining Eligibility for Free and Reduced Price Meals and Free Milk.

OMB Control Number: 0584-0026.

Summary of Collection: The Personal Responsibility and Work Opportunity Act of 1996, Public Law 104-193, was enacted on August 22, 1996. This statute amended the National School Lunch Act to remove all references to the automatic free meal eligibility of children from assistance units receiving benefits under Aid to Families with Dependent Children (AFDC). In its

place, Congress established automatic eligibility for children receiving benefits under the State program funded under part A of title IV of the Social Security Act (generally known as Temporary Assistance for Needy Families (TANF)), provided that the eligibility criteria for the state's TANF program are comparable to or more restrictive than the standards for the AFDC program it replaced. Because States have latitude in the way they administer TANF, the Secretary is requesting State agencies, in cooperation with the agency administering TANF, to make comparison and inform the Secretary of their determination.

Need and Use of the Information: The Food and Nutrition Service (FNS) is requiring each State agency to notify the appropriate FNS regional office, in writing, whether the TANF program in their State is comparable to or more restrictive than their AFDC program, and indicate the information used to make the comparison. This information is required in order to facilitate the delivery of Federal benefits to eligible beneficiaries.

Description of Respondents: Individuals or households; Not-for-profit institutions; State, Local or Tribal Government.

Number of Respondents: 4,260,648.

Frequency of Responses: Recordkeeping; Reporting: Biennially; Annually; Other (Triennially).

Total Burden Hours: 1,028,149.

Risk Management Agency

Title: Multiple Peril Crop Insurance. **OMB Control Number:** 0563-0053. **Summary of Collection:** The Federal Crop Insurance Corporation (FCIC) provides for a nationwide crop insurance program. The Federal Crop Insurance Act, as amended in 1994 and 1996, established the crop insurance program to be the principal tool for risk management by producers of farm products. The current regulations and insurance provisions require the collection of a wide range of information through various forms that are categorized as either sales documents or notices of damage and claim. The information collected is used in part to establish insurance coverage, premiums, payments, indemnities and allow for other program and administrative operations. The Risk Management Agency (RMA) on behalf of FCIC is proposing to modify regulations implementing the Grape Crop Insurance Provisions. The proposed changes will (1) allow grape producers in Idaho, Oregon, and Washington to select one price election and one coverage level for each varietal group specified in the

Special Provisions; and (2) provide year-round coverage in California, Idaho, Mississippi, Oregon, Texas and Washington for insureds with no break in coverage from the prior crop year. No changes are proposed to the existing forms and no additional burden is anticipated due to these proposed changes.

Need and Use of the Information: The current regulations and insurance provisions require the collection of a wide range of information that is used to in part to establish insurance coverage, premiums, payments, indemnities and allow for other program and administrative operations. This information is also used to create an information data base to support continued development and improvements in crop insurance products available to producers and to strengthen the insurance program overall.

Description of Respondents: Farms; Business or other for-profit.

Number of Respondents: 4,514.

Frequency of Responses: Recordkeeping; Reporting: Annually.

Total Burden Hours: 1,092,849.

Risk Management Agency

Title: Multiple Peril Crop Insurance. **OMB Control Number:** 0563-0053.

Summary of Collection: The Federal Crop Insurance Corporation (FCIC) provides for a nationwide crop insurance program. The Federal Crop Insurance Act, as amended in 1994 and 1996, established the crop insurance program to be the principal tool for risk management by producers of farm products. The current regulations and insurance provisions require the collection of a wide range of information through various forms that are categorized as either sales documents or notices of damage and claim. The information collected is used in part to establish insurance coverage, premiums, payments, indemnities and allow for other program and administrative operations. The Risk Management Agency (RMA) on behalf of FCIC is proposing to modify regulations implementing the Cotton and ELS Cotton Crop Insurance Provisions. The proposed changes will (1) provide a replant payment; (2) revise the provision used to determine the amount of production used to count for cotton and ELS cotton that is eligible for quality adjustments; and (3) provide a prevented planting coverage level of 50 percent for cotton and ELS cotton for the 1999 and subsequent crop years. The burden associated with this collection will decrease due to fewer insured and respondents.

Need and Use of the Information: The current regulations and insurance provisions require the collection of a wide range of information that is used to in part to establish insurance coverage, premiums, payments, indemnities and allow for other program and administrative operations. This information is also used to create an information data base to support continued development and improvements in crop insurance products available to producers and to strengthen the insurance program overall.

Description of Respondents: Farms; Business or other for-profit.

Number of Respondents: 1,599,244.

Frequency of Responses: Recordkeeping; reporting: Annually.

Total Burden Hours: 1,126,103.

Nancy Sternberg,

Departmental Information Clearance Officer.

[FR Doc. 98-22521 Filed 8-20-98; 8:45 am]

BILLING CODE 3410-01-M

DEPARTMENT OF AGRICULTURE

Forest Service

Cool Bear Vegetative Management, Road Management, and Watershed Rehabilitation. Lolo National Forest, Sanders County, Montana

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The USDA, Forest Service, will prepare an environmental impact statement (EIS) to disclose the environmental effects of timber harvest, reforestation, precommercial thinning, prescribed burning, road management and watershed rehabilitation; and to correct management area mapping errors in the Lolo National Forest Land and Resource Management Plan (Forest Plan) in the Fishtrap Creek drainage (herein referred to as the Cool Bear Project). The project area encompasses 18,000 acres north of Thompson Falls, Montana.

The proposed actions of timber harvest, reforestation, precommercial thinning, prescribed burning, road management, and watershed rehabilitation are being considered together because they represent either connected or cumulative actions as defined by the Council on Environmental Quality (40 CFR 1508.25). This EIS will tier to the Lolo Forest Plan Final EIS (April, 1986).

DATES: Written comments and suggestions should be received by September 21, 1998.

ADDRESSES: Submit written comments and suggestions on the proposed management activities or a request to be placed on the project mailing list to Richard A. Smith, District Ranger, Plains/Thompson Falls Ranger District, Lolo National Forest, P.O. Box 429, Plains, Montana 59859.

FOR FURTHER INFORMATION CONTACT:

Frank Yurczyk, EIS Team Leader, Plains/Thompson Falls Ranger District, Lolo National Forest, Phone (406) 826-4313.

SUPPLEMENTARY INFORMATION: Timber harvest, is proposed on approximately 2170 acres of forested land removing an estimated 8.9 MMBF, in the Cool Bear project area, T. 24 N., R. 27 W.; T. 24 N., R. 28 W.; and T. 25 N., R. 28 W, PMM. This area has been designated as suitable for timber management by the Lolo Forest Plan. Prescribed burning on approximately 701 acres is proposed to facilitate reforestation, improve forest health, reduce fuel loading and enhance big game forage production. Approximately 1.9 miles of new road construction is proposed. Reconditioning of 12 miles and reconstructing 27 miles of existing road is proposed to improve drainage and reduce sediment delivery to Fishtrap Creek. Fishtrap Creek is identified as a water quality limited stream segment by the State of Montana. The project would also obliterate the entrances of secondary roads that are not needed in the future. There are 15 roads that are now closed with gates. The gates will be removed and the entrances obliterated to prevent all motor vehicle travel. These roadways will be reseeded to hasten recovery. The project will also propose correction of mapping errors in the Forest Plan Management Area allocation.

The Lolo Forest Plan provides the overall guidance for management activities in the potentially affected area through its goals, objectives, standards and guidelines, and management area direction. The purpose of these proposed actions is to alter current trends in the forest condition and to regulate, over time, changes in vegetative cover which could adversely affect timber commodity potential, wildlife habitat, fuel build up or watershed stability. Timber harvest will help support the economic structure of local communities while contributing to the regional and national timber supply. Proposed road closures and timing of harvest activities are intended to limit human disturbance within suitable grizzly bear habitat, improve long-term watershed conditions, while continuing

to provide non-motorized recreational uses.

The Forest Service will consider a range of alternatives. One of these will be the "no action" alternative, in which none of the proposed activities would be implemented. Additional alternatives will examine varying levels and locations for the proposed activities in response to issues and other resource values.

The EIS will analyze the direct, indirect, and cumulative environmental effects of the alternatives. Past, present, and projected activities on both private and National Forest lands will be considered. The EIS will disclose the analysis of site-specific mitigation measures and their effectiveness.

Public participation is an important part of the analysis. The public may visit Forest Service officials at any time during the analysis and prior to the decision. The Forest Service will be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations who may be interested in or affected by the proposed action. No public meetings are scheduled at this time. Comments previously received from the public on the Cool Bear project, will be utilized in the preparation of the EIS and do not need to be resubmitted.

Comments from the public and other agencies will be used in preparation of the Draft EIS.

The following principle issues have been identified so far:

1. The potential effect of proposed timber harvest and associated road development on forest health, old growth, fragmentation, vegetative cover types and patterns across the landscape and natural ecological processes.

2. The potential effect of proposed timber harvest and associated road development on grizzly bear recovery.

3. The potential for proposed harvest and associated road development to affect water quality and quantity, including all cumulative effects from adjacent previous and reasonable foreseeable future activities.

4. The potential for proposed harvest and associated road development to affect wildlife habitat including big game, snag dependent species, riparian dependent species, threatened, endangered, and sensitive species.

5. The potential for proposed harvest and associated road development to affect the net economic cost and benefit to the public.

6. The potential for proposed harvest and associated road development to affect the current patterns of public use for recreation, hunting, personal

firewood gathering and the natural appearance of the landscape.

7. The potential for proposed harvest and associated road development to affect fisheries, including bull char and their habitat.

Other issues commonly associated with timber harvesting and road construction include effects on cultural resources, soils, compaction, nutrients, and noxious weeds in the area. This list will be verified, expanded, or modified based on public scoping for this proposal.

The Draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and available for public review in February 1999. At that time, the EPA will publish a Notice of Availability of the Draft EIS in the **Federal Register**. The comment period on the Draft EIS will be 45 days from the date the EPA's notice of availability appears in the **Federal Register**. It is very important that those interested in management of the Cool Bear project area participate at that time. The Final EIS is scheduled to be completed by April, 1999.

The Forest Service believes it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements 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, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement 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 30-day scoping comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in developing issues and alternatives. To assist the Forest Service in identifying and considering issues, comments should be as specific to this proposal 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.

I am the responsible official for this environmental impact statement. My address is Lolo National Forest, Building 24—Fort Missoula, Missoula, MT 59804

Dated: August 13, 1998.

Dallas J. Emch,

Acting Forest Supervisor.

[FR Doc. 98-22508 Filed 8-20-98; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Information Collection Activity; Comment Request

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), the Rural Utilities Service's (RUS) invites comments on these information collections for which RUS intends to request approval from the Office of Management and Budget (OMB).

DATES: Comments on this notice must be received by October 20, 1998.

FOR FURTHER INFORMATION CONTACT: F. Lamont Heppe, Jr., Director, Program Development & Regulatory Analysis, Rural Utilities Service, USDA, 1400 Independence Ave., SW., STOP 1522, Room 4034 South Building, Washington, D.C. 20250-1522. Telephone: (202) 720-0736. FAX: (202) 720-4120.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget's (OMB) regulation (5 CFR 1320) implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13) require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)).

Comments are invited on: (a) Whether this proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques

or other forms of information technology. Comments may be sent to: F. Lamont Heppe, Jr., Director, Program Development and Regulatory Analysis, Rural Utilities Service, U.S. Department of Agriculture, Stop 1522, 1400 Independence Ave., SW., Washington, DC 20250-1522. FAX: (202) 720-4120.

Background

The Rural Electrification Act of 1936, as amended, 7 U.S.C. 901 *et seq.* (RE Act) authorizes RUS to make and guarantee loans for electric facilities to serve rural consumers. Most loans are fully amortized over a period of 35 years and are secured by a lien on the borrower's assets.

- **Title:** RUS Loan Prepayments and Related Reporting Burdens.

OMB Control Number: 0572-0088.

Type of Request: Extension of a previously approved information collection, with change.

Abstract: Title 7 CFR Part 1786 establishes policies and procedures mandated by legislation. This part deals with the prepayment of certain loans held by the Federal Financing Bank (FFB), a wholly-owned government instrumentality under the supervision of the Secretary of the Treasury, and guaranteed by RUS.

This regulation sets forth policy and procedures implementing section 306(A) of the RE Act which permits an RUS-financed electric or telephone system to prepay an FFB loan (or any loan advance thereunder) by paying the outstanding principal balance due on the loan (or advance).

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 5 hours per response.

Respondents: Small business or organizations.

Estimated Number of Respondents: 25.

Estimated Number of Responses per Respondent: 4.

Estimated Total Annual Burden on Respondents: 90 hours.

- **Title:** Wholesale Contracts for the Purchase and Sale of Electric Power.

OMB Control Number: 0572-0089.

Type of Request: Reinstatement of a previously approved information collection, with change.

Abstract: Most RUS financed electric systems are cooperatives and are organized in a two-tiered structure. Retail customers are members of the distribution system that brings electricity to their homes and business. Distribution cooperatives, in turn, are members of power supply cooperatives, also known as generation and transmission cooperatives (G&T's) that

generate or purchase power and transmit the power to the distribution systems.

For a distribution system a lien on the borrower's assets generally represents adequate security. However, since most G&T revenues flow from its distribution members, RUS requires, as a condition of a loan or loan guarantee to a G&T that its distribution members enter into a long-term requirements wholesale power contract to purchase their power from the G&T at rates that cover all the G&T's expenses, including debt service and margins.

RUS Form 444 is the standard form of the wholesale power contract. Most borrowers adapt this form to meet their specific needs. The contract is prepared and executed by the G&T and each member and by RUS.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 6 hours per response.

Respondents: Small business or organizations.

Estimated Number of Respondents: 150

Estimated Number of Responses per Respondent: 1

Estimated Total Annual Burden on Respondents: 900 hours.

- **Title:** Electric System Construction Policies and Procedures.

OMB Control Number: 0572-0107.

Type of Request: Reinstatement of a previously approved information collection, with change.

Abstract: In order to facilitate the programmatic interest of the RE Act, and, in order to assure that loans made or guaranteed by RUS are adequately secured, RUS, as a secured lender, as established certain standards and specifications for materials, equipment, and the construction of electric systems. The use of standard forms, construction contracts, and procurement procedures helps assure RUS that appropriate standards and specifications are maintained, RUS' loan security is not adversely affected; and the loan and loan guarantee funds are used effectively and for the intended purposes. The following are RUS forms included in this package: 168b, 168c, 180, 181, 187, 198, 200, 201, 203, 213, 224, 231, 238, 251, 254, 257, 307, 764, 786, 790, 792, 792a-c, 830, and 831.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 10 hours per response.

Respondents: Small business or organizations.

Estimated Number of Respondents: 870.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 629 hours.

Copies of this information collection, and related forms and instructions, can be obtained from Dawn Wolfgang, Program Development and Regulatory Analysis, phone: (202) 720-0812, fax: (202) 720-4120, e-mail: wolfgan@rus.usda.gov.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: August 13, 1998.

Christopher A. McLean,

Deputy Administrator, Rural Utilities Service.

[FR Doc. 98-22485 Filed 8-20-98; 8:45 am]

BILLING CODE 3410-15-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Agency Information Collection Activities: Proposed Collection; Comment Request

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

ACTION: Proposed Collection; Comment Request.

SUMMARY: The Committee for Purchase From People Who Are Blind or Severely Disabled is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on requirements relating to the initial certification of nonprofit agencies serving people who are blind (Form 401) and to the annual certification of nonprofit agencies serving people with severe disabilities (Form 404).

DATES: Comments must be submitted on or before October 20, 1998.

ADDRESSES: Written comments should be sent to: Daniel Werfel, Desk Officer for the Committee for Purchase, Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for information, including copies of the form and supporting documentation, should be directed to: Beverly L. Milkman,

Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Gateway 3, Suite 310, 1215 Jefferson Davis Highway, Arlington, VA 22202-4302, (703) 603-7740.

Title: Initial Certification-Qualified Nonprofit Agency Serving People Who Are Blind (Form 401).

SUPPLEMENTARY INFORMATION: The Committee has an initial certification form for nonprofit agencies serving people who are blind. The information included on the form is required to ensure that nonprofit agencies seeking to participate in the Committee's program meet the requirements of 41 U.S.C. 46-48c.

TITLE: Annual Certification-Qualified Nonprofit Agency Serving People with Severe Disabilities (Form 404).

SUPPLEMENTARY INFORMATION: The Committee has an annual certification form for nonprofit agencies serving people who have severe disabilities. The information included on the form is required to ensure that nonprofit agencies participating in the Committee's program meet the requirements of 41 U.S.C. 46-48c.

Dated: August 14, 1998.

G. John Heyer,

General Counsel.

[FR Doc. 98-22538 Filed 8-20-98; 8:45 am]

BILLING CODE 6353-01-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions and Deletions

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

ACTION: Proposed Additions to and Deletions from Procurement List.

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

COMMENTS MUST BE RECEIVED ON OR BEFORE: September 21, 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 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 services to the Government.

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

3. The action will result in authorizing small entities to furnish the 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 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 services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Base Supply Center, 934th Airlift Wing ARS, Minneapolis, Minnesota

NPA: Associated Industries for the Blind, Milwaukee, Wisconsin

Base Supply Center, Naval Air Station, Meridian, Mississippi

NPA: Mississippi Industries for the Blind, Jackson, Mississippi

Grounds Maintenance

U.S. Post Office, Linda Vista Station, 6882

Linda Vista Road, San Diego, California

NPA: Job Options, Inc. San Diego, California

Grounds Maintenance

U.S. Post Office, Mission Gorge Station, 4740

Mission Gorge Place, San Diego, California

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

Janitorial/Custodial

Federal Building and U.S. Courthouse, 501 5th Street, Sacramento, California

NPA: Crossroads Rehabilitation Systems, Inc. Sacramento, California

Janitorial/Custodial

Ronald Reagan Federal Building and U.S. Courthouse, 411 W Fourth Street, Santa Ana, California

NPA: Goodwill Industries of Orange County, Santa Ana, California

Janitorial/Custodial

Naval and Marine Corps Reserve Center, 101 Base Avenue, Battle Creek, Michigan

NPA: Calhoun County Community Mental Health Services Board Battle Creek, Michigan

Janitorial/Custodial

Social Security Administration Building, 517 N. Barry Street, Olean, New York

NPA: Cattaraugus County Chapter, NYSARC, Olean, New York

Operation of Postal Service Center and Base Information Transfer Services Basewide, Brooks Air Force Base, Texas

NPA: Goodwill Industries of San Antonio, San Antonio, Texas

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 does not appear to 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 proposed for deletion from the Procurement List.

The following commodities have been proposed for deletion from the Procurement List:

*Commodities**Bag, Parts*

8105-LL-B00-9974
8105-LL-B00-0210
8105-LL-B00-9975
8105-LL-B00-0209
8105-LL-B00-0208

G. John Heyer,

General Counsel.

[FR Doc. 98-22536 Filed 8-20-98; 8:45 am]

BILLING CODE 6353-01-P

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 commodities 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 and services previously furnished by such agencies.

EFFECTIVE DATE: September 21, 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 April 24, June 12 and 26, July 2 and 10, 1998, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (63 F.R. 20377, 32190, 34848, 36211, 36212 and 37317) of proposed additions to and deletions from the Procurement List:

Additions

The following comments pertain to Cushion, Seat Back:

Comments were received from the current contractor for this cushion, who stated that Government contracts for this type of product were essential to the firm's survival. The contractor claimed that addition of the cushion to the Procurement List is in direct conflict with other State and Federal programs that are assisting the company. The contractor did not identify those programs.

Federal sales of this cushion are only a very small percentage of the contractor's total sales. The Committee does not consider losses at this level to constitute severe adverse impact on a contractor. As for the other State and Federal programs the contractor mentioned, the Committee is not aware of any which bar the Committee from adding commodities and services to the Procurement List to create employment for people with severe disabilities.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and services and impact of the additions on the current

or most recent contractors, the Committee has determined that the commodities 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 commodities and services to the Government.

2. The action will not 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.

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

Commodities

Cushion, Seat Back
2540-01-314-7834
Carbon-Removing Compound
6850-00-965-2332
6850-00-281-3042

*Services**Administrative Services*

U.S. Department of Agriculture (USDA),
Economic Research Service (ERS), 1031
New York Avenue, N.W., Washington,
DC

Grounds Maintenance

USARC, Myrtle Beach, South Carolina

Janitorial/Custodial

Fort McHenry National Monument and
Historic Shrine, Hampton National
Historic Site, Baltimore, Maryland

Janitorial/Custodial

USARC, Building 3392, Myrtle Beach, South
Carolina

Janitorial/Custodial

Pentagon Building, 3rd and 4th Floor,
Arlington, Virginia

Laundry Service

Barksdale Air Force Base, Louisiana

Litter Pickup

Andrews Air Force Base, Maryland

Mailroom Operation & Administrative Support

Buildings 5250 & 5308, Redstone Arsenal, Alabama

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 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 deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodities and services 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 and services are hereby deleted from the Procurement List:

Commodities**Roll, Tools and Accessories**

5140-00-106-5616

Cover, Generator Set

6115-00-960-2703

6115-00-941-1655

Tag, Cattle, Ear

9905-00-NSH-0028

9905-00-NSH-0027

9905-00-NSH-0029

Services**Carpet Cleaning, Portland, Oregon, plus 10-mile radius**

Carwash Service, Bureau of Land Management, Medford District Office, 3040 Biddle Road, Medford, Oregon

Car Wash/Operation of Recycling Station, Olympic National Park, Port Angeles, Washington

Commissary Shelf Stocking, Naval Administrative Unit, Scotia, New York

Janitorial/Custodial

U.S. Army Corps of Engineers at the following Yakima, Washington locations: Fort Lewis Resident Office, Project Office adjacent to Building 810, Yakima Firing Center

Pallet Repair, Naval Supply Center, Puget Sound, Bremerton, Washington

G. John Heyer,

General Counsel.

[FR Doc. 98-22537 Filed 8-20-98; 8:45 am]

BILLING CODE 6353-01-P

DEPARTMENT OF COMMERCE**Submission for OMB Review; Comment Request**

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Export Administration (BXA).

Title: Procedures for Acceptance or Rejection of Rated Order.

Agency Form Number: None.

OMB Approval Number: 0694-0092.

Type of Request: Extension of a currently approved collection of information.

Burden: 21,963 hours.

Average Time Per Response: 1 to 15 minutes per response depending on the requirement.

Number of Respondents: 18,000 respondents.

Needs and Uses: Because timely delivery or performance is critical under the Defense Priorities Allocation System, the information is used by the customer who placed the rated order with a supplier to help track the status of the rated order from initial receipt by the supplier to its shipment or performance of the needed goods or services. It also would be used by the Department of Defense and its associated agencies, the Department of Energy, and the Department of Commerce, as part of the information required to provide assistance to the customer in the event that the supplier cannot or will not make timely delivery or performance of the needed goods or services.

Affected Public: Individuals, businesses or other for-profit institutions.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Victoria Baecher-Wassmer (202) 395-5871.

Copies of the above information collection proposal can be obtained by

calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482-3272, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Victoria Baecher-Wassmer, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, D.C. 20230.

Dated: August 17, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 98-22520 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-33-P

DEPARTMENT OF COMMERCE**The Chief Information Officers (CIO) Council Request for Comments on 1999 Strategic Plan**

AGENCY: Department of Commerce.

ACTION: Notice of availability; request for comments.

SUMMARY: Over the last several months, the Chief Information Officers Council has been developing its Strategic Plan for improving overall governmentwide information technology (IT) management. The Council, created as part of implementing the Clinger-Cohen Act of 1996, is a governmentwide body that addresses critical cross-cutting information technology issues. The Council's vision is a government that uses both information and technology as a strategic asset in meeting the mission and goals of Federal agencies.

The Council hopes to develop a strategic plan that contains a comprehensive mission statement, goals and objectives, including outcome-related goals and objectives, and a description of how the goals and objectives are to be achieved. Consultations with stakeholders prior to completion of the final version is viewed as an integral part of this process.

DATES: Comments must be provided no later than Tuesday, September 15, 1998.

ADDRESSES: Comments may be submitted to Alan P. Balutis, Director for Budget, Management & Information and Deputy Chief Information Officer, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Room 5820, Washington, DC 20230; Internet: Abalutis@DOC.GOV; Fax: (202) 482-3361.

FOR FURTHER INFORMATION CONTACT: Sherry Cage, Telephone (202) 482-5482;

Fax (202) 501-4508; or Internet:
Scage@DOC.GOV.

SUPPLEMENTARY INFORMATION: The initial Plan was designed around six priorities:

1. Defining an interoperable Federal Information Architecture;
2. Ensuring security practices that protect government services;
3. Leading the Federal Year 2000 conversion effort;
4. Establishing sound capital planning and investment practices;
5. Improving the information technology skills of the Federal workforce; and,
6. Building relationship and outreach programs with Federal organizations, industry, congress, and the public.

As a next step, we want to get the ideas and criticisms of those who have knowledge of our work and an important stake in how we proceed. We believe a review of the Plan by experienced knowledgeable professionals with a unique and valuable perspective on IT issues will be very useful in ensuring that the Plan is well-represented and well-integrated. Comments must be provided no later than Tuesday, September 15, 1998. The Council's goal is to complete the final plan by mid-September.

The Strategic Plan is available on Council's Home Page: <http://cio.gov/straplan.htm>.

Alan P. Balutis,

Chair, Outreach Committee.

[FR Doc. 98-22545 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-17-U

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Doc. 34-98]

Proposed Foreign-Trade Zone—Santa Maria, California Area Amendment of Application

Notice is hereby given that the application of the Santa Maria Public Airport District, to establish a general-purpose foreign-trade zone in the Santa Maria, California area (Doc. 34-98, 63 F.R. 36875, 7/8/98), has been amended to include an additional parcel (105 acres), within Proposed Site 2 (Vandenberg Air Force Base complex). The parcel, which is operated by Spaceport Systems International, is presently being used to perform payload integration activities. A launch facility from which satellites will be launched into space is being built on this site.

As amended, Proposed Site 2 would cover 2 parcels (164 acres, 2a and 2b). The application otherwise remains unchanged.

The comment period is extended until October 8, 1998. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below.

A copy of the application and the amendment and accompanying exhibits are available for public inspection at the following locations:

Office of the Santa Maria Public Airport District, 3217 Terminal Drive, Santa Maria, CA 93455

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: August 13, 1998.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98-22551 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 12-98]

Foreign-Trade Zone 125—South Bend, Indiana Withdrawal of Application for Subzone Status for the Bayer Corporation Aspirin Products Plant

Notice is hereby given of the withdrawal of the application submitted by the St. Joseph County Airport, grantee of FTZ 125, requesting special-purpose subzone status for the aspirin products manufacturing plant of Bayer Corporation. The application was filed on March 4, 1998 (63 FR 12439, 3/13/98).

The withdrawal was requested by the applicant because of changed circumstances, and the case has been closed without prejudice.

Dated: August 11, 1998.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98-22550 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 11-98]

Foreign-Trade Zone 147—Reading, Pennsylvania Withdrawal of Application for Subzone Status for the Bayer Corporation Aspirin Products Plant

Notice is hereby given of the withdrawal of the application submitted by the Foreign Trade Zone Corporation

of Southeastern Pennsylvania, grantee of FTZ 147, requesting special-purpose subzone status for the aspirin products manufacturing plant of Bayer Corporation. The application was filed on March 4, 1998 (63 FR 12440, 3/13/98).

The withdrawal was requested by the applicant because of changed circumstances, and the case has been closed without prejudice.

Dated: August 11, 1998.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98-22549 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 998]

Grant of Authority For Subzone Status Ultrak, Inc.; Closed Circuit Television Systems, Lewisville, Texas

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved;

Whereas, an application from the Dallas/Fort Worth Maquila Trade Development Corporation, grantee of FTZ 168, for authority to establish special-purpose subzone status at the closed circuit television system assembly facility of Ultrak, Inc., in Lewisville, Texas, was filed by the Board on August 15, 1997, and notice inviting public comment was given in the **Federal Register** (FTZ Docket 66-97, 62 FR 44642, 8/22/97); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, Therefore, the Board hereby grants authority for subzone status at the closed circuit television system assembly facility of Ultrak, Inc., located in Lewisville, Texas (Subzone 168B), at the location described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 12th day of August 1998.

Robert S. LaRussa,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98-22552 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Notice of Intent to Modify Format of Antidumping/Countervailing Duty Federal Register Notices

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Intent; Request for Comments.

SUMMARY: The Department of Commerce is announcing its intent to modify the manner in which its final determinations are made available to the public. Due to the mounting costs of publishing complete determinations in the **Federal Register** and wide-spread access to the World Wide Web, Import Administration intends to post portions of its notices on the Web simultaneously with the publication of a reduced-length **Federal Register** notice. This also will meet Department of Commerce obligations to make public the facts and conclusions of its determinations. Published below is a sample format for both the newly revised **Federal Register** notice as well as the generic format for documents we will make available on the Internet. We invite public comment on this proposal.

DATES: To be assured of consideration, written comments must be received not later than September 15, 1998.

ADDRESSES: A signed original and six copies of each set of comments, including reasons for any recommendation, along with a cover letter identifying the commenter's name and address, should be submitted to Robert S. LaRussa, Assistant Secretary for Import Administration, Central

Records Unit, Room 1870, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street, NW, Washington, D.C. 20230; Attention: Internet Posting.

FOR FURTHER INFORMATION CONTACT:

Laurie Parkhill, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, D.C. 20230, at (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

This notice of intent deals with the format of antidumping/countervailing duty **Federal Register** (FR) notices and the forum through which they are made available to the public. The revised format of the notice is intended to reduce substantially the length of a published notice and, correspondingly, to reduce the costs associated with publishing determinations. Under the current approach, publishing costs for fiscal 1998 are projected to reach approximately \$900,000 because a published, final notice includes a complete discussion of all comments we receive and an explanation of our positions with respect to these comments. Comments and positions constitute the bulk of the notice. By making the discussion of comments available in another public forum, *i.e.*, the World Wide Web, the length of the notice would be reduced in some cases by over 80 percent, and publishing costs would drop correspondingly.

Proposal

A reduction in publishing costs becomes possible when final determinations are divided into at least two sections: (1) the notice to be published in the FR; and (2) an "Issues and Decision Memorandum" to be posted simultaneously on the Import Administration (IA) Web page. If it is appropriate to convert other portions of the final notice to a memorandum which can then be posted on the Web, *e.g.*, a listing of prior scope determinations, we will do so.

The published notice will contain all fundamental information relating to the Department's decisions, including margins, Department contacts, deadlines, cash-deposit requirements, and, for administrative reviews, the duty-assessment methodology. In addition, the notice will state explicitly that the public can find a paper copy of the discussion of the issues and, if applicable, other relevant memoranda on file in the IA Central Records Unit, room B-099. The notice will also provide the public with a Web address

that will allow an interested party access to the electronic version of these documents, and it will contain an appendix that lists all issues that parties raised in case briefs and/or other issues that are detailed in the memoranda that are available on the Web.

The "Issues and Decision Memorandum" (Decision Memo) will contain the complete discussion of issues raised in case and rebuttal briefs, and it will be adopted and incorporated by reference into the notice we publish in the FR. It will be identical in content to the current *Analysis of Comments* section, which constitutes the bulk of expenditure by IA for FR publications. Namely, the Decision Memo will be a memo from a Deputy Assistant Secretary to the Assistant Secretary with recommendations on positions for the Department to take in response to the comments parties made after the preliminary analysis. The Decision Memo will be available on the IA Web page simultaneously with the publication of the notice in the FR. We will follow this approach for all FR final notices regardless of the type of proceeding.

Accessibility of Information

Given that we will provide the Web address clearly in the published FR notice where the public can find the relevant memoranda and the pervasiveness of the Web in law firms and other businesses, interested parties should not encounter any difficulty in locating this information. Thus, our determinations will be as accessible to the public as when the information is included in a traditionally published FR notice. This also will meet the Department's obligations to make public the facts and conclusions of its determinations in accordance with section 771(i) of the Tariff Act of 1930, as amended.

Locating Memoranda on the Web

We will make the Decision Memo and, as applicable, other memoranda, such as a scope memorandum, available on IA's Web page. These memos will be located in the electronic library of IA documents. The majority of the Internet address, "www.ita.doc.gov/import_admin/records," will remain the same for each notice. The last part of the address will contain, in order, the year the notice was published, followed by the month it was published, followed by the letters "frn." A notice published in June 1998, for example, would have the address "www.ita.doc.gov/import_admin/records/9806frn." This address will take the user to a list of countries which contains electronic

links to all published IA notices and related memoranda for each case pertaining to each country. Any special instructions parties might need to locate pertinent memoranda will be in the FR notice.

The Department will provide links to relevant documents for each order in the following sample format on the IA home page. Text in bold represents links to the corresponding documents.

[A-XXX-XXX]

Product

1. Final Results of Antidumping Duty Administrative Review

2. Decision Memorandum

(Published 00/00/199X)

Request for Comment

The Department invites comments pertaining to its proposed formats for a modified FR notice and the companion information to be posted on the Web. Parties wishing to address these proposed formats should submit a signed original and six copies of each set of comments to the Assistant Secretary not later than September 15, 1998. All comments will be available for public inspection and photocopying in the IA's Central Records Unit, Room B-099, between the hours of 8:30 a.m. and 5:00 p.m. on business days.

Each person filing comments should include the submitter's name and address, and give reasons for any recommendations. To facilitate the Department's consideration of the comments, please submit them in the following format: (1) make reference to the specific proposed document to which the comment is directed; (2) begin each comment on a separate page; (3) provide a brief summary of the comment (a maximum of three sentences) and label this section "Summary of the Comment;" and (4) concisely state the issue identified and discussed in the comment and provide reasons for any recommendation.

To help simplify the processing and distribution of comments, the Department requests the submission of comments in electronic form to accompany the required paper copies. Comments filed in electronic form should be on a DOS formatted 3.5" diskette in either WordPerfect format or a format that the WordPerfect program can convert and import into WordPerfect. Please make each comment a separate file on the diskette and name each separate file using the name of the proposed document, *i.e.*, "Sample FR Document," "Sample Decision Memo," and/or "General Comments."

Comments received on diskette will be made available to the public on the Web at the following address: "http://www.ita.doc.gov/import_admin/records/". In addition, upon request, the Department will make comments filed in electronic form available to the public on 3.5" diskettes (at cost), with specific instructions for accessing compressed data (if necessary). Any questions concerning file formatting, document conversion, access on the Web, or other electronic filing issues should be addressed to Andrew Lee Beller, IA Webmaster, at (202) 482-0866 or via e-mail at andrew_lee_beller@ita.doc.gov.

Dated: August 14, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

Appendix I—Sample FR Document

This will be published in the FR. (Please note that this sample reflects final results of an administrative review. All IA final determinations will be subject to this modified format.)

DEPARTMENT OF COMMERCE

International Trade Administration

[Case Number]

(Product) from (Country); Final Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On (date), the Department of Commerce published the preliminary results of administrative review of the antidumping duty order on (product) from (country). The merchandise covered by this order is (brief description). The review covers (number) manufacturers/exporters. The period of review is (date) through (date).

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of the Review."

EFFECTIVE DATE: (Insert date of publication in the *Federal Register*)

FOR FURTHER INFORMATION CONTACT: (Analyst), Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-XXXX.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective

January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (1998).

Background

On (date), the Department published the preliminary results of administrative review of the antidumping duty order on (product) from (country) (FR cite). The review covers (number) manufacturers/exporters. The period of review (POR) is (date) through (date). We invited parties to comment on our preliminary results of review. At the request of certain interested parties, we held a public hearing on (date). The Department has conducted this administrative review in accordance with section 751 of the Act.

Scope of Review

The product covered by this review is (product) and (description). For a detailed description of the products covered by the order, including a compilation of all pertinent scope determinations, see the "Scope Memorandum," dated (date). This public document can be found, in full, either in Import Administration's Central Records Unit (Room B-099 of the main Commerce building (hereafter, B-099)) or on the Worldwide Web (the Web) at www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)." The paper copy and electronic version of the Scope Memorandum are identical in content.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) from (name), Deputy Assistant Secretary, Import Administration, to Robert S. LaRussa, Assistant Secretary for Import Administration, dated (date), which is hereby adopted and incorporated by reference into this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in B-099. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)." The paper copy and electronic version of the Decision Memorandum are identical in content.

Use of Facts Available (if necessary)

For a discussion of our application of facts available, see the "Facts Available" section of the Decision Memorandum, which is on file in B-099 and available on the Web at www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)."

Sales Below Cost in the Home Market (where applicable)

The Department disregarded home market sales below cost for (names of firms) in these final results of review.

Duty Absorption (where applicable)

We have determined that duty absorption has/has not occurred with respect to (name of firm) with respect to (XX) percentage of sales which this firm made through its U.S. affiliated party. For a discussion of our determination with respect to this matter, see the "Duty Absorption" section of the Decision Memorandum, accessible in B-099 and on the Web at www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)."

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made certain changes in the margin calculations. We have also corrected certain programming and clerical errors in our preliminary results, where applicable. Any alleged programming or clerical errors with which we do not agree are discussed in the relevant sections of the "Decision Memorandum," accessible in B-099 and on the Web at www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)."

Final Results of Review

We determine that the following percentage weighted-average margins exist for the period (date) through (date):

Manufacturer/exporter	Margin (percent)
(Company Name)	XX.XX
(Company Name)	XX.XX

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b), we have calculated exporter/importer-specific assessment rates. With respect to both EP and CEP sales, we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct Customs to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of (product) from (country) entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed companies will be the rates shown above except that, for firms whose weighted-average margins are less than 0.5 percent and therefore *de minimis*, the Department shall require no deposit of estimated antidumping duties; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the

company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be (rate). This rate is the "All Others" rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections section 751(a)(1) and 771(i) of the Act.

(Name) Assistant Secretary for Import Administration

(Date)

Appendix II—Issues in Decision Memorandum (Sample)

(www.ita.doc.gov/import_admin/records/XXXXfrn, under the heading "(Applicable Country)")

Comments and Responses

1. Facts Available
2. Discounts, Rebates, and Price Adjustments
3. Circumstance-of-Sale Adjustments
 - A. Technical Services and Warranty Expenses
 - B. Credit
 - C. Indirect Selling Expenses
4. Level of Trade
5. Cost of Production and Constructed Value
 - A. Cost-Test Methodology
 - B. Research and Development
 - C. Profit for Constructed Value
 - D. Affiliated-Party Inputs
 - E. Abnormally High Profits
 - F. Credit and Inventory Costs
 - G. Other Issues
6. Further Manufacturing
7. Packing and Movement Expenses
8. Affiliated Parties
9. Sample Sales and Prototypes/Zero Price Transactions
10. Export Price and Constructed Export Price

11. Programming and Clerical Errors
12. Duty Absorption
13. Reimbursement
14. Tooling Revenue
15. Cash Deposit Financing
16. Miscellaneous Issues
 - A. Ocean and Air Freight
 - B. Burden of Proof
 - C. HTS
 - D. Certification of Conformance of Past Practice
 - E. Pre-Existing Inventory
 - F. Inland Freight
 - G. Other Issues

Appendix III—Sample Decision Memo

This will be available on IA's Web page. (Case Number) AR X/XX-X/XX Public Document

MEMORANDUM TO: (Name) Assistant Secretary for Import Administration
 FROM: (Name) Deputy Assistant Secretary
 SUBJECT: Issues and Decision Memorandum for the Administrative Review of (product) from (country)—(date) through (date)

Summary

We have analyzed the comments and rebuttals of interested parties in the (date) administrative review of the antidumping duty order covering (product) from (country). As a result of our analysis, we have made changes, including corrections of certain inadvertent programming and clerical errors, in the margin calculations. We recommend that you approve the positions we have developed in the *Discussion of the Issues* section of this memorandum. Below is the complete list of the issues in this administrative review for which we received comments and rebuttals by parties:

1. Facts Available
2. Discounts, Rebates, and Price Adjustments
3. Circumstance-of-Sale Adjustments
 - A. Technical Services and Warranty Expenses
 - B. Credit
 - C. Indirect Selling Expenses
4. Level of Trade
5. Cost of Production and Constructed Value
 - A. Cost-Test Methodology
 - B. Research and Development
 - C. Profit for Constructed Value
 - D. Affiliated-Party Inputs
 - E. Abnormally High Profits
 - F. Credit and Inventory Costs
 - G. Other Issues
6. Further Manufacturing
7. Packing and Movement Expenses
8. Affiliated Parties
9. Sample Sales and Prototypes/Zero Price Transactions
10. Export Price and Constructed Export Price
11. Programming and Clerical Errors
12. Duty Absorption
13. Reimbursement
14. Tooling Revenue
15. Cash Deposit Financing
16. Miscellaneous Issues
 - A. Ocean and Air Freight
 - B. Burden of Proof
 - C. HTS
 - D. Certification of Conformance to Past Practice
 - E. Pre-Existing Inventory

F. Inland Freight
G. Other Issues

Background

On (date), the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order on (product) from (country). The merchandise covered by this order is (description). The period of review (POR) is (date) through (date). We invited parties to comment on our preliminary results of review. At the request of certain interested parties, we held a public hearing on (date).

Discussion of the Issues

1. Facts Available

Comment 1:
Department's Position:

2. Discounts, Rebates, and Price Adjustments

Comment 1:
Department's Position:

3. Circumstance-of-Sale Adjustments

Comment 1:
Department's Position:

* * * * *

Recommendation

Based on our analysis of the comments received, we recommend adopting all of the above positions and adjusting all related margin calculations accordingly. If these recommendations are accepted, we will publish the final results of review and the final weighted-average dumping margins for all reviewed firms in the **Federal Register**.
AGREE _____
DISAGREE _____

(Name) Assistant Secretary for Import Administration

(Date)
[FR Doc. 98-22547 Filed 8-20-98; 8:45 am]
BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-423-808, A-122-830, A-475-822, A-791-805, A-580-831 and A-583-830]

Stainless Steel Plate in Coils from Belgium, Canada, Italy, South Africa, South Korea and Taiwan; Notice of Postponement of Preliminary Determinations in Antidumping Duty Investigations

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Postponement of Preliminary Determinations for Antidumping Duty Investigations of Stainless Steel Plate in Coils from Belgium, Canada, Italy, South Africa, South Korea and Taiwan.

SUMMARY: The Department of Commerce ("the Department") is postponing the preliminary determinations of the antidumping duty investigations of stainless steel plate in coils from Belgium, Canada, Italy, South Africa, South Korea and Taiwan. These investigations cover 10 manufacturers and exporters of the subject merchandise during the period January 1, 1997 through December 31, 1997.

EFFECTIVE DATE: August 21, 1998.

FOR FURTHER INFORMATION CONTACT: Steve Presing (Belgium), at (202) 482-0194; Maureen McPhillips (Canada), at (202) 482-0193; Rick Johnson (Italy, South Korea, and Taiwan), at (202) 482-3818; Robert James (Republic of South Africa) at (202) 482-5222, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230.

POSTPONEMENT OF PRELIMINARY DETERMINATIONS: On April 20, 1998, the Department initiated antidumping duty investigations of imports of stainless steel plate in coils from Belgium, Canada, Italy, South Africa, South Korea, and Taiwan. The notice of initiation stated that we would issue our preliminary determinations by September 8, 1998 (63 FR 20585; April 27, 1998).

On July 28, 1998, petitioners made a timely request pursuant to 19 CFR 351.205(e) of the Department's regulations for a 30 day postponement, pursuant to section 733(c)(1)(A) of the Tariff Act of 1930 (the Act), as amended by the Uruguay Round Agreements Act. Petitioners stated that a postponement of the preliminary determinations is necessary in order to give the Department time to address the many issues raised by these investigations. For example, petitioners indicated that they may, if warranted, file cost allegations in cases currently not subject to cost allegations. They added that if such allegations are filed, the additional time would benefit all parties. Indeed, on July 28, 1998, petitioners filed a cost allegation against a respondent from Canada.

Additionally, we have determined that these investigations are extraordinarily complicated and that additional time is necessary beyond the 30 days requested by petitioners for the Department to make its preliminary determinations. Among other considerations, there is a large number of respondents and a complex model match program.

In the investigation of stainless steel plate in coils from Italy, the respondent has informed the Department that it is

not cooperating in the investigation; as a result, the Department will have no choice but to use adverse facts available in its determination. Although no additional time is likely to be needed for the Department to prepare its preliminary determination in the Italy investigation, the Department is postponing the preliminary determination in this case as well so that all of the antidumping cases will remain on the same schedule.

Therefore, the Department is postponing the preliminary determinations of the aforementioned investigations 50 days, to October 27, 1998. See Memorandum from Joseph A. Spetrini to Robert S. LaRussa, which is on file in Room B-099 at the Main Commerce Building.

This notice is published pursuant to section 733(c)(2) of the Act and 19 CFR 351.205(f).

Dated: August 14, 1998.

Joseph A. Spetrini,
Deputy Assistant Secretary, AD/CVD Enforcement Group III.
[FR Doc. 98-22548 Filed 8-20-98; 8:45 am]
BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a) (3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 98-041. Applicant: University of Vermont, Department of Orthopaedics and Rehabilitation, 438A Stafford Hall, Burlington, VT 05405-0084. Instrument: Roentgen Stereophotogrammetric Analysis System. Manufacturer: RSA BioMedical Innovations AB, Sweden. Intended Use: The instrument will be used to make measurements of the biomechanical

behavior of different joints (ankle, knee, shoulder, spine, etc.) thus allowing the study of different types of joint trauma and surgical repair of those joints. Application accepted by Commissioner of Customs: August 3, 1998.

Docket Number: 98-042. Applicant: Louisiana State University, Center for Advanced Microstructures and Devices, 6980 Jefferson Highway, Baton Rouge, LA 70806. Instrument: Scanning Tunneling Microscope. Manufacturer: Scideco I/S, Denmark. Intended Use: The instrument will be used to uncover new physical and chemical phenomena at the surface of or in thin films. This will include elucidation of both electronic and atomic structure of material ranging from clean metal surfaces, metal-on-metal films, metal-on-semiconductor thin films, to thin film polymers. Application accepted by Commissioner of Customs: August 6, 1998.

Frank W. Creel,

Director, Statutory Import Programs Staff.
[FR Doc. 98-22546 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 980413092-8192-02]

RIN 0648-ZA39

NOAA Climate and Global Change Program, Program Announcement

AGENCY: Office of Global Programs (OGP), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; amendments.

SUMMARY: This document amends a notice published in the **Federal Register** of June 16, 1998, regarding the NOAA Climate and Global Programs. The amendments are intended to show NOAA's interest in supporting new PACS research projects designed to focus on seasonal-to-interannual climate variability over the Americas, and to announce a joint initiative between NOAA and the Department of Energy, contingent upon the availability of funding, to support a global synthesis of ocean CO₂ data, with the ultimate goal of estimating the quantity of anthropogenic CO₂ that has been taken up by the global ocean. The dates for receiving Letters of Intent and full proposals for these amendments are changed. All other dates remain the same.

DATES: NOAA/DOE joint initiative research projects do not need Letters of Intent, full proposals must be postmarked on or before September 30, 1998.

New PACS research projects Letter of Intent must be received 30 days after the date of publication in the **Federal Register**, with full proposals postmarked on or before November 6, 1998.

ADDRESSES: Proposals may be sent to Office of Global Programs, National Oceanic and Atmospheric Administration, 1100 Wayne Avenue, Suite 1210, Silver Spring, MD 20910-5603.

FOR FURTHER INFORMATION CONTACT: Irma duPree at the above address or at phone: (301) 427-2089 ext 107, Internet: duPree@ogp.noaa.gov.

SUPPLEMENTARY INFORMATION: The Office of Global Programs published a notice describing the Program and funding area descriptions on June 16, 1998. (63 FR 32859.) The program description, evaluation criteria, selection process, background and requirements, as well as guidelines for applications are included in that notice and are not repeated here.

Amendments

In the notice, FR Doc. 98-15887, on page 32861, second column, first full paragraph, add the following sentence after the first sentence to read as follows: "NOAA is interested in supporting new PACS research projects to focus on seasonal-to-interannual climate variability over the Americas."

In the same document on page 32861, third column, first full paragraph, add the following sentence to replace the third sentence "Proposals are sought which make use of data collected on both the DOE-sponsored Global CO₂ Survey and the NOAA OACES Program."

Authority. 49 U.S.C. 44720; 33 U.S.C. 883d, 883e, 15 U.S.C. 2904; 15 U.S.C. 2931 et seq.

Dated: August 17, 1998.

J. Michael Hall,

Director, Office of Global Programs.
[FR Doc. 98-22543 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-12-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in the Republic of Turkey

August 17, 1998.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: August 21, 1998.

FOR FURTHER INFORMATION CONTACT: Roy Unger, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limits for certain categories are being adjusted, variously, for shift, special shift, and carryover.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION:** Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 62 FR 66057, published on December 17, 1997). Also see 62 FR 67839, published on December 30, 1997; and 63 FR 27923, published on May 21, 1998.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

August 17, 1998.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 22, 1997, as amended on May 14, 1998 and May 18, 1998, by the Chairman, Committee for the Implementation of Textile Agreements. That directive, as amended, concerns imports of certain cotton, wool and man-made fiber textile products, produced or manufactured in the Republic of Turkey and exported during the periods January 1, 1998 through December 31, 1998 and June 1, 1998 through December 31, 1998 (Categories 352/652).

Effective on August 21, 1998, you are directed to adjust the current limits for the following categories, as provided for under the Uruguay Round Agreement on Textiles and Clothing:

Category	Adjusted limit ¹
Fabric Group 219, 313-O ² , 314-O ³ , 315-O ⁴ , 317-O ⁵ , 326-O ⁶ , 617, 625/626/627/628/629, as a group.	165,959,749 square meters of which not more than 40,184,564 square meters shall be in Category 219; not more than 49,114,466 square meters shall be in Category 313-O; not more than 28,575,690 square meters shall be in Category 314-O; not more than 38,398,585 square meters shall be in Category 315-O; not more than 40,184,564 square meters shall be in Category 317-O; not more than 4,464,950 square meters shall be in Category 326-O; and not more than 26,789,711 square meters shall be in Category 617.
Sublevel in Fabric Group 625/626/627/628/629	18,089,753 square meters of which not more than 8,538,363 shall be in Category 625; not more than 7,235,901 square meters shall be in Category 626; not more than 7,235,901 square meters shall be in Category 627; not more than 7,235,901 square meters shall be in Category 628; and not more than 7,235,901 square meters shall be in Category 629.
Limits not in a group 351/651 352/652 361 369-S ⁷	1,046,710 dozen. 1,329,887 dozen. 2,281,256 numbers. 1,881,616 kilograms.

¹ The limits have not been adjusted to account for any imports exported after December 31, 1997 and May 31, 1998 (352/652).

² Category 313-O: all HTS numbers except 5208.52.3035, 5208.52.4035 and 5209.51.6032.

³ Category 314-O: all HTS numbers except 5209.51.6015.

⁴ Category 315-O: all HTS numbers except 5208.52.4055.

⁵ Category 317-O: all HTS numbers except 5208.59.2085.

⁶ Category 326-O: all HTS numbers except 5208.59.2015, 5209.59.0015 and 5211.59.0015.

⁷ Category 369-S: only HTS number 6307.10.2005.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
Troy H. Cribb,
Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 98-22491 Filed 8-20-98; 8:45 am]
BILLING CODE 3510-DR-F

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Availability of Funds for National Provider of Training and Technical Assistance to National Service Programs Operated by Indian Tribes or Involving Native Americans

AGENCY: Corporation for National and Community Service.

ACTION: Notice of Availability of Funds.

SUMMARY: The Corporation for National and Community Service (Corporation) announces the availability of approximately \$100,000 to provide training and technical assistance (T/TA) to national service programs supported by the Corporation that are operated by Indian Tribes or involve Native Americans. The Corporation expects to make one award in the form of a one-year cooperative agreement with the possibility of extension based on performance, need, and availability of funds.

DATES: Proposals must be received by the Corporation by 3:00 p.m. Eastern time on September 21, 1998.

ADDRESSES: All proposals should be submitted to the Corporation for National and Community Service, 1201 New York Avenue, NW, Washington, DC 20525, Attention: Laurel Ithor, Room 9808.

FOR FURTHER INFORMATION CONTACT: Jim Ekstrom or Susan Schechter at the Corporation for National and Community Service, (202) 606-5000, ext. 461, T.D.D. (202) 565-2799. This notice may be requested in an alternative format for persons with visual impairments.

SUPPLEMENTARY INFORMATION:

I. Background

The Corporation for National and Community Service was established in 1993 to engage Americans of all ages

and backgrounds in service in their communities. The Corporation's national and community service programs provide opportunities for participants to serve full-time and part-time, with or without stipend, as individuals or as a part of a team. AmeriCorps*State/National, VISTA, and National Civilian Community Corps engage thousands of Americans on a full- or part-time basis at more than 1,000 locations to help communities meet their toughest challenges. Learn and Serve America integrates service into the academic life of more than 800,000 students in all 50 states. The National Senior Service Corps utilizes the skills, talents and experience of over 500,000 older Americans to help make communities stronger, safer, healthier and smarter.

The Corporation directly operates the AmeriCorps*VISTA *NCCC programs. More than 4,000 AmeriCorps*VISTA members serve to develop grassroots programs, mobilize resources and build capacity for service programs across the nation. AmeriCorps*NCCC (National Civilian Community Corps) provides an opportunity for approximately 1,000 individuals between the ages of 18 and 24 to participate in a residential program principally located on downsized military bases.

The Corporation provides assistance to organizations that carry out AmeriCorps*State/National, Learn and Serve America, and National Senior Service Corps programs. AmeriCorps*State/National programs, which involve 25,000 Americans each year in results-driven community service, are grant programs managed by (1) State Commissions that select and oversee programs operated by local organizations, (2) national non-profit organizations that identify and act as parent organizations for operating sites across the country; (3) Indian tribes; or (4) U.S. Territories. Learn and Serve America grants provide service learning opportunities for students in K-12 and higher education settings. The National Senior Service Corps operates through grants to local organizations for Retired Senior Volunteer Programs (RSVP), Foster Grandparents and Senior Companions to provide service to their communities. For additional information on the national service program supported by the Corporation, go to <http://www.nationalservice.org>.

II. Eligibility

Public agencies, non-profit organizations (i.e., youth-serving groups, community-based organizations, and service organizations), institutions of higher education, Indian tribes, and

for-profit companies are eligible to apply. Based on previous T/TA provider application processes and the Corporation's estimate of the number of potential applicants, the Corporation expects fewer than ten applications to be submitted.

III. Period of Assistance and Other Conditions

A. Cooperative Agreements

Awards made under this Notice will be in the form of cooperative agreements. Administration of cooperative agreements is controlled by the Corporation's regulations, 45 CFR Part 2541 (for agreements with state and local government agencies) and 45 CFR Part 2543 (for agreements with institutions of higher education and other organizations). Providers must comply with reporting requirements, including quarterly financial reports and quarterly progress reports linking progress on deliverables to expenditures.

B. Use of Materials

To ensure that materials generated for training and technical assistance purposes are available to the public and readily accessible to grantees and subgrantees, the Corporation retains royalty-free, non-exclusive, and irrevocable licenses to obtain, use, reproduce, publish, or disseminate products, including data produced under the agreement, and to authorize others to do so. The awardee will agree to make available, to the extent practical, products at no cost or at the cost of reproduction to the national service field as identified by the Corporation.

C. Time Frame

The Corporation expects that work under agreements awarded through this Notice will commence on or about November 1, 1998, following the conclusion of the Corporation's selection process and the negotiation of a cooperative agreement. The Corporation expects that the period of performance will be one year, with the possibility of extension based on performance, need and availability of funds.

D. Other Corporation-sponsored Training and Technical Assistance

In addition to using the provider selected under this Notice, the Corporation currently provides T/TA to national service programs through a network of national providers in conflict resolution, human relations and diversity training, educational success, financial management, supervisory

skills training, training materials development, National Service Resource Center, organizational development and program management, public safety programs, risk management, crew-based programming, member development and management, sustainability, and out-of-school time.

IV. T/TA Activities

The Corporation expects the provider selected under this Notice to integrate the following requirements into its service delivery:

1. Consistent with the Statement of Work, respond to requests for T/TA from Indian tribes regarding any aspect of a national service program operated by an Indian tribe.

2. Respond to requests for T/TA relating to Native American issues made by any other organization operating a national service program supported by the Corporation.

3. Coordinate continually with Corporation staff concerning programs that are in particular need of T/TA support.

4. Conduct active, targeted outreach to programs identified by the Corporation as needing T/TA services.

5. Work in partnership with programs to help identify/clarify needs and determine the most suitable responses.

6. Prepare and submit for approval by the Corporation specific criteria for the evaluation of their T/TA services. After each T/TA event, to facilitate continuous improvement of these services, the provider will solicit evaluations of its services consistent with the approved evaluation criteria. The provider will maintain records on these evaluations and provide these records to the Corporation or an authorized representative upon request. The provider will also submit to the Director of T/TA a quarterly report which, in part, (1) compares accomplishments with goals; (2) describes the nature and scale of T/TA activity; (3) provides aggregate summaries of the evaluations of each event; (4) recommends agendas based on analyses of T/TA activity and trends; (5) as practicable, relates activity costs to budget line items; (6) identifies developments that hinder compliance with the agreement; and (7) when appropriate, cites or proposes corrective action, and seeks Corporation assistance. The Corporation may conduct independent assessments of the provider's performance.

7. Orient and train staff and consultants in the Corporation's background and objectives.

8. Collaborate in training events organized by other providers for the Corporation.

9. Conduct outreach to national service programs to promote awareness of available T/TA services for programs operated by Indian tribes and for other issues involving Native Americans.

10. Use peer-provided T/TA in situations where this approach is feasible and appropriate. Identify, document and transmit effective practices.

11. Develop training that is interactive, culturally appropriate, experiential and based on the principles of adult learning.

12. Develop training designs that accommodate participants at various levels of existing knowledge and skills.

13. Ensure that assistance is inclusive of, and accessible to, persons with disabilities.

14. Link all T/TA activities to the greatest extent possible to the goal of sustainability in the absence of Corporation financial support.

15. Help organizations improve the quality of their program objectives and desired outcomes.

16. Operate with a focus on capacity-building to help programs develop their internal T/TA capacity, such as by improving their skills in problem identification, problem solving and assessing local T/TA resources. The provider should develop train-the-trainer initiatives for the purpose of increasing capacity at the tribal and local level to deliver T/TA services to national service programs. The provider should support and encourage programs' access to local T/TA resources.

17. Develop and maintain a network of geographically dispersed and tribally-diverse experts that includes staff from Corporation-funded programs.

18. Use electronic communication as much as possible to facilitate the delivery of T/TA services. The Corporation is especially interested in approaches that expedite service delivery, increase communications and are cost-efficient. In all T/TA activities, programs should be encouraged and assisted in using electronic communication and automation.

V. Statement of Work

The provider should deliver a training program that reflects the diverse and unique needs of the approximately 40 Indian tribes operating national service programs. The provider will broker services of consultants and other national providers, offer direct services whenever they fall within the range of expertise of the provider, and provide

designated support services to Indian tribes that receive grants to operate national service programs.

Specific tasks include, but are not limited to, the following:

- Recruit, screen and retain a qualified pool of consultants, primarily Native American, with a diverse array of skills and expertise.

- Orient consultants to the Corporation's mission, philosophy, objectives, and requirements.

- Identify consultants from geographically and tribally diverse backgrounds.

- Conduct targeted outreach as identified by the Corporation.

- Establish partnerships with other national providers.

—Provide training and orientation on Native American issues to providers as requested

—Conduct joint training sessions when appropriate

—Review and evaluate resource materials developed by other national providers to ensure that they are appropriate and useful for Indian tribes operating national service programs

- Respond promptly to T/TA needs in the most appropriate manner:

—Refer need to a consultation/provider

—Provide on-line consultation

—Provide telephone consultation via a toll-free number

—Provide on-site consultation.

- Plan and coordinate an annual "network" training event for approximately 75–100 participants from

Indian tribes operating national service programs.

- Develop and maintain a web page that includes:

—T/TA calendar

—Resource information that supports programs

—Articles

—Agendas and resource materials from training events conducted by the provider and consultant pool

—Service learning information.

- Monitor and post information on the listserv dedicated to Indian tribes operating national service programs.

- Develop and disseminate information on a quarterly basis for and about Indian tribes operating national service programs.

- Develop resource manuals or materials as needed.

- Work with the National Service Resource Center to establish a resource library specifically related to the needs of Indian tribes operating national service programs.

—Identify relevant workshops, conferences, print materials, Internet sites, curricula and videos

—Maintain a catalog of available resources.

- Develop and conduct needs assessments for Indian tribes operating national service programs.

VI. Application Guidelines

A. Proposals Must Include

A cover page listing: name, address, phone number, fax number, e-mail address and World Wide Web site (if

available) of the applicant organization and contact person; a 50–75 word summary of the proposed T/TA program or activity; and the total funding requested (not to exceed \$100,000).

A narrative of no more than 10 double-spaced, single-sided, typed pages in no smaller than 12-point font describing:

(a) Objectives, scope of activities being proposed, and expected outcomes (e.g., proposed number and duration of training events and number of participants; proposed number of consultations).

(b) Detailed work plan for accomplishing the objectives to include a timeline demonstrating implementation of each objective.

(c) Applicant's plan for regularly evaluating its performance and reporting the findings and proposed improvements to the Corporation.

3. A narrative of no more than six double-spaced, single-sided, typed pages in no smaller than 12-point font describing the organization's capacity to provide T/TA services nationwide, including descriptions of recent work similar to that being proposed, references that can be contacted related to that work, organizational structure and staff strengths and backgrounds (resumes of proposed staff may be included in an appendix).

4. A detailed budget summary, including the allocation of person-hours/days by task, an estimate of travel and other direct costs by task as appropriate, using the following format:

BUDGET SUMMARY

Applicant		
A. Staff .....	.....	List positions in attached Budget Narrative.
Salaries .....	.....
Benefits .....	.....
Subtotal A .....	.....
B. Program Staff Development .....	.....	Include expenses for program directors to attend training events. Costs included in Other should be described in the accompanying budget narrative.
Travel .....	.....
Per Diem .....	.....
Other .....	.....
Subtotal B .....	.....
C. Consultants .....	.....	Specify the total cost of consultants.
D. Training Events .....	.....	This amount should include the cost of training supplies, facilities, etc.
E. Sub-contracts, sub-grants .....	.....	Specify the total cost of subgrants and subcontracts, if any.
F. Communication .....	.....	This amount should include the total cost of communications systems and equipment. Systems may include newsletters, computer networks and mailings.
Systems .....	.....
Equipment .....	.....
Subtotal F .....	.....
G. Supplies .....	.....	Include only supply costs not associated with Training Events.
H. Other .....	.....	Specify the total of all other costs unrelated to the above categories.

BUDGET SUMMARY—Continued

Applicant		
Total Request (A through H) .....	.....

Costs in proposed budgets must consist solely of those allowable under reimbursable cost principles found in applicable OMB Circulars. A supporting budget narrative including an explanation of the basis for cost estimates is required. Include any information on funding from other sources if any. (Provider match is not required.)

5. Resumes and/or other descriptions of staff qualifications may be included in an appendix and are not subject to the page limits that are otherwise applicable.

6. Applicants must submit one unbound, original proposal and two copies. Proposals may not be submitted by facsimile.

B. Selection Process and Criteria

To ensure fairness to all applicants, the Corporation reserves the right to take remedial action, up to and including disqualification, in the event a proposal fails to comply with the requirements relating to page limits, line spacing, and font size.

The Corporation will assess applications based on the criteria, and respective weights, listed below.

Quality (35%)

The Corporation will consider the quality of the proposed activities based on:

(a) Demonstrated understanding of the needs and requirements of national service programs operated by Indian tribes or involving Native Americans, other national service programs, and the role of training assistance in supporting Corporation-funded programs.

(b) Description of proposed T/TA objectives, activities, and expected outcomes.

(c) Degree to which the objectives are addressed through the work plan.

Organizational and Personnel Capacity (35%)

The Corporation will consider the organizational capacity of the applicant to deliver the proposed services based on:

(a) Organizational experience in delivering high-quality training and technical assistance, particularly in the area(s) under consideration, and the experience of staff proposed for the project.

(b) Organizational experience in delivering high-quality training and

technical assistance to Indian tribes flexibly, creatively, responsively, and working in partnership with other organizations and individuals.

(c) Background of the organization's leadership and key staff proposed for the project.

(d) Demonstrated ability to manage federal assistance.

(e) Demonstrated ability to provide T/TA services nationwide on a cost-effective basis.

Evaluation (10%)

The Corporation will consider how the applicant:

(a) Proposes to assess its services and products delivered under the award.

(b) Plans to use assessments of its services and products to improve subsequent services and products.

Budget (20%)

The Corporation will consider the budget based on:

(a) Scope of proposed T/TA activity (i.e., number of persons, programs, and/or Indian tribes proposed T/TA activities are planned to reach);

(b) Cost-effectiveness of the proposed activity; the degree to which the T/TA provider proposes a reasonable estimate of the amount of services the organization will be able to provide given the requested amount of funds and the organization's existing resources.

Preference of Nation-Wide Capacity

In addition, the Corporation may select an organization that has demonstrated its ability to provide T/TA on a nation-wide basis over an organization of comparable merit that has not demonstrated this ability.

Dated: August 17, 1998.

Thomas L. Bryant,

Acting General Counsel.

[FR Doc. 98-22477 Filed 8-20-98; 8:45 am]

BILLING CODE 6050-28-M

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Availability of Funds for Provision of Training and Technical Assistance to Sponsors of AmeriCorps Promise Fellows

AGENCY: Corporation for National and Community Service.

ACTION: Notice of availability of funds.

SUMMARY: The Corporation for National and Community Service (hereinafter the "Corporation") announces the availability of approximately \$200,000 to support an organization selected under this Notice to provide training and technical assistance to organizations that sponsor AmeriCorps Promise Fellows. The organization selected will—on a national level—develop in the Fellows an identity that derives from participation in a common, national endeavor, design and help implement a training program to provide the Fellows with the skills required to fulfill their mission, and facilitate the exchange of information among Fellows, sponsoring organizations, and others involved in the AmeriCorps Promise Fellows initiative.

DATES: All proposals must be submitted by September 30, 1998. The Corporation anticipates making an award under this announcement no later than November 1, 1998. The project period is negotiable, but will end no later than December 31, 1999.

ADDRESSES: Proposals must be submitted to the Corporation at the following address: Corporation for National and Community Service, Attn: Gary Kowalczyk, 1201 New York Avenue NW., Washington, DC 20525.

FOR FURTHER INFORMATION CONTACT: For further information, contact the Corporation for National and Community Service, Dana Rodgers, at (202) 606-5000, ext. 211, or T.D.D. at (202) 565-2799. This notice may be requested in alternative format for visually impaired persons.

SUPPLEMENTARY INFORMATION:

The Corporation for National and Community Service

The Corporation is a federal government corporation that encourages Americans of all ages and backgrounds to engage in national and community service. This service addresses the nation's educational, public safety, environmental and other human needs to achieve direct and demonstrable results. In doing so, the Corporation fosters civic responsibility, strengthens the ties that bind us together as a people, and provides educational opportunity for those who make a

substantial contribution to service. For more information about the Corporation and the activities it supports, go to <http://www.nationalservice.org>.

Section 198 of the National and Community Service Act of 1990, as amended, 42 U.S.C. 12653, authorizes the Corporation to provide, directly or through contracts or cooperative agreements, training and technical assistance in support of activities under the national service laws.

Through this notice, the Corporation invites proposals from eligible applicants to provide training, technical assistance and other support to sponsors of AmeriCorps Promise Fellows. The Corporation anticipates making a single award for this purpose.

Public agencies, non-profit organizations (i.e., youth-serving groups, community-based organizations, and service organizations), institutions of higher education, Indian tribes, and for-profit companies, including those that operate Corporation-supported programs, are eligible to apply. Submissions from organizations that can document an ability to provide T/TA on a nationwide basis will be accorded a preference in the selection process. Based on past T/TA competitions and the Corporation's estimate of the number of potential applicants, the Corporation expects that fewer than ten applications will be submitted.

Background

Last year in Philadelphia, President Clinton, former Presidents Bush, Carter, and Ford, Mrs. Nancy Reagan, and General Colin Powell, with the endorsement of many governors, mayors, and leaders of the independent sector, declared: "We have a special obligation to America's children to see that all young Americans have:

- Caring adults in their lives, as parents, mentors, tutors, coaches;
- Safe places with structured activities in which to learn and grow;
- A healthy start and healthy future;
- An effective education that equips them with marketable skills; and
- An opportunity to give back to their communities through their own service.

For more information about the five goals of the President's Summit for America's Future, go to <http://www.americaspromise.org>.

As a major partner in this effort, the Corporation for National Service devotes a substantial part of its activities to help meet these goals, including the work of AmeriCorps, Learn and Serve America, and the National Senior Service Corps. AmeriCorps Promise Fellows will provide States and local communities with additional and

unique support to help carry out their plans to provide America's children with these five fundamental resources.

The Corporation for National Service will use approximately \$5 million to award up to 100 grants to support AmeriCorps Promise Fellows dedicated to achieving the five goals for children set at the President's Summit. These grants, in the aggregate, are expected to support between 500 and 750 Fellowships. Fellows will spend one year serving with organizations that are committed to helping to meet one or more of the given goals of the President's Summit. In addition, each Fellow completing service will receive the \$4,725 AmeriCorps education award.

Relationship to AmeriCorps Promise Fellows and Other Groups

This Notice seeks a provider to work with sponsors of AmeriCorps Promise Fellows throughout the country. Sponsors may include State Commissions, national non-profit organizations, Indian tribes and U.S. Territories. Fellows will serve with host organizations directly engaged in achieving the five goals identified at the Presidents' Summit. For purposes of this Notice, the term "sponsor" includes both sponsoring and host organizations. Sponsors will ensure that Fellows work in coordination with America's Promise: The Alliance for Youth, an organization established to follow through on the commitments made at the Presidents' Summit. For more information about the AmeriCorps Promise Fellows, see the notice announcing the availability of funds published at 63FR 38811 (July 20, 1998) or go to <http://www/nationalservice.org>.

The provider will need to coordinate at the national level with America's Promise as well as the Corporation. It will also be required to work in a complementary role with the State Commissions and other sponsors.

Training and Technical Assistance Activities

Within the framework of relationships described above, the Corporation expects the provider selected under this Notice to engage in the following:

(1) *Developing a National Program Identity:* Fellows need to see themselves, and be seen by others, as part of a unique effort that is grounded in their identity as AmeriCorps members, but expands on that awareness to identify with their special mission to support implementation at the community level of the five fundamental resources for youth identified at the Presidents' Summit and

carried forward by America's Promise at the community and state levels.

The provider will support this through a variety of ways, which for illustrative purposes may include:

Facilitating communication and general program awareness among Fellows, through newsletters and other periodic communications to Fellows and the organizations where they serve, an Internet listserv or other means of communication among Fellows and sponsor and host organization staff, and periodic contact through phone calls, mass mailings and training conferences.

Developing and disseminating materials concerning AmeriCorps Promise Fellows on a national basis.

Designing and developing items that provide a unique identity to the Fellows, such as caps, T-shirts and other clothing, program logos, etc. in coordination with the Corporation and America's Promise.

(2) *Training Support for AmeriCorps Promise Fellows.* The provider will take the lead in designing and delivering a training program to provide Fellows with the knowledge and skills needed to successfully implement the initiative. This may include:

- Designing and developing training curricula and materials, focusing on overall program objectives and identity, special skills such as community outreach, networking, resource mobilization, community volunteer recruitment, and training and coordination.
- Conducting, in collaboration with the Corporation, America's Promise, and sponsors, an initial national pre-service orientation for the Fellows, focusing on the terms and conditions of service and the identity and mission of the Fellows. The orientation will likely be a three-day event at a central location, with all 500-750 Fellows participating. The provider will participate in design of the orientation, facilitate and present selected topics, and provide logistical coordination, including working with the site (hotel, conference center, etc.) as well as with the Corporation, America's Promise and sponsors. The provider will *not* be responsible for the travel and per diem of participants, including Fellows and staff (other than provider staff).

• Providing technical assistance and support on a continuing basis to the Fellows and their sponsors.

(3) *Program Coordination:* The provider will support the implementation of the AmeriCorps Promise Fellows initiative by:

- Facilitating information exchange through regular communications with and between the Corporation, America's

Promise, and sponsors, including design and implementation of a management information system, periodic oral, electronic and written reports and other communications about the status of the Fellowship initiative.

- Identifying issues and challenges requiring action by the Corporation or sponsors.

(4) *Self Evaluation*: The provider will implement a program of continuous improvement, including periodic self-assessments and follow-up to ensure that issues identified in the assessments are addressed. The provider will share these self-assessments with the Corporation.

Contents of the Proposal

Eligible parties must submit a proposal that contains the following information:

1. A cover page listing: name, address, phone number, fax number, e-mail address and World Wide Web site (if available) of the applicant organization and contact person; a brief summary of the proposed program; and the total funding requested (not to exceed \$200,000).

2. Narrative of no more than 10 double-spaced, single sided, typed pages in no smaller than 12 point font describing:

- A detailed work plan for accomplishing the tasks described in the
- Training and Technical Assistance portion of this Notice.
- The applicant's plan for regularly evaluating its performance and reporting the findings and proposed improvements to the Corporation.

3. A narrative of no more than four double-spaced, single sided, typed pages in no smaller than 12-point font describing the organization's capacity to provide training, technical assistance, and other requested assistance nationwide, including descriptions of recent work similar to that being proposed, references that can be contacted relative to that work, organizational structure and staff members proposed for participation in this program, including their strengths and backgrounds (resumes of proposed staff members may be included as an attachment and are not counted toward the page limits.)

4. A detailed budget, including the allocation of person-hours by task, an estimate of travel and other direct costs by task as appropriate. Costs in the proposed budget must consist solely of costs allowable under applicable OMB Circulars. A supporting budget narrative including an explanation of the basis for cost estimates is required.

Selection Process and Criteria

The Corporation anticipates supporting a single cooperative agreement under this Notice, with the exact amount depending on the proposal. In making a selection, the Corporation will evaluate applications based on the criteria listed below:

(1) Quality (35%)

The Corporation will consider the quality of the proposed activities based on:

(a) Demonstrated understanding of the needs of the AmeriCorps Promise Fellows initiative and the role of training and technical assistance in supporting the initiative.

(b) Degree to which the work plan demonstrates how the provider will carry out the Training and Technical Assistance activities.

(2) Organizational and Personnel Capacity (35%)

The Corporation will consider the organizational capacity of the applicant to deliver the proposed services based on:

(a) Organizational experience in delivering high-quality training and technical assistance, particularly in the areas under consideration.

(b) Organizational experience in delivering high-quality training and technical assistance flexibly, creatively, responsively, and working in partnership with other organizations and individuals.

(c) Background of the organization's leadership and staff/consultants proposed for the project.

(d) Demonstrated ability to manage a federal grant or apply sound fiscal management principles to grants and cost accounting.

(e) Demonstrated ability to provide T/TA services nationwide on a cost-effective basis.

Evaluation (10%)

The Corporation will consider how the applicant proposes to:

(a) Assess its services and products delivered under the award.

(b) Use the self-assessments to modify and improve subsequent services and performance.

Budget (20%)

The Corporation will consider the budget based on:

(a) Scope of the proposed activity (i.e., number of Fellows, sponsors, and host organizations the proposed activities are expected to reach).

(b) Cost-effectiveness of the proposed activity; the degree to which the provider proposes a reasonable estimate

of the amount of services the organization will be able to provide based on the requested amount of funds and the organization's existing resources.

Preference for Nation-Wide Capacity

In addition, the Corporation may select an organization that has demonstrated its capacity to provide T/TA on a nation-wide basis over an organization of comparable merit that has not demonstrated this ability.

Dated: August 17, 1998.

Thomas L. Bryant,

Acting General Counsel.

[FR Doc. 98-22476 Filed 8-20-98; 8:45 am]

BILLING CODE 6050-28-P

DEPARTMENT OF DEFENSE

Office of the Secretary

Proposed Collection; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs.

ACTION: Notice.

SUMMARY: In accordance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announces the proposed extension of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) whether the proposed extension of collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received October 20, 1998.

ADDRESSES: Written comments and recommendations on the information collection should be sent to Office of the Assistant Secretary of Defense (Health Affairs) TRICARE Management Activity, Skyline Five, Suite 810, 5111 Leesburg Pike, Falls Church, Virginia 22041-3206.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection, please write to the above address or call Anne

Giese, Office of the Assistant Secretary of Defense (Health Affairs), TRICARE Management Activity at (703) 681-1757 Ext 5658.

Title; Associated Form; and OMB Number: TRICARE Senior Prime Enrollment Application Form; OMB No. 0720-0018.

Needs and Uses: This information collection is a requirement for TRICARE Senior Prime, a joint demonstration project of military managed health care conducted by the Department of Defense (DoD) and the Department of Health and Human Services (HHS). Under this demonstration, authorized by the Balanced Budget Act of 1997, DoD will offer Medicare-eligible military retirees and their dependents enrollment in a DoD-operated managed health care program. Medicare-eligible beneficiaries will be offered the opportunity to enroll at selected Medical Treatment Facilities (MTFs) in a managed care program modeled after the existing TRICARE Prime benefit. Medicare will reimburse DoD on a capitated basis for health care services it provides to the enrolled beneficiaries. Dual-eligible beneficiaries seeking enrollment in the program will be required to fill out an enrollment application which will provide information pertaining to eligibility for the program, personal information for identification purposes, and information on other health insurance.

Affected Public: Individuals or household.

Annual Burden Hours: 25,536 hours.

Number of Respondents: 77,381.

Responses Per Respondent: 1.

Average Burden Per Response: 20 minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION: Currently, Medicare-eligible military retirees are not eligible to participate in TRICARE, DoD's triple option health care benefit for military retirees and active duty dependents. Their participation in the Military Health System (MHS) is limited to receiving health care on a space-available basis at MTFs. The TRICARE Senior Prime demonstration project seeks to show that a DoD-operated managed care program can provide health care services to beneficiaries eligible for both military health care and Medicare more effectively and efficiently than under the current DoD-operated system.

Dated: August 14, 1998.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-22499 Filed 8-20-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

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, Associated Form, and OMB Number: Uniform Tender of Rates and/or Charges for Domestic Transportation Services (DoD/USCG Sponsored HHG); MT-HQ Form 43-R; OMB Number 0702-0018.

Type of Request: Reinstatement.

Number of Respondents: 1,268.

Responses per Respondent: 4.

Annual Responses: 5,402.

Average Burden per Response: 30 minutes.

Annual Burden Hours: 2,701.

Needs and Uses: Department of Defense (DoD) approved household goods carriers file voluntary rates to engage in the movement of DoD and United States Coast Guard sponsored shipments within the continental United States (CONUS). MT-HQ Form 43-R, Uniform Tender of Rates and/or Charges for Domestic Transportation Services, is the carrier's certification that business will be conducted with DoD in accordance with the Tender of Service, solicitations, and other instructions, as published. Headquarters, Military Traffic Management Command (MTMC), evaluates the rates and awards traffic to low-rate, responsible carriers, whose rates are responsive and most advantageous to the Government.

Affected Public: Business or Other For-Profit.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Mr. Peter N. Weiss.

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

DOD Clearance Officer: Mr. Robert Cushing.

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

Dated: August 14, 1998.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-22497 Filed 8-20-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

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, Associated Forms, and OMB Number: Freight Carrier Qualification/Required Documents; MT Forms 377-R, 380-R, and 381-R; OMB Number 0702-0088.

Type of Request: Reinstatement.

Number of Respondents: 1,000.

Responses Per Respondent: 1.

Annual Responses: 1,000.

Average Burden Per Response: 8.5 hours.

Annual Burden Hours: 8,500.

Needs and Uses: The information is used in determining capability to perform quality service in transporting Department of Defense (DoD) freight. Freight carriers will furnish the Military Traffic Management Command (MTMC) information to determine if individuals or associated companies are affiliated with government-debarred carriers and will reflect the carrier's financial stability. The Carrier Qualification Program (CQP) is designed to protect the interest of the Government and to ensure that DoD deals with responsible carriers having the capability to provide quality and dependable service.

Affected Public: Business or Other For-Profit.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Mr. Peter N. Weiss.

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

DOD Clearance Officer: Mr. Robert Cushing.

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

Dated: August 14, 1998.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-22498 Filed 8-20-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal and Meeting of the Board of Visitors for the Department of Defense Centers for Regional Security Studies

AGENCY: Department of Defense.

ACTION: Notice.

SUMMARY: Under the provisions of Pub. L. 92-463, the "Federal Advisory Committee act," notice is hereby given of the renewal of the Board of Visitors for Department of Defense Centers for Regional Security.

The Board will provide advice on matters related to mission, policy, faculty, students, curricula, educational methods, research, facilities, and administration of the (1) George C. Marshall European Center for Security Studies, (2) Asia-Pacific Center for Security Studies, (3) Inter-American Center for Defense Studies, and (4) any other similar regional security studies centers subsequently established by the Department of Defense.

The Board will consist of a balanced membership of approximately 25 accomplished individuals from government, academia, business, industry, research, the military and other professions closely related to national security affairs, appointed by the Secretary of Defense.

The Board will meet in closed session at the Pentagon on September 9, 1998, from 0900 to 1330.

The purpose of the meeting is to allow the Board of Visitors to provide advice on the role the Regional Centers for Regional Security play in the broader U.S. national security context. The Board will hold classified discussions on national security matters.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Pub. L. No. 92-463, as amended [5 U.S.C. App II (1982)], it has been determined that this meeting concerns matters listed in 5 U.S.C. 552B(c)(1)(1982), and that accordingly this meeting will be closed to the public.

FOR FURTHER INFORMATION CONTACT: Fred Smith, 703-693-0482.

Dated: August 17, 1998.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 98-22496 Filed 8-20-98; 8:45 am]

BILLING CODE 5000-04-M

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0033]

Submission for OMB Review; Comment Request Entitled Contractor's Signature Authority

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for an extension to an existing OMB clearance.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat has submitted to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning Contractor's Signature Authority. A request for public comments was published at 63 FR 33055, June 17, 1998. No comments were received.

DATES: Comments may be submitted on or before September 21, 1998.

FOR FURTHER INFORMATION CONTACT: Linda Nelson, Federal Acquisition Policy Division, GSA, (202) 501-1900.

ADDRESSES: Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4035, Washington, DC 20405.

SUPPLEMENTARY INFORMATION:

A. Purpose

Entities doing business with the Government must identify those persons who have the authority to bind the principal. This information is needed to ensure that Government contracts are legal and binding. The information is used by the contracting officer to ensure that authorized persons sign contracts.

B. Annual Reporting Burden

Public reporting burden for this collection of information is estimated to average 1 minute per completion, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The annual reporting burden is estimated as follows: Respondents, 4,800 responses per respondent, 1; total annual responses, 4,800; preparation hours per response, .017; and total response burden hours, 82.

OBTAINING COPIES OF PROPOSALS:

Requester may obtain a copy of the justification from the General Services Administration, FAR Secretariat (MVRs), 1800 F Street, NW, Room 4035, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0033, Contractor's Signature Authority, in all correspondence.

Dated: August 18, 1998.

Edward C. Loeb,

Director, Federal Acquisition Policy Division.

[FR Doc. 98-22525 Filed 8-20-98; 8:45 am]

BILLING CODE 6820-34-U

DEPARTMENT OF DEFENSE

Department of the Army

Armed Forces Epidemiological Board (AFEB)

AGENCY: Office of The Surgeon General, DoD.

ACTION: Notice of meeting.

SUMMARY: In accordance with section 10(a)(2) of Public Law 92-463, The Federal Advisory Committee Act, this announces the forthcoming AFEB Infectious Disease Subcommittee meeting. This subcommittee will meet from 0800-1630 on Friday, 18 September 1998. The purpose of the subcommittee meeting is to address several pending subcommittee issues and to provide briefings for subcommittee members on topics related to ongoing and new issues. The meeting location will be at the Walter Reed Army Institute of Research, Washington, DC.

The Infectious Disease Subcommittee meeting will be open to the public, but limited by space accommodations. Any interested person may attend, appear before or file statements with the committee at the time and in the manner permitted by the committee.

FOR FURTHER INFORMATION CONTACT: COL Benedict Diniega, AFEB Executive Secretary, Armed Forces

Epidemiological Board, Skyline Six, 5109 Leesburg Pike, Room 682, Falls Church, Virginia 22041-3258, (703) 681-8012/4.

SUPPLEMENTARY INFORMATION: None.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98-22512 Filed 8-20-98; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Dade County Beach Erosion Control and Hurricane Protection Project, for a Test Beach Fill Using a Foreign Source of Carbonate Sand

AGENCY: U.S. Army Corps of Engineers, Department of Defense.

ACTION: Notice of intent.

SUMMARY: The Jacksonville District, U.S. Army Corps of Engineers intends to prepare a Draft Environmental Impact Statement for the Dade County Beach Erosion Control and Hurricane Protection Project, for a Test Beach Fill Using a Foreign Source of Carbonate Sand. The study is a cooperative effort between the U.S. Army Corps of Engineers and the Dade County Department of Environmental Resources Management (DERM), the non-Federal sponsor for the project.

FOR FURTHER INFORMATION CONTACT: Kenneth Dugger, 904-232-1686, Environmental Branch, Planning Division, P.O. Box 4970, Jacksonville, Florida 32232-0019.

SUPPLEMENTARY INFORMATION: The Beach Erosion Control and Hurricane Protection (BEC & HP) Project for Dade County, Florida was authorized by the Flood Control Act of 1968. The Supplemental Appropriations Act of 1985 and the Water Resources Development Act of 1986 (Pub. L. 99-662) provided authority for extending the northern limit of the authorized project to include the construction of a protective beach along the 2.5 mile reach of shoreline north of Haulover Beach Party (Sunny Isles) and for periodic nourishment of the new beach.

Offshore borrow sources of beach quality sediment along the Dade County shoreline have been almost completely depleted, and alternative sources of material will be required in the near future to provide continued renourishment of the Dade County Beach Erosion Control and Hurricane

Protection Project. Although carbonate sediment from offshore borrow sites has traditionally been used for project renourishment, the use of oolitic aragonite or other carbonate sand from non-domestic sources may provide an effective alternative for future renourishment requirements.

Virtually unlimited supplies of beach-quality material are available in the Bahamas Bank, located 65 miles east of the project site, in the Turks and Caicos Islands located approximately 500 miles to the southeast, and possibly other locations. The proposed test fill will be constructed using aragonite from one of these sources. The purpose of the test fill, in addition to providing nourishment to an eroded portion of the Federal project along northern Miami Beach, is to evaluate the physical and environmental performance of aragonite on the beach erosion control project.

The proposed test fill site would be located along northern Miami Beach, and would extend along approximately one mile of shoreline which has been an erosional area since the project was constructed. The proposed site is located far from adjacent inlets, and no significant structures exist in this vicinity to disrupt the "natural" coastal processes. The total volume of the test fill is expected to be approximately 500,000 cubic yards. The currently proposed location for the test fill is between 65th and 80th Streets in Miami Beach (DNR monuments DNR-39 to DNR-44). The exact source of aragonite (or other non-domestic carbonate sand) for the test beach would be determined during the procurement process. Sand sources proposed by contractors would have to meet a set of generic and specifications and pass a screening process for sand characteristics and possible introduction of undesirable benthic organisms or other environmental impacts.

The different properties of the material being placed in the test fill will allow the sediment to be used as a natural tracer material, and data on longshore and cross-shore transport can be gained by studying the movement of this material. In order to evaluate the performance of the test fill, a monitoring program will be established. This monitoring program would consist of four areas of field data acquisition: physical surveys, sediment sampling and analysis, aerial photography, and wave data collection. The field data would be collected over a minimum 5-year period following project construction. The wave gage would be installed and activated prior to construction. Physical surveys, sediment samples, and aerial

photography would be taken immediately before and after project construction, and quarterly for the first year, semi-annually for the second year, and annually thereafter for the remainder of the 5-year monitoring period. Physical surveys, sediment samples, and aerial photography would therefore be taken a total of 11 times during the monitoring program, while the directional wave gauge would be operated continuously during the entire 5-year monitoring period.

In addition, environmental monitoring of the test fill would be performed. The environmental studies would focus mainly on the impacts of the non-native material on sea turtle nesting and benthic infaunal communities.

Alternatives: At this time, the only known alternative to performing the test beach fill is not performing the test or the no-action alternative.

Issues: The EIS will consider impacts on coral reefs and other hardbottom communities, endangered and threatened species, shore protection, water quality, aesthetics and recreation, fish and wildlife resources, cultural resources, energy conservation, socio-economic resources, and other impacts identified through scoping, public involvement, and interagency coordination.

Scoping: A copy of this notice will be sent to interested parties to initiate scoping. All parties are invited to participate in the scoping process by identifying any additional concerns on issues, studies needed, alternatives, procedures, and other matters related to the scoping process. At this time, there are no plans for a public scoping meeting.

Public Involvement: We invite the participation of affected Federal, state and local agencies, affected Indian tribes, and other interested private organizations and parties.

Coordination: The proposed action is being coordinated with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service under Section 7 of the Endangered Species Act, with the FWS under the Fish and Wildlife Coordination Act, and with the State Historic Preservation Officer. In addition, we have coordinated with the Florida Department of Environmental Protection, the dredging industry, certain foreign government representatives, academic experts, and other interests on this matter.

Other Environmental Review and Consultation: The proposed action would involve evaluation for compliance with guidelines pursuant to Section 404(b) of the Clean Water Act;

application (to the State of Florida) for Water Quality Certification pursuant to Section 401 of the Clean Water Act; certification of state lands, easements, and rights of way; and determination of Coastal Zone Management Act consistency.

Agency Role: As the non-Federal sponsor and leading local expert; DERM will provide extensive information and assistance on the resources to be impacted, mitigation measures, and alternatives.

DEIS Preparation: It is estimated that the DEIS will be available to the public on or about October 9, 1998. We plan to post the DEIS on the environmental documents page of the Jacksonville District's web site. (<http://www.saj.usace.army.mil/pd/env-doc.htm>.)

Dated: August 7, 1998.

George M. Strain,

Acting Chief, Planning Division.

[FR Doc. 98-22470 Filed 8-20-98; 8:45 am]

BILLING CODE 3710-AJ-M

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Availability of Invention for Licensing; Government-Owned Invention

AGENCY: Department of the Navy, DOD.

ACTION: Notice.

SUMMARY: The following invention is assigned to the United States Government as represented by the Secretary of the Navy and is available for licensing by the Department of the Navy: U.S. Patent Application Ser. No. 08/940,043 entitled "Fiber-Reinforced Phthalonitrile Composite Cured With Low-Reactivity Aromatic Amine Curing Agent," Navy Case No. 78246.

ADDRESSES: Requests for copies of this patent application should be directed to the Office of Naval Research, ONR 00CC, Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660, and must include the Navy Case number.

FOR FURTHER INFORMATION CONTACT: Mr. R.J. Erickson, Staff Patent Attorney, Office of Naval Research, ONR 00CC, Ballston Tower One, 800 North Quincy Street, Arlington, Virginia 22217-5660, telephone (703) 696-4001.

(Authority: 35 U.S.C. 207, 37 CFR Part 404.)

Dated: August 12, 1998.

Michael I. Quinn,

Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

[FR Doc. 98-22473 Filed 8-20-98; 8:45 am]

BILLING CODE 3810-FF-P

DEPARTMENT OF ENERGY

Pit Disassembly and Conversion Demonstration Environmental Assessment and Research and Development Activities

AGENCY: Department of Energy.

ACTION: Finding of no significant impact.

SUMMARY: An environmental assessment (EA) has been prepared to assess potential environmental impacts associated with a U.S. Department of Energy (DOE) proposed action to test an integrated pit disassembly and conversion process on a relatively small sample of pits and plutonium metal at the Los Alamos National Laboratory (LANL) in New Mexico. The proposed action would involve performing work in a series of interconnected gloveboxes using remote handling, automation, and computerized control systems to minimize operator exposure where possible, increase safety, and minimize the amount of waste generated by the process. Based on the analysis in the EA and considering comments received, DOE has determined that the proposed action is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act (NEPA). Therefore, the preparation of an environmental impact statement (EIS) is not required. The EA also discusses other on-going research and development activities, which have already been reviewed pursuant to NEPA, and which concern pit disassembly and conversion, potential mixed oxide (MOX) fuel fabrication, and immobilization of surplus plutonium.

ADDRESSES AND FURTHER INFORMATION: Single copies of the EA and further information concerning the proposed action are available from: Mr. G. Bert Stevenson, NEPA Compliance Officer, Office of Fissile Materials Disposition (MD-4), U.S. Department of Energy, PO Box 23786, Washington, DC 20026-3786, (202) 586-5368.

For further information regarding the DOE NEPA Process, contact: Ms. Carol Borgstrom, Director, Office of NEPA Policy and Assistance, Office of Environment, Safety and Health, U.S. Department of Energy, 1000 Independence Avenue, SW,

Washington, DC 20585, (202) 586-4600 or (800) 472-2756.

SUPPLEMENTARY INFORMATION:

Purpose and Need

DOE needs to develop the capability to disassemble surplus plutonium pits which are sealed in metallic shells. (A pit is a nuclear weapons component.) In order to develop this capability in a timely manner, safety and operational design information must be obtained from the actual disassembly of up to 250 representative pits and the conversion of the recovered plutonium to plutonium metal ingots and plutonium dioxide. The resulting experience would be used to supplement information developed to support the design of a full-scale disassembly and conversion facility should DOE decide to construct such a facility in the *Surplus Plutonium Disposition Environmental Impact Statement* (SPD EIS) Record of Decision (ROD).

Background

DOE is implementing a long-term program to provide safe and secure storage of weapons-usable fissile materials, and to allow for the timely disposition of weapons-usable plutonium declared surplus to national security needs. The program's goal is to ensure that there is a high standard of security and accounting of these materials while in storage, and that the surplus plutonium is never used again in nuclear weapons.

In January 1997, DOE issued the ROD for the *Storage and Disposition of Weapons-Usable Fissile Materials Final Programmatic Environmental Impact Statement (Storage and Disposition Final PEIS)*. In the PEIS ROD, DOE announced a decision to pursue a strategy to dispose of surplus United States plutonium that allows for two separate approaches: (1) Immobilization of some (and potentially all) of the surplus plutonium; and (2) using some of the surplus plutonium as MOX fuel in existing commercial reactors. In that decision, DOE explained that the timing and extent to which either or both of the disposition approaches are ultimately deployed would depend in part on the follow-on SPD EIS, as well as technology development and research.

Proposed Action

In order to meet the purpose and need for this action, DOE proposes that an integrated Pit Disassembly and Conversion Demonstration take place at LANL's Plutonium Facility-4 in Technical Area-55. No new facilities are needed to support this demonstration; however, minor internal modifications

would be made to existing facilities. These minor modifications, relating to the installation of new gloveboxes, would not involve worker exposure.

Implementation of this demonstration requires direct demonstration activities, such as pit bisection, and general support activities, such as receipt and storage of plutonium, that are typical support activities at LANL. These direct and support activities include the following:

- Shipment of pits and non-pit, clean plutonium metal from offsite to LANL;
 - Receipt, unpackaging, and placement into storage of offsite pit and non-pit, clean plutonium metal;
 - Interim storage of pit and non-pit, clean plutonium metal, awaiting use in the demonstration;
 - Removal of any external pit features;
 - Bisection and disassembly of pits;
 - Processing pit hemishells to separate the plutonium from other materials;
 - Recasting the plutonium to metal ingots or converting it to plutonium dioxide;
 - Thermally processing the plutonium to remove gallium and other impurities;
 - Sealing the plutonium in an appropriate container for storage;
 - Decontaminating the container;
 - Sealing the decontaminated container in a second container;
 - Performing nondestructive assay on all components for material accountability purposes; and
 - Storing the resulting plutonium metal and plutonium dioxide until an ultimate disposition decision is made.
- These direct and support activities are analyzed in this EA to capture the cumulative impact of this demonstration.

Technical Area-55 has historically performed plutonium processing activities similar to those required in this demonstration, and currently disassembles pits in a series of individual gloveboxes. Most of the plutonium, in the form of pits or metal, to be used in the demonstration would be taken from storage at LANL. Additional surplus pits may be shipped from the Pantex Plant near Amarillo, Texas, or the Rocky Flats Environmental Technology Site (RFETS) near Golden, Colorado, if there is a need to test additional types of pits. Plutonium in the form of metal would be shipped, if needed, from the Idaho National Engineering and Environmental Laboratory (INEEL) near Idaho Falls, Idaho; the Savannah River Site (SRS) near Aiken, South Carolina; or the

Lawrence Livermore National Laboratory (LLNL) in Livermore, California. Highly enriched uranium would be recovered from some of the pits during the disassembly process and shipped to DOE's Oak Ridge Reservation (ORR) for storage in accordance with DOE's Y-12 Plant EA and the *Storage and Disposition Final PEIS*.

Alternatives Considered

In addition to the No Action Alternative, the EA also discusses the consideration of DOE sites other than LANL for this proposed action.

No Action: Under the No Action Alternative, an integrated pit disassembly and conversion line would not be demonstrated at LANL. Research related to these activities would continue to be performed in a series of individual gloveboxes. Information that would be generated as a result of the proposed Pit Disassembly and Conversion Demonstration (e.g., specifications for the main operating line and information needed to optimize the layout in terms of shielding, residence time in the gloveboxes, and distance between gloveboxes) would not be available under the No Action Alternative.

Consideration of Other DOE Sites: Other DOE sites were considered for this proposed action. The only other site, however, that was a potential alternative was LLNL because it is the only other DOE national laboratory with extensive, operating plutonium facilities that could be used to conduct the demonstration. LLNL was eliminated from further consideration because, among other things, LLNL's plutonium administrative limits are significantly lower and would restrict the proposed demonstration. Furthermore, because much of the plutonium that would be used in the demonstration is already located at LANL, it would need to be transported to LLNL. In addition, the capabilities at LANL were readily available during the timeframe in which DOE needed the demonstration to be conducted. Also, the majority of the gloveboxes that would be used in the demonstration are already at LANL. Consequently, there would be no need to decontaminate LANL gloveboxes for the express purpose of sending them to LLNL for use in the demonstration.

DOE also considered other potential disassembly and conversion options as alternatives to the proposed demonstration. However, none of the potential options are reasonable alternatives and, therefore, are not analyzed in detail in the EA. As one potential option, DOE considered a demonstration that would involve

disassembling a fewer number of pits. However, this option would not encompass all of the types of surplus pits that would be involved in surplus plutonium disposition (immobilization or MOX fuel) or continued safe storage. As such, this option would not meet the purpose and need for the proposed demonstration and would not generate complete information. For conversion, DOE considered the potential alternative of converting only plutonium from pits, but not non-pit plutonium metal, to plutonium dioxide. Since this option would exclude plutonium metal, this option would not test and demonstrate conversion of all types of surplus plutonium material that may be subject to disposition under the MOX or immobilization approaches, would not generate complete information, and would not fully meet the purpose and need for the proposed demonstration. In addition, DOE considered converting plutonium to a metal form only. This option would not test and demonstrate conversion of pit plutonium to the oxide form most suitable for either immobilization or MOX fuel. Thus, this option would not generate complete information, and would not fully meet the purpose and need for the proposed action.

Environmental Impacts

The environmental consequences of the proposed action are not expected to result in any appreciable risks to members of the public, workers, or the environment. The results of evaluations in key impact areas are summarized, as follows:

Water Quality Impacts—A small amount of process water would be used as part of the decontamination module. This process water, less than 100 liters (26 gallons) per year, would be handled in accordance with LANL's procedures for the treatment and disposal of liquid low-level waste. No increased release of radionuclides is expected by liquid pathways as a result of the proposed action.

Air Quality Impacts—As a part of this demonstration, it is estimated that small amounts of plutonium and americium would be released into the atmosphere. The maximally exposed individual (MEI) is estimated to receive an effective dose equivalent of 0.043 mrem per year from the demonstration and a total dose from all site operations of 4.3 mrem per year. There is not expected to be any airborne release of beryllium as a result of the demonstration. Any hazardous compounds released would be very small quantities related to routine cleaning operations connected with the demonstration.

Radiological Impacts—Total radiological releases would be significantly lower than either the U.S. Environmental Protection Agency (EPA) limit or past annual releases from LANL. The resulting maximum concentrations for radionuclides measured at the location of the MEI for the demonstration is estimated to be less than two percent of the EPA limit. Radiological impacts associated with the proposed action could increase LANL total site impacts by a small percentage (1.0 percent for the MEI, 1.3 percent for the surrounding population, and 1.3 percent for the average individual).

Under the proposed action, the estimated annual average dose to pit disassembly workers would be 750 mrem. The annual dose received by the plutonium workers who would perform these activities would increase by 35 person-rem to 90 person-rem. Doses to individual workers would be kept to minimal levels by current administrative policies, exposure monitoring, and the as low as reasonably achievable program.

Accident Impacts—The spectrum of plausible accidents and abnormal events associated with the proposed action was evaluated to identify those with the highest radiological impacts. The consequences of the hydride-oxidation (HYDOX) process accidents are more severe and therefore envelope process accident consequences. The hydrogen deflagration in the reactor vessel was identified as having the highest potential consequences to the public. A mitigated accident, where credit is taken for the building's ventilation system including high-efficiency particulate air filters and other features, would result in a source term of 1.4×10^{-8} grams of plutonium and a MEI dose at the site boundary, near the Royal Crest Trailer Court, of 2.8×10^{-8} rem. The likelihood of this accident occurring was categorized as "unlikely." Workers in the room at the time of the deflagration may be injured by flying glass and other missiles depending on their proximity to the deflagration.

Waste Management Impacts—The proposed action would generate transuranic waste, low-level waste, mixed low-level waste, and hazardous waste, but the volume generated is expected to be small. Therefore, the projected increase in the total waste volume for each category would have little or no impact on current LANL waste management processes and procedures.

Transportation Impacts—Under the proposed action, plutonium in the form of pits, might be shipped to LANL from

RFETS or the Pantex Plant and in the form of metal from INEEL, SRS, or LLNL. Highly enriched uranium recovered from these pits would be shipped to ORR. The greatest risk to the public from these proposed shipments would be from a traffic accident involving the safe secure trailer (SST) or the escort vehicles and not from radiological exposure. If the demonstration is implemented, it is estimated that this proposed action would result in a risk to the public (either as a latent cancer or a traffic accident) of less than 5 chances in 1,000 of a fatality.

Socioeconomic Impacts—The proposed action would not affect employment at LANL because no additional personnel are anticipated to be required to support the demonstration. It is standard practice for workers at LANL to move from one project to another without any impact on the overall employment level. No significant socioeconomic effects, therefore, would be expected to result from the proposed action.

Environmental Justice Impacts—Implementation of the proposed action would pose no significant risk to the general population including minority and low-income populations. No disproportionately high and adverse impacts on minority and low-income populations would result from implementation of the proposed action.

Other Environmental Impacts—The demonstration would be located within an existing building, Plutonium Facility-4. Therefore, there would not be any new construction that could affect floodplains, wetlands, biological resources, or cultural resources.

Cumulative Impacts—The *Draft Site-Wide Environmental Impact Statement on the Continued Operation of the Los Alamos National Laboratory (Draft LANL Site-Wide EIS)*, which is incorporated by reference in the EA, discusses the cumulative impacts of the proposed demonstration, ongoing LANL operations, potential expanded LANL operations, and other activities in the LANL region. As explained in the *Draft LANL Site-Wide EIS*, expanded operations at LANL, including the proposed demonstration and other activities, would result in an additional latent cancer fatality risk of about .0002 over the lifetime of the MEI.

No Action Alternative Impacts—Under the No Action Alternative, an integrated pit disassembly and conversion line would not be demonstrated at LANL. There would, therefore, be no change in the current environmental or health effects associated with work done in Plutonium

Facility-4 and Technical Area-55, and these facilities would continue to operate as they do currently.

Transportation Risks Associated with the No Action Alternative—Under the No Action Alternative, pits or plutonium metal would not be shipped to LANL from INEEL, LLNL, RFETS, SRS or Pantex, and there would not be any highly enriched uranium recovered from these pits, so there would be no shipments of highly enriched uranium to ORR. However, DOE has committed to consolidate its inventory of weapons-grade plutonium, so the pits at RFETS would continue to be shipped to Pantex, where they would be stored pending a decision on their ultimate disposition in accordance with the ROD that would be issued after the SPD Final EIS is completed. The greatest risk to the public from this alternative would continue to be from a traffic accident involving the SST or its escort vehicles and not from radiological exposure.

Determination

Based on the analysis in the EA, and after considering the preapproval review comments, I conclude that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA. Therefore, an EIS for the proposed action is not required.

Issued in Washington, DC, this 14th day of August 1998.

Andre I. Cygelman,

Acting Director, Office of Fissile Materials Disposition, Department of Energy.

[FR Doc. 98-22524 Filed 8-20-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Bonneville Power Administration

Bonneville Power Administration/ Lower Valley Transmission Project

AGENCY: Bonneville Power Administration (BPA), Department of Energy (DOE).

ACTION: Notice of Availability of Record of Decision (ROD).

SUMMARY: This notice announces the availability of the ROD to implement the Agency Proposed Action as described in the Final Environmental Impact Statement for the BPA/Lower Valley Transmission Project; a joint project between BPA and Lower Valley Power and Light, Inc. (Lower Valley). The Agency Proposed Action will solve a voltage stability problem in the Jackson and Afton, Wyoming, areas. Lower

Valley buys electricity from BPA and then supplies it to the residences and businesses of these areas. Since the late 1980's, Lower Valley's electrical load has been growing and loads are expected to continue to grow. During winter, a transmission line outage could cause voltage on the transmission system to drop below acceptable levels causing brownouts or, under certain conditions, a blackout. The new 115-kilovolt transmission line proposed in the Agency Proposed Action will maintain voltage stability and accommodate load growth.

ADDRESSES: Copies of the ROD and Environmental Impact Statement may be obtained by calling BPA's toll-free document request line: 1-800-622-4520.

FOR FURTHER INFORMATION CONTACT:

Nancy Wittpenn—ECN-4, Bonneville Power Administration, P.O. Box 3621, Portland, Oregon 97208-3621, phone number (503) 230-3297, fax number (503) 230-5699.

Issued in Portland, Oregon, on August 13, 1998.

J.A. Johansen,

Administrator and Chief Executive Officer.
[FR Doc. 98-22523 Filed 8-20-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP98-711-000]

Columbia Gas Transmission Corporation; Notice of Request Under Blanket Authorization

August 17, 1998.

Take notice that on August 6, 1998, Columbia Gas Transmission Corporation (Columbia), 12801 Fair Lakes Parkway, Fairfax, Virginia 22030, filed in Docket No. CP98-711-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to construct and operate a new point of delivery at the request of the City of Lancaster in Fairfield County, Ohio, under Columbia's blanket certificate issued in Docket No. CP83-76-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Columbia states that the construction of the new delivery point has been requested by City of Lancaster for firm transportation service for residential, commercial and industrial service. City

of Lancaster has not requested an increase in its total firm entitlements in conjunction with this request. The estimated cost to construct the new point of delivery is \$23,164 and City of Lancaster will reimburse Columbia 100% for the cost. Columbia states that the estimated quantities of natural gas to be delivered at the new point of delivery is 15,000 Dth/day and 1,000,000 Mcf/annually. Interconnecting facilities will consist of a 6-inch tap and valve.

Columbia states that the new point of delivery will have no effect on peak day and annual deliveries, that its existing tariff does not prohibit addition of new delivery points and that deliveries will be accomplished without detriment of disadvantage to its other customers and that the total volumes delivered will not exceed total volumes authorized prior to this request.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-22500 Filed 8-20-98; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EC96-19-039, et al.]

California Independent System Operator Corporation, et al.; Electric Rate and Corporate Regulation Filings

August 14, 1998

Take notice that the following filings have been made with the Commission:

1. California Independent System Operator Corporation

[Docket Nos. EC96-19-039 and ER96-1663-040]

On August 14, 1998, the California Independent System Operator Corporation (ISO), tendered for filing

Amendment No. 11 to the ISO Tariff modifying provisions of the ISO Tariff and Protocols governing the ISO's procurement of Regulation, Spinning Reserve, Non-Spinning Reserve and Replacement Reserve services.

The ISO states that this filing has been served on all parties with effective Scheduling Coordinator Agreements, the ISO's Board of Governors, the California Public Utilities Commission, the California Electricity Oversight Board and all parties listed on the official service list in the Docket Nos. EL96-19, et al.

Comment date: August 28, 1998, in accordance with Standard Paragraph E at the end of this notice.

2. Champion International Corporation, Bucksport Energy L.L.C. vs. ISO-New England, Inc., New England Power Pool, Central Maine Power Company

[Docket No. EL98-69-000]

Take notice that on August 7, 1998, Champion International Corporation and Bucksport Energy L.L.C. tendered for filing a complaint against ISO-New England, Inc., New England Power Pool (NEPOOL) and Central Maine Power Company concerning the development of a new cogeneration facility and interconnection thereof to the NEPOOL system.

Complainants also request expedited consideration of the issues raised and Commission action by September 16, 1998.

Comment date: September 8, 1998, in accordance with Standard Paragraph E at the end of this notice. Answers to the complaint are also due on or before September 8, 1998.

3. CMS Marketing Services & Trading NP Energy Inc.

[Docket No. ER96-2350-014, Docket No. ER97-1315-007]

Take notice that the following informational filings have been made with the Commission and are on file and available for public inspection and copying in the Commission's Public Reference Room:

On July 29, 1998, CMS Marketing Services & Trading filed certain information as required by the Commission's September 6, 1997, order in Docket No. ER96-2350-000.

On July 29, 1998, NP Energy Inc. filed certain information as required by the Commission's February 24, 1997, order in Docket No. ER97-1315-000.

4. Northeast Utilities Service Company

[Docket No. ER98-3940-000]

Take notice that on July 28, 1998, Northeast Utilities Service Company

tendered for filing a summary of activity for the quarter ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

5. Enron Power Marketing, Inc.

[Docket No. ER98-3966-000]

Take notice that on July 29, 1998, Enron Power Marketing, Inc., tendered for filing a Notice of Termination of certain Confirmation Letters to purchase and sell power under its Master Energy Purchase and Sale Agreement with The Power Company of America.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

6. Louisville Gas and Electric Company

[Docket No. ER98-3982-000]

Take notice that on July 30, 1998, Louisville Gas and Electric Company, tendered for filing copies of its Quarterly Transaction Report covering wholesale transactions made pursuant to its market-based Generation Sales Service (Rate GSS) Tariff, which occurred from April 1, 1998 through June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

7. Kentucky Utilities Company

[Docket No. ER98-3983-000]

Take notice that on July 30, 1998, Kentucky Utilities Company, tendered for filing copies of its Quarterly Transaction Report covering wholesale transactions made pursuant to its market-based Power Services (PS) Tariff, which occurred from April 1, 1998 through June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

8. MidAmerican Energy Company

[Docket No. ER98-3987-000]

Take notice that on July 30, 1998, MidAmerican Energy Company, tendered for filing a proposed change in its Rate Schedule for Power Sales, FERC Electric Rate Schedule, Original Volume No. 5. The proposed change consists of certain reused tariff sheets consistent with the quarterly filing requirement.

MidAmerican states that it is submitting these tariff sheets for the purpose of complying with the requirements set forth in *Southern Company Services, Inc.*, 75 FERC 61,130 (1996), relating to quarterly filings by public utilities of summaries of short-term market-based power transactions. The tariff sheets contain summaries of such transactions under the Rate

Schedule for Power Sales for the applicable quarter.

MidAmerican proposes an effective date of the first day of the applicable quarter for the rate schedule change. Accordingly, MidAmerican requests a waiver of the 60-day notice requirement for this filing. MidAmerican states that this date is consistent with the requirements of the *Southern Company Services, Inc.* order and the effective date authorized in Docket No. ER96-2459-000.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

9. PECO Energy Company

[Docket No. ER98-4012-000]

Take notice that on July 30, 1998, PECO Energy Company (PECO), filed a summary of transactions made during the second quarter of calendar year 1998 under PECO's Electric Tariff Original Volume No. 1, accepted by the Commission in Docket No. ER95-770, as subsequently amended and accepted by the Commission in Docket No. ER97-316.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

10. CLECO Corporation

[Docket No. ER98-4032-000]

Take notice that on July 31, 1998, CLECO Corporation (CLECO) tendered for filing CLECO Corporation Market Based Rate Tariff MR-1, the quarterly report for transactions undertaken by CLECO for the quarter ending June 30, 1998. On August 6, 1998 CLECO tendered for filing revisions to its July 31, 1998 filing in the above-referenced docket.

CLECO Corporation states that a copy of the filing has been served on the Louisiana Public Service Commission.

Comment date: September 1, 1998, in accordance with Standard Paragraph E at the end of this notice.

11. Carolina Power & Light Company

[Docket No. ER98-4043-000]

Take notice that on July 31, 1998, Carolina Power & Light Company, tendered for filing its quarterly report for transactions made during the calendar quarter ending June 30, 1998 under CP&L's Market-Based Rate Tariff.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

12. Wisconsin Public Service Corp.

[Docket No. ER98-4045-000]

Take notice that on July 31, 1998, Wisconsin Public Service Corporation

(WPSC), tendered for filing a quarterly report of short term transactions made during the second quarter of 1998 under WPSC's FERC Electric Tariff, Original Volume No. 10 (MR Tariff).

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

13. NorAm Energy Services, Inc.

[Docket No. ER98-4056-000]

Take notice that on July 31, 1998, NorAm Energy Services, Inc., tendered for filing its quarterly report for the period ending June 30, 1998 in the above-referenced docket.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

14. NorAm Energy Services, Inc.

[Docket No. ER98-4057-000]

Take notice that on July 31, 1998, NorAm Energy Services, Inc., tendered for filing its report of transactions for the second calendar quarter of 1998 ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

15. NorAm Energy Services, Inc.

[Docket No. ER98-4058-000]

Take notice that on July 31, 1998, NorAm Energy Services, Inc., tendered for filing its report of transactions for the second calendar quarter of 1998 ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

16. NorAm Energy Services, Inc.

[Docket No. ER98-4059-000]

Take notice that on July 31, 1998, NorAm Energy Services, Inc., tendered for filing its report of transactions for the second calendar quarter of 1998 ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

17. Southwestern Public Service Company

[Docket No. ER98-4061-000]

Take notice that on July 31, 1998, New Century Services, Inc., on behalf of Southwestern Public Service Company (Southwestern), submitted a Quarterly Report under Southwestern's market-based sales tariff. The report is for the period of April 1, 1998 through June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

18. Texas-New Mexico Power Company

[Docket No. ER98-4064-000]

Take notice that on July 31, 1998, Texas-New Mexico Power Company tendered for filing its second quarter report for the period ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

19. South Carolina Electric & Gas Company

[Docket No. ER98-4065-000]

Take notice that on July 31, 1998, South Carolina Electric & Gas Company tendered for filing its transaction report for the quarter ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

20. Detroit Edison Company

[Docket No. ER98-4066-000]

Take notice that on July 31, 1998, Detroit Edison Company tendered for filing its report of transactions for the second calendar quarter of 1998 ended on June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

21. The Cincinnati Gas & Electric Company PSI Energy, Inc.

[Docket No. ER98-4074-000]

Take notice that on August 3, 1998, The Cincinnati Gas & Electric Company and PSI Energy, Inc. (Cinergy Operating Companies), tendered for filing their quarterly transaction report for the calendar quarter ending June 30, 1998.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

22. Minnesota Power, Inc.

[Docket No. ER98-4096-000]

Take notice that on August 3, 1998, Minnesota Power, Inc. (f/k/a Minnesota Power and Light Company) (MP), tendered for filing a report of short-term transactions that occurred during the quarter ending June 30, 1998, under MP's WCS-2 Tariff which was accepted for filing by the Commission in Docket No. ER96-1823-000.

MP states that it is submitting this report for the purpose of complying with the Commission's requirements relating to quarterly filings by public utilities of summaries of short-term market-based power transactions. The report contains summaries of such transactions under the WCS-2 Tariff for the applicable quarter with confidential price and quantity information removed.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

23. Idaho Power Company

[Docket No. ER98-4108-000]

Take notice that on August 3, 1998, Idaho Power Company (IPC), tendered for filing with the Federal Energy Regulatory Commission, a Quarterly Transaction Summary Report under Idaho Power Company's Market Rate Power Sale Tariff.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

24. Arizona Public Service Company

[Docket No. ER98-4110-000]

Take notice that on August 3, 1998, Arizona Public Service Company (APS), tendered for filing a transaction report for the second quarter of 1998 under APS FERC Electric Tariff, Original volume No. 3.

A copy of this filing has been served on the Arizona Corporation Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

25. Commonwealth Edison Company

[Docket No. ER98-4179-000]

Take notice that on August 11, 1998, Commonwealth Edison Company (ComEd) submitted for filing Short-Term Firm Service Agreements with Koch Energy Trading Inc. (KOCH) and Tractebel Energy Marketing Inc. (TEMI), and Non-Firm Service Agreements with Northern/AES Energy, L.L.C. (NAES) and PG&E Energy Trading (PGET), under the terms of ComEd's Open Access Transmission Tariff (OATT).

ComEd requests an effective date of July 13, 1998 for the service agreements, and accordingly, seeks waiver of the Commission's notice requirements. Copies of this filing were served on KOCH, TEMI, NAES, PGET, and the Illinois Commerce Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

26. Northeast Empire Limited Partnership #1

[Docket No. ER98-4183-000]

Take notice that on August 11, 1998, Northeast Empire Limited Partnership #1 (NELP #1), c/o Thomas D. Emergo, Esq., Twenty South Street, P.O. Box 407, Bangor, Maine, 04402-0407, a Delaware corporation, petitioned the Commission for an order accepting a market-based rate schedule for filing and granting waivers and blanket approvals.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

27. Carolina Power & Light Company

[Docket No. ER98-4186-000]

Take notice that on August 11, 1998, Carolina Power & Light Company (CP&L) tendered for filing a Service Agreement for Short-Term Firm Point-to-Point Transmission Service with El Paso Energy Marketing Company. Service to this Eligible Customer will be in accordance with the terms and conditions of Carolina Power & Light Company's Open Access Transmission Tariff.

CP&L requests an effective date of July 17, 1998 for this Service Agreement.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

28. Carolina Power & Light Company

[Docket No. ER98-4187-000]

Take notice that on August 11, 1998, Carolina Power & Light Company (CP&L) tendered for filing an executed Service Agreement with Cinergy Services, Inc. under the provisions of CP&L's Market-Based Rates Tariff, FERC Electric Tariff No. 4. This Service Agreement supersedes the un-executed Agreement originally filed in Docket No. ER98-3385-000.

CP&L requests an effective date of May 18, 1998 for this Service Agreement.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

29. Wisconsin Electric Power Co.

[Docket No. ER98-4188-000]

Take notice that on August 11, 1998, Wisconsin Electric Power Company (Wisconsin Electric), tendered for filing a Market Rate Electric Power Sales And The Resale Of Transmission Rights service agreement under its market Rate Sales Tariff (FERC Electric Tariff, Original Volume No. 8), with Koch Energy Trading, Inc. (Koch).

Wisconsin Electric requests an effective date of July 13, 1998.

Copies of the filing have been served on Koch, the Michigan Public Service Commission, and the Public Service Commission of Wisconsin.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

30. Otter Tail Power Company

[Docket No. ER98-4189-000]

Take notice that on August 11, 1998, Otter Tail Power Company (OTP), tendered for filing an executed Non-Firm Point-To-Point Transmission service agreement between itself and Tenaska Power Services Co. The agreement established Tenaska Power Services Co. as a customer under OTP's transmission service tariff (FERC Electric Tariff, Original Volume No. 7).

OTP requests an effective date sixty days after filing. OTP is authorized to state that Tenaska Power Services Co. joins in the requested effective date.

Copies of the filing have been served on Tenaska Power Services Co., Public Utility Commission of Texas, Minnesota Public Utilities Commission, North Dakota Public Service Commission, and the South Dakota Public Utilities Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

31. Allegheny Power Service Corp., on Behalf of Monongahela Power Co., The Potomac Edison Company, and West Penn Power Company

[Docket No. ER98-4192-000]

Take notice that on August 11, 1998, Allegheny Power Service Corporation, on behalf of Monongahela Power Company, The Potomac Edison Company and West Penn Power Company (Allegheny Power), filed Supplement No. 34 to add Griffin Energy Marketing, L.L.C., Ensearch Energy Services, Inc., and West Penn Power d.b.a. Allegheny Energy to Allegheny Power Open Access Transmission Service Tariff which has been submitted for filing by the Federal Energy Regulatory Commission in Docket No. OA96-18-000. The proposed effective date under the Service Agreements is August 10, 1998.

Copies of the filing have been provided to the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, the West Virginia Public Service Commission, The Virginia State Corporation Commission, and the West Virginia Public Service Commission.

Comment date: August 31, 1998, in accordance with Standard Paragraph E at the end of this notice.

32. LUZ Solar Partners Ltd., III

[Docket No. QF86-734-005]

On August 4, 1998, LUZ Solar Partners Ltd., III (Applicant), c/o Kramer

Junction Company, 1801 K Street, N.W., Suite 900, Washington, D.C. 20006, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the Applicant, the facility is a solar-powered small power production facility located at Kramer Junction in San Bernardino, California. The Commission previously certified the facility as a qualifying small power production facility in 37 FERC 62,244 (1986). Notices of self-recertification were filed on June 9, 1988 and September 27, 1996. The Commission granted a petition for waiver of the 25 Percent Rule in 49 FERC 61,070 (1989), a petition for a 120-day waiver of the Fossil Fuel Limitation in 61 FERC 61,309 (1992) and a request for rehearing in 64 FERC 61,025 (1993). According to the application, the instant recertification is requested to assure that the facility will remain a qualifying facility following a change in ownership interest, and to reflect the revised methodology for calculating capacity as provided in *Connecticut Valley Electric Company, Inc. v. Wheelabrator Claremont Company, L.P.*, 82 FERC 61,116, *order on reh'g*, 83 FERC 61,136 (1998), by utilizing the maximum output in any rolling one-hour period.

Comment date: September 14, 1998, in accordance with Standard Paragraph E at the end of this notice.

33. LUZ Solar Partners Ltd., IV

[Docket No. QF86-736-005]

On August 4, 1998, LUZ Solar Partners Ltd., IV (Applicant), c/o Kramer Junction Company, 1801 K Street, N.W., Suite 900, Washington, D.C. 20006, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the Applicant, the facility is a solar-powered small power production facility located at Kramer Junction in San Bernardino, California. The Commission previously certified the facility as a qualifying small power production facility in 37 FERC 62,245 (1986). Notices of self-recertification were filed on June 9, 1988 and September 27, 1996. The Commission granted a petition for waiver of the 25 Percent Rule in 49 FERC 61,070 (1989), a petition for a 120-day waiver of the Fossil Fuel Limitation in 61 FERC

61,309 (1992) and a request for rehearing in 64 FERC 61,025 (1993). According to the application, the instant recertification is requested to assure that the facility will remain a qualifying facility following a change in ownership interest, and to reflect the revised methodology for calculating capacity as provided in *Connecticut Valley Electric Company, Inc. v. Wheelabrator Claremont Company, L.P.*, 82 FERC 61,116, *order on reh'g*, 83 FERC 61,136 (1998), by utilizing the maximum output in any rolling one-hour period.

Comment date: September 14, 1998, in accordance with Standard Paragraph E at the end of this notice.

34. LUZ Solar Partners Ltd., V

[Docket No. QF87-402-005]

On August 4, 1998, LUZ Solar Partners Ltd., V (Applicant), c/o Kramer Junction Company, 1801 K Street, N.W., Suite 900, Washington, D.C. 20006, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the Applicant, the facility is a solar-powered small power production facility located at Kramer Junction in San Bernardino, California. The Commission previously certified the facility as a qualifying small power production facility in 40 FERC 62,092 (1987). Notices of self-recertification were filed on June 9, 1988 and September 27, 1996. The Commission granted a petition for waiver of the 25 Percent Rule in 49 FERC 61,070 (1989), a petition for a 120-day waiver of the Fossil Fuel Limitation in 61 FERC 61,309 (1992) and a request for rehearing in 64 FERC 61,025 (1993).

According to the application, the instant recertification is requested to assure that the facility will remain a qualifying facility following a change in ownership interest, and to reflect the revised methodology for calculating capacity as provided in *Connecticut Valley Electric Company, Inc. v. Wheelabrator Claremont Company, L.P.*, 82 FERC 61,116, *order on reh'g*, 83 FERC 61,136 (1998), by utilizing the maximum output in any rolling one-hour period.

Comment date: September 14, 1998, in accordance with Standard Paragraph E at the end of this notice.

35. LUZ Solar Partners Ltd., VI

[Docket No. QF88-33-006]

On August 4, 1998, LUZ Solar Partners Ltd., VI (Applicant), c/o Kramer Junction Company, 1801 K

Street, N.W., Suite 900, Washington, D.C. 20006, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the Applicant, the facility is a solar-powered small power production facility located at Kramer Junction in San Bernardino, California. The Commission previously certified the facility as a qualifying small power production facility in 43 FERC 61,070 (1988). Notices of self-recertification were filed on November 14, 1988 and September 27, 1996. The Commission granted a Motion for Clarification in 43 FERC 61,439 (1988), a petition for a 120-day waiver of the Fossil Fuel Limitation in 61 FERC 61,309 (1992) and a request for rehearing in 64 FERC 61,025 (1993). According to the application, the instant recertification is requested to assure that the facility will remain a qualifying facility following a change in ownership interest, and to reflect the revised methodology for calculating capacity as provided in *Connecticut Valley Electric Company, Inc. v. Wheelabrator Claremont Company, L.P.*, 82 FERC 61,116, *order on reh'g*, 83 FERC 61,136 (1998), by utilizing the maximum output in any rolling one-hour period.

Comment date: September 14, 1998, in accordance with Standard Paragraph E at the end of this notice.

36. LUZ Solar Partners Ltd., VII

[Docket No. QF88-34-006]

On August 4, 1998, LUZ Solar Partners Ltd., VII (Applicant), c/o Kramer Junction Company, 1801 K Street, N.W., Suite 900, Washington, D.C. 20006, submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the Applicant, the facility is a solar-powered small power production facility located at Kramer Junction in San Bernardino, California. The Commission previously certified the facility as a qualifying small power production facility in 43 FERC 61,070 (1988). Notices of self-recertification were filed on November 14, 1988 and September 27, 1996. The Commission granted a Motion for Clarification in 43 FERC 61,439 (1988), a petition for a 120-day waiver of the Fossil Fuel Limitation in 61 FERC 61,309 (1992) and a request for rehearing in 64 FERC 61,025 (1993).

According to the application, the instant recertification is requested to assure that the facility will remain a qualifying facility following a change in ownership interest, and to reflect the revised methodology for calculating capacity as provided in *Connecticut Valley Electric Company, Inc. v. Wheelabrator Claremont Company, L.P.*, 82 FERC 61,116, *order on reh'g*, 83 FERC 61,136 (1998), by utilizing the maximum output in any rolling one-hour period.

Comment date: September 14, 1998, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-22483 Filed 8-20-98; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice To Gas Pipelines Regarding The FY 1998 Annual Charge Adjustment Unit Charge

August 17, 1998.

The adjusted annual charge adjustment (ACA) unit charge effective October 1, 1998 remains the same as the adjusted ACA rate currently in effect. Therefore, any pipeline that has an ACA surcharge of \$0.0022 per Dth reflected in its current tariff does NOT need to make a filing with the Commission.

Section 154.402(c) of the Commission's regulations requires changes to the ACA unit charge be filed annually. Previous orders accepting ACA unit charges in per mcf rates required filings substantiating that no change in a proposed ACA surcharge be made. Since the Commission issues its

ACA unit charge in Dth and pipelines' tariffs reflect rates in Dth, there is no need to file to substantiate a claim of no change in the ACA surcharge.

Any further questions regarding gas tariff filings reflecting ACA surcharges, should be directed to Ms. Janice Glasgow Luna at (202) 208-2196.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-22501 Filed 8-20-98; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5494-7]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared July 20, 1998 Through July 24, 1998 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the *Office of Federal Activities* at (202) 564-7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1998 (63 FR 17856).

Draft EISs

ERP No. DS-AFS-L65288-ID Rating EC2, Deadwood Ecosystem Analysis '96 Project, New Information on New Alternative, Implementation, Boise National Forest, Lowman Ranger District, Boise and Valley Counties, ID.

Summary: EPA expressed environmental concerns that the EIS does not adequately address the impacts of prescribed burning that would result with the implementation of the action alternative currently under consideration. On May 15, 1998, EPA issued an interim policy for addressing public health and welfare impacts caused by wildland and prescribed fires that are managed to achieve resource benefits.

Final EISs

ERP No. F-AFS-J31024-UT, Blanchett Park Dam and Irrigation Reservoir, Construction and Operation, Uintah Water Conservancy District (UWCD), Special-Use-Permit and COE Section 404 Permit, Ashley National Forest, Vernal Ranger District, Uintah County, UT.

Summary: EPA expressed environmental objections based on

potential adverse impacts to wetlands and aquatic resources.

ERP No. F-AFS-J65252-MT, Bighorn Sheep Range and China Basin Salvage Project, Wildlife Habitat Enhancement Activities and Watershed Restoration Activities, Kootenai National Forest, Libby Ranger District, Lincoln County, MT.

Summary: EPA did not identify any potential environmental concerns with the preferred alternative, although additional aquatics and hydrologic monitoring was encouraged.

ERP No. F-AFS-J65280-MT, Meadow Timber Sales, Implementation, Timber Harvesting, Road Construction and Prescribed Burning, Fortine Ranger District, Kootenai National Forest, Lincoln County, MT.

Summary: EPA expressed environmental concerns about impacts to water quality and suggested that water quality monitoring was needed to validate and document BMP effectiveness.

ERP No. F-FRC-L05208-WA, Skagit River Basin Hydroelectric Projects, Eighth Projects—(FERC. No. 10100) (FERC. No. 4437) (FERC. No. 4376) (FERC. No. 9787) (FERC. No. 10311) (FERC. No. 6984) and FERC No. 10269 and No. 10416) Construction and Operation, Licensing, Whatcom and Skagit Counties, WA.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F-MMS-G02007-TX, Western Planning Area, Proposed Western Gulf of Mexico 1997–2002 (5-Year Program) Outer Continental Shelf Oil and Gas Sales 171, 174, 177 and 180, Lease Offering, Offshore Marine Environmental and Coastal Counties/Parishes of Texas and Louisiana.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

Dated: August 18, 1998.

William D. Dickerson,

Office of Federal Activities.

[FR Doc. 98–22556 Filed 8–20–98; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–5494–6]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 OR (202) 564–7153.

Weekly Receipt of Environmental Impact Statements Filed August 10, 1998 Through August 14, 1998 Pursuant to 40 CFR 1506.9

EIS No. 980312, Revised Draft EIS, AFS, AK, Port Houghton/Cape Fanshaw Timber Harvest Sale Project, Implementation, Revision to Tongass National Forest Land Management Plan, Tongass National Forest, Chatham and Stikine Area, South of Juneau, AK, *Due:* October 16, 1998, *Contact:* Tom Parker (907) 772–5974.

EIS No. 980313, Draft EIS, AFS, ID, Spruce Moose and Moose Lake Right-of-Way Analysis Area, Implementation, Timber Harvesting, Road Construction, Reforestation and Watershed Restoration, Clearwater National Forest, Lochsa Ranger District, Idaho County, ID, *Due:* October 05, 1998, *Contact:* Ken Hotchkiss (208) 942–3113.

EIS No. 980314, Final EIS, JUS, WV, Federal Correctional Institution near the City of Glenville, Construction and Operation, Gilmer County, WV, *Due:* September 21, 1998, *Contact:* David J. Dorworth (202) 514–6470.

EIS No. 980315, Draft EIS, COE, MN, ND, East Grand Forks, Minnesota and Grand Forks, North Dakota Flood Control and Flood Protection, Red River Basin, MN and ND, *Due:* October 05, 1998, *Contact:* Robert J. Whiting (651) 290–5264.

EIS No. 980316, Draft EIS, COE, TX, NM, MN, Programmatic—Fort Bliss Mission and Real Property Master Plan, Revised Land Use and Enhance Management of the Land, Airspace and Infrastructure, El Paso County, TX and Dona Ana and Otero Counties, NM, *Due:* October 05, 1998, *Contact:* Vicki Hamilton (915) 568–2774.

EIS No. 980317, Draft EIS, USA, AZ, Yuma Proving Ground Multipurpose Installation, Diversification of Mission and Changes to Land Use, NPDES General Permit and COE Section 404 Permit, Yuma and La Pas Counties, AZ, *Due:* October 05, 1998, *Contact:* Tracey Epperley (520) 328–2148.

EIS No. 980318, Draft EIS, NPS, PA, Gettysburg National Military Park, General Management Plan, Implementation, Develop a Partnership with the Gettysburg National Battlefield Museum Foundation, Gettysburg, PA, *Due:* October 19, 1998, *Contact:* John Latschar (717) 334–1124.

EIS No. 980319, Draft EIS, DOA, OK, Double Creek Watershed Plan, Implementation, Watershed Protection and Flood Prevention, National Economic Development (NED), Town of Ramona, Washington

and Osage Counties, OK, *Due:* October 05, 1998, *Contact:* Ronnie L. Clark (405) 742–1204.

Amended Notices

EIS No. 980309, Draft EIS, NPS, OR, MO, IL, NB, WY, CA, IA, KS, CO, ID, WA, NV, UT, Oregon, California, Moron Pioneer and Pony Express National Historic Trails, Implementation, Comprehensive Management and Use Plan, OR, CA, MO, IA, IL, KS, NB, CO, WY, ID, WA, UT and NV, *Due:* October 19, 1998, *Contact:* Jerry Krakow (801) 539–4094.

The notice for the above DEIS should have appeared in the 8/14/98 **Federal Register**. The 45 day Comment Period is calculated from 8/14/98.

EIS No. 980311, Final EIS, COE, CA, Santa Rosa Subregional Long-Term Wastewater Project, Implementation, Reclaimed Water Disposal from the Laguna Wastewater Treatment Plant, COE Section 10 and 404 Permits, Sonoma County, CA, *Due:* September 14, 1998, *Contact:* Liz Varnhagen (415) 977–8451.

The notices for the above FEIS should have appeared in the 8/14/98 **Federal Register**. The 30 day Comment Period is calculated from 8/14/98.

Dated: August 18, 1998.

William D. Dickerson,

Director, NEPA Compliance Division Office of Federal Activities.

[FR Doc. 98–22557 Filed 8–20–98; 8:45 am]

BILLING CODE 6560–50–U

FARM CREDIT ADMINISTRATION

Sunshine Act Meeting

AGENCY: Farm Credit Administration.

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), that the September 10, 1998 regular meeting of the Farm Credit Administration Board (Board) will not be held. The FCA Board will hold a special meeting at 9:00 a.m. on Thursday, September 17, 1998. An agenda for this meeting will be published at a later date.

FOR FURTHER INFORMATION CONTACT: Floyd Fithian, Secretary to the Farm Credit Administration Board, (703) 883–4025, TDD (703) 883–4444.

ADDRESSES: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090.

Dated: August 19, 1998.

Floyd Fithian,

Secretary, Farm Credit Administration Board.

[FR Doc. 98-22596 Filed 8-19-98; 11:44 am]

BILLING CODE 6705-01-P

**FEDERAL COMMUNICATIONS
COMMISSION**

**Notice of Public Information
Collection(s) being Reviewed by the
Federal Communications Commission**

August 17, 1998.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Persons wishing to comment on this information collection should submit comments by October 20, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications Commission, Room 234, 1919 M St., N.W., Washington, DC 20554 or via Internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at 202-418-0217 or via Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060-0374.

Title: Section 73.1690, Modification of Transmission Systems.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 650 (300 AM station + 350 FM/TV station licensees).

Estimated Time Per Response: 0.5 to 3.0 hours (3 hours/respondent for AM stations; 0.5 hours/respondent for FM/TV stations).

Frequency of Response: On occasion reporting requirements.

Total Annual Burden: 1,075 hours.

Estimated Cost per Respondent: \$0.

Needs and Uses: Section 73.1690(e) requires AM, FM and TV station licensees to prepare an informal statement or diagram describing any electrical and mechanical modification to authorized transmitting equipment that can be made without prior Commission approval provided that equipment performance measurements are made to ensure compliance with FCC rules. This informal statement or diagram is to be retained at the transmitter site as long as the equipment is in use. The data are used by broadcast licensees to provide prospective users of the modified equipment with necessary information.

OMB Approval Number: 3060-0216.

Title: Section 73.3538, Application to Make Changes in an Existing Station.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 150 (60 AM + 90 AM/FM/TV station licensees).

Estimated Time Per Response: 1 to 8 hours (1 hour for AM/FM/TV stations; 8 hours for AM stations).

Frequency of Response: On occasion reporting requirements.

Total Annual Burden: 570 hours.

Estimated Cost to Respondents: \$0.

Needs and Uses: Section 73.3538(b) requires a broadcast station to file an informal application to make the following changes in a station authorization: (1) to specify new AM station directional antenna field monitoring point; and (2) to modify or discontinue the obstruction marking or lighting of an antenna supporting structure. The data are used by FCC staff to: (1) establish a monitoring point that will be used to guarantee the proper performance of a directional antenna in FCC monitoring activities and to ensure that no interference is caused to other stations; and (2) to ensure that the modification or discontinuance of the

obstruction marking or lighting will not cause a menace to air navigation. The data are then extracted for inclusion in a modified license to operate the station.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-22514 Filed 8-20-98; 8:45 am]

BILLING CODE 6712-01-P

**FEDERAL COMMUNICATIONS
COMMISSION**

**Notice of Public Information
Collection(s) Submitted to OMB for
Review and Approval**

August 13, 1998.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated information techniques or other forms of information technology.

DATES: Written comments should be submitted on or before September 21, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at 202-418-0217 or via internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060-0824.

Form Number: FCC Form 498.

Title: Service Provider Information Form.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents: 10,000.

Estimated Time Per Response: 1 hour.

Frequency of Response: On Occasion reporting requirements; Third party disclosure.

Total Annual Burden: 10,000 hours.

Cost to Respondents: \$0.

Needs and Uses: Pursuant to 47 CFR Sections 54.515 and 54.611, the Administrator must obtain information relating to: service provider name and address, telephone number, Federal employee identification number, contact names and telephone number, and billing and collection information. FCC Form 498 has been designed to collect this information from carriers and service providers participating in the universal service program. The information will be used in the reimbursement of universal service support payments.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-22475 Filed 8-20-98; 8:45 am]

BILLING CODE 6712-01-F

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Submitted to OMB for Review and Approval

August 12, 1998.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility;

(b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated information techniques or other forms of information technology.

DATES: Written comments should be submitted on or before September 21, 1998. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications, Room 234, 1919 M St., NW, Washington, DC 20554 or via internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at 202-418-0217 or via internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060-0547.

Title: Section 76.61 Disputes

concerning carriage and Section 76.7 Special relief and must-carry procedures.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents: 600

(includes petitioning and opposing parties for Sections 76.61 and 76.7).

Estimated Time Per Response: 5 to 40 hours.

Frequency of Response: On Occasion reporting requirements; Third party disclosure.

Total Annual Burden: 18,000 hours.

Cost to Respondents: \$198,000.

Needs and Uses: This information collection accounts for the paperwork burden associated with disputes concerning carriage contained in Section 76.61 as well as must-carry complaints and other petitions for special relief contained in Section 76.7.

Section 76.61 states that whenever a local commercial television or qualified low power television station believes that a cable operator has failed to meet its carriage or channel positioning obligations, such station shall notify the cable operator, in writing, of the alleged failure and identify its reasons for believing that the cable operator is obligated to carry the signal of such station or position such signal on a particular channel. The cable operator then must respond in writing within 30 days to the notification and either

commence to carry the station or state its reasons for believing it is not obligated to carry such signal. The television or low power television station may then file a "must-carry" complaint in accordance with procedures set forth in Section 76.7. Qualified local noncommercial educational television stations may also file "must-carry" complaints with the Commission in accordance with procedures set forth in 76.7. Must-carry complaints shall specifically allege the manner in which the cable operator failed to meet its obligations and the basis for such allegations.

Section 76.7 states that on petition by a cable television system operator, a franchising authority, an applicant, permittee, or licensee of a television broadcast or translator station, or by any other interested person, the Commission may waive any provision of the rules relating to cable television systems, impose additional or different requirements, or issue a ruling on a complaint or disputed question. The petition for special relief or must-carry complaint may be submitted informally, by letter, but shall be accompanied by a certificate of service on any cable television operator, franchising authority, station licensee, permittee, or applicant, or other interested person who may be directly affected if the relief requested is granted. Interested parties may submit comments or oppositions to a petition for special relief or a must-carry complaint within twenty days after the date of public notice of the filing of such petition or complaint. The petitioner or complainant may file a reply to the comments or oppositions within 10 days after their submission.

OMB Approval Number: 3060-0548.

Title: Section 76.302 Required recordkeeping for must-carry purposes and Section 76.56 Signal carriage obligations.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents: 11,000.

Estimated Time Per Response: 0.5 hours to 1.0 hour.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 66,000 hours.

Cost to Respondents: \$110,000.

Needs and Uses: Section 76.302 requires the operator of every cable television system to maintain a public inspection file containing a list of all broadcast television stations carried by its system in fulfillment of the must-

carry requirements pursuant to Section 76.56 and the designation and location of its principal headend. Sections 76.302 and 76.56(e) state that upon written request from any person, a cable operator is required to provide the list of must-carried signals in writing within 30 days of receipt of such request. Additionally, Section 76.56(d)(3) states that if a cable operator authorizes subscribers to install additional receiver connections, but does not provide the subscriber with such connections, or with the equipment and materials for such connections, the operator shall notify such subscribers of all broadcast stations carried on the cable system which cannot be viewed via cable without a converter box and shall offer to sell or lease such a converter box to such subscribers. The notice, which may be included in routine billing statements, shall identify the signals that are unavailable without an additional connection, the manner for obtaining such additional connection, and instructions for installation. These notification and recordkeeping requirements ensure that subscribers are aware of which channels cannot be viewed without converter boxes and which channels are defined as must-carry. The records kept by cable television systems are reviewed by Commission staff during field inspections and by local public officials to assess the systems' compliance with applicable rules and regulations.

OMB Approval Number: 3060-0652.

Title: Section 76.309 Customer service obligations and Section 76.964 Notice to subscribers.

Form Number: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business and other for-profit entities; State, local and tribal governments.

Number of Respondents: 11,375 (11,365 cable systems +10 franchise authorities).

Estimated Time Per Response: 10 minutes to 1.0 hour.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 33,975 hours.

Cost to Respondents: \$100,000.

Needs and Uses: Sections 76.309 and 76.964 set forth various customer service obligations and notification requirements for changes in rates, programming services and channel positions. Section 76.309(a) states that franchise authorities must provide affected cable operators 90 days written notice of its intent to enforce customer services standards set forth in Section 76.309(c).

Section 76.309(c)(3)(i)(A) states that cable operators shall provide written information on each of the following areas at the time of installation of service, at least annually to all subscribers, and at any time upon request: (1) Products and services offered; (2) Prices and options for programming services and conditions of subscription to programming and other services; (3) Installation and service maintenance policies; (4) Instructions on how to use the cable service; (5) Channel positions programming carried on the system; and, (6) Billing and complaint procedures, including the address and telephone number of the local franchise authority's cable office.

Section 76.309(c)(3)(i)(B) states that customers will be notified of any changes in rates, programming services or channel positions as soon as possible in writing. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the cable operator. In addition, the cable operator shall notify subscribers 30 days in advance of any significant changes in the other information required by Section 76.309(c)(3)(i)(A).

Section 76.964 states that in addition to the requirement set forth in Section 76.309(c)(3)(i)(B) regarding advance notification to customers of any changes in rates, programming services or channel positions, cable systems shall give 30 days written notice to both subscribers and local franchising authorities before implementing any rate or service change. Such notice shall state the precise amount of any rate change and briefly explain in readily understandable fashion the cause of the rate change (e.g. inflation, changes in external costs or the addition/deletion of channels). When the change involves the addition or deletion of channels, each channel added or deleted must be separately identified. Notices to subscribers shall inform them of their right to file complaints about changes in cable programming service tier rates and services, shall state that the subscriber may file the complaint within 90 days of the effective date of the rate change, and shall provide the address and phone number of the local franchising authority.

Section 76.309(c)(3)(ii)(B) states that in case of a billing dispute, the cable operator must respond to a written complaint from a subscriber within 30 days.

Since the last OMB clearance for this collection, it has been revised in two ways. First, the Section 76.309(a) requirement that franchise authorities must provide affected cable operators 90

days written notice of intent to enforce customer services standards was not previously accounted for in this collection. We now seek clearance for it as part of this collection. Second, cable operators are no longer required to provide notice of any rate change that is the result of a regulatory fee, franchise fee, or any other fee, tax, assessment, or charge of any kind imposed by any Federal agency, State, or franchising authority on the transaction between operators and their subscribers. We revise this collection accordingly.

The Commission requires the various disclosure and notifications contained in this collection as a means of consumer protection to ensure that subscribers and franchising authorities are knowledgeable of cable operators' business practices, current rates, rate changes for programming, service and equipment, and channel line-up changes.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-22513 Filed 8-20-98; 8:45 am]

BILLING CODE 6712-10-P

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collections Approved by Office of Management and Budget

August 17, 1998.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

Federal Communications Commission

OMB Control No.: 3060-0785.

Expiration Date: 01/31/1999.

Title: Universal Service Worksheet.

Form No.: FCC Form 457.

Respondents: Business or other for-profit.

Estimated Annual Burden: 5000 respondents; 13.69 hours per response (avg.); 68,450 total annual burden hours for all collections.

Estimated Annual Reporting and Recordkeeping Cost Burden: \$4,903.

Frequency of Response: On occasion.

Description: The Telecommunications Act of 1996 (1996 Act) directed the Commission to initiate a rulemaking to reform our system of universal service so that universal service is preserved and advanced as markets move toward competition. To fulfill that mandate, on March 8, 1996, the Commission adopted a Notice of Proposed Rulemaking (NPRM) in CC Docket No. 96-45 to implement the congressional directives set forth in section 254 of the Communications Act of 1934, as amended by the 1996 Act. Pursuant to section 254(a)(1), the NPRM also referred numerous issues related to universal service to a Federal-State Joint Board for recommended decision. On November 8, 1996, the Joint Board released a Recommended Decision in which it made recommendations to assist and counsel the Commission in the creation of effective universal service support mechanisms that would ensure that the goals of affordable, quality service and access to advanced services are met by means that enhance competition. On November 18, 1996, the Commission's Common Carrier Bureau released a Public Notice (DA 96-1891) seeking public comment on the issues addressed and recommendations made by the Joint Board in the Recommended Decision. On May 8, 1997, the Commission released the Report and Order on Universal Service (Universal Service Order) in CC Docket 96-45 that established new federal universal service support mechanisms consistent with the universal service provisions of section 254. On July 31, 1997, OMB approved the Universal Service Worksheet, FCC Form 457. On March 3, 1998, OMB approved a Universal Service Worksheet revised pursuant to the Second Order on Reconsideration and Fourth Order on Reconsideration. OMB recently approved the July 1998 edition of the Universal Service Worksheet. In the July 1998 worksheet we added to the Worksheet a new Line 48, where contributors shall report the revenues derived from charges assessed on end-users to recover contributions to state or federal universal service support mechanisms. We also revised Lines 22 and 35 of the Worksheet to require contributors to include on those lines, respectively, revenues derived from presubscribed interexchange carrier charges (PICCs) levied on carriers and PICCs levied on end users. We direct contributors to begin reporting at this time the revenues derived from such changes, because contributors began assessing these charges on January 1, 1998, the first day of the revenue-reporting period for the Worksheet.

Section 254(d) provides that telecommunications carriers that provide interstate telecommunications services shall contribute to the universal service support mechanisms. Accordingly, we clarified the paragraph on pages 3-4 of the revised instructions that carriers that use switches or lines that are used to provide interstate services, but that do not themselves provide interstate telecommunications services are not required to contribute to the universal service support mechanisms. We also emphasized in the instructions to the Worksheet that the Commission may make publicly available a list of the entities that file the Worksheet. Note that a contributor that provides interstate telecommunications will be exempt from universal service contribution and filing requirements if that contributor's contribution for the next four quarters is expected to be less than \$100. This determination is made by using the worksheet. Contributors exempt from filing and contributing because of de minimis revenues must retain the worksheet and make it available to the Commission or to the Universal Service Administrator upon request. FCC Form 457 is used by the Commission and the Administrator to calculate contributions to the universal service support mechanisms. Without such information the Commission could not determine contributions to the support mechanisms and, therefore, could not fulfill its statutory responsibilities in accordance with the Communications Act of 1934, as amended. Copies of the revised Universal Service Worksheet and instructions may be downloaded from the Commission's Forms Web Page, 222.fcc.gov/formpage.html. Copies also may be obtained by calling the fax-on-demand line at (202) 418-2830 and selecting document number 000457. Finally, copies may be obtained from USAC at (973) 560-4400. Obligation to respond: Mandatory. Public reporting burden for the collections of information is as noted above. Send comments regarding the burden estimate or any other aspect of the collections of information, including suggestions for reducing the burden to Performance Evaluation and Records Management, Washington, D.C. 20554.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-22515 Filed 8-20-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 10:00 a.m. on Tuesday, August 25, 1998, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous Board of Directors' meetings.

Reports of actions taken pursuant to authority delegated by the Board of Directors.

Memorandum re: Investment Portfolio Status Report—Second Quarter 1998.

Memorandum re: Budget Variance Report.

Memorandum and resolution re: Part 325—Risk-Based Capital Standards: Unrealized Holding Gains on Certain Equity Securities.

Memorandum and resolution re: Rescission of the Statement of Policy on Joint Notice of Adoption of Standard Descriptive Terms to be Used in Competitive Factor Reports Prepared Pursuant to the Bank Merger Act (12 U.S.C. 1828(c)).

Discussion Agenda:

Memorandum re: The FDIC Strategic Plan.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

The FDIC will provide attendees with auxiliary aids (e.g., sign language interpretation) required for this meeting. Those attendees needing such assistance should call (202) 416-2449 (Voice); (202) 416-2004 (TTY), to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at (202) 898-6757.

Dated: August 18, 1998.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 98-22584 Filed 8-18-98; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION**Notice of Agreement(s) Filed**

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW, Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 203-010071-027.

Title: Cruise Lines International Association.

Parties:

American Hawaii Cruises
Bergen Line, Inc.
Carnival Cruise Lines
Celebrity Cruises, Inc.
Commodore Cruise Line
Costa Cruise Lines
Crystal Cruises
Cunard
Delta Queen Steamboat Co.
Disney Cruise Line
First European Cruises
Holland America Line
Mediterranean Shipping Cruises
Norwegian Cruise Line
Orient Lines, Inc.
Premier Cruises
Princess Cruises
Radisson Seven Seas Cruises
Regal Cruises
Royal Caribbean International
Royal Olympic Cruises
Seabourn Cruise Line
Silversea Cruises
Windstar Cruises

Synopsis: The proposed amendment clarifies the Agreement's membership provisions, updates the Agreement's membership listing, clarifies provisions related to the use of the Association's trademark and other proprietary materials, and makes other, nonsubstantive changes to the Agreement.

Agreement No.: 202-011579-002.

Title: Inland Shipping Service Association.

Parties:

Crowley American Transport, Inc.
Dole Ocean Liner Express
King Ocean
A.P. Moller-Maesk Line
Sea-Land Service, Inc.
Seaboard Marine and Seaboard Marine of Florida, Inc.

Synopsis: The proposed modification would revise the Agreement to create an

Inland Transportation Section and an Equipment Utilization Section, and provides that any party to the Agreement may belong to either or both sections. The modification also authorizes the two sections to exchange information and for either or both sections to contract with a third-party vendor for the collection of rates or charges.

By Order of the Federal Maritime Commission.

Dated: August 17, 1998.

Joseph C. Polking,

Secretary.

[FR Doc. 98-22466 Filed 8-20-98; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM**Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 14, 1998.

A. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Intra Financial Corporation*, Clyde, Kansas; to acquire 9.7 percent of the

voting shares of Arizona Bancshares, Inc., Flagstaff, Arizona, and thereby indirectly acquire First State Bank, Flagstaff, Arizona.

2. *Commerce Bancshares, Inc.*, Kansas City, Missouri, and its wholly owned subsidiary, CBI-Kansas, Inc., Kansas City, Missouri; to acquire 100 percent of the voting shares of Fidelity Bankshares, Inc., Garden City, Kansas, and thereby indirectly acquire Fidelity State Bank, Garden City, Kansas and Heritage Bank of Olathe, Olathe, Kansas.

B. Federal Reserve Bank of San Francisco (Maria Villanueva, Manager of Analytical Support, Consumer Regulation Group) 101 Market Street, San Francisco, California 94105-1579:

1. *Western Sierra Bancorp*, Cameron Park, California; to merge with Roseville 1st Community Bancorp, Roseville, California, and thereby indirectly acquire Roseville 1st National Bank, Roseville, California.

Board of Governors of the Federal Reserve System, August 17, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-22484 Filed 8-20-98; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL RESERVE SYSTEM**Sunshine Act Meeting**

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: 10:00 a.m., Wednesday, August 26, 1998.

PLACE: Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any matters carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Lynn S. Fox, Assistant to the Board; 202-452-3204.

SUPPLEMENTARY INFORMATION: You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at <http://www.bog.frb.fed.us> for an electronic announcement that not only lists applications, but also indicates

procedural and other information about the meeting.

Dated: August 19, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-22586 Filed 8-19-98; 10:53 am]

BILLING CODE 6210-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions and Delegations of Authority

This notice amends Part R of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (DHHS), Health Resources and Services Administration (60 FR 56605 as amended November 6, 1995, as last amended at 63 FR 38189, July 15, 1998). This notice reflects the name change of the Office of Field Coordination to the Office of Field Operations and its elevation from the Office of Management and Program Support.

I. Under Part R, HRSA, Office of Management and Program Support (RS), delete RS5 Office of Field Coordination in its entirety.

II. Establish a new chapter as the "Office of Field Operations," (RE) to read as follows:

Section RF-00 Mission: The Office of Field Operations is comprised of Headquarters Staff and Field Clusters. The Field Clusters includes the Northeast Cluster, the Southeast Cluster, the Midwest Cluster, the West Central Cluster and the Pacific West Cluster. The Office of Field Operations supports the mission of HRSA and the Department's mission of improving the health of the Nation's population by administering HRSA field health programs and activities to assure a coordinated HRSA effort in support of national health policies and State and local needs within the field.

The clusters will assist HRSA in addressing cross-cutting program issues and initiatives to achieve program goals, and in providing a HRSA focal point for responding to the needs of State and local governments, community agencies and others involved in the planning or provision of general health. This organizational structure will support intergovernmental activities which respond to health issues on both the State and local levels, help administer health activities and programs to provide prevention of health problems,

and assure access to and quality of general health services.

Section RF-10 Organization: The Office of Field Operations is headed up by the Associate Administrator who reports directly to the Administrator, HRSA. The Associate Administrator and the immediate staff are located in Headquarters. Each cluster is headed up by a Field Coordinator who reports to the Associate Administrator, Office of Field Operations in addition, the Field Coordinator is located in the lead city of the cluster. The Office of Field Operations is organized as follows:

- A. The Office of Field Operations (RE)
- B. Field Cluster Operations (RF)
- C. Northeast Cluster (RF1)
 - 1. Philadelphia, PA. (RF11)—lead city
 - 2. Boston, MA. (RF12)
 - 3. New York, NY (RF13)
- D. Southeast Cluster (RF2)
 - 1. Atlanta, GA. (RF21)
- E. Midwest Cluster (RF3)
 - 1. Chicago, IL. (RF31)—lead city
 - 2. Kansas City, MO. (RF32)
- F. West Central Cluster (RF4)
 - 1. Dallas, TX. (RF41)—lead city
 - 2. Denver, CO. (RF42)
- G. Pacific West Cluster (RF5)
 - 1. San Francisco, CA. (RF51)—lead city
 - 2. Seattle, WA. (RF52)

*Section RF-20 Function:*A. The Office of Field Operations serves as the Agency's focal point for Field programs and activities. Specifically: (1) Oversees and manages HRSA activities in the field; (2) advises the Administrator on appropriate resource allocation for field activities; (3) assists in the implementation and evaluation of HRSA programs in the field through coordination of activities, and assessing the effectiveness of programs to identify opportunities for improving policies and service delivery systems; (4) develops and implements activities in the field designed to improve customer service and relationships; (5) develops and coordinates the field implementation of special program initiatives which involve multiple HRSA field components and/or multiple HRSA programs; (6) serves as field liaison to the Administrator, Bureau Associate Administrators, State and local health officials as well as private and professional organizations; (7) acts as liaison to provide administrative and financial support services to HRSA field components; and (8) exercises line management authority as delegated to the Field Coordinators related to general administrative and management functions.

B. The Northeast, Southeast, Midwest, West Central and Pacific West Clusters function as follows:

1. Immediate Office of the Field Coordinator

Serves as HRSA's senior public health official in the field, providing liaison with State and local health officials as well as private and professional organizations; (2) provides input from local regional and State perspectives to assist the Administrator and Associate Administrators in the formulation, development, analysis and evaluation of HRSA programs and initiatives; (3) at the direction of the Administrator and/or in conjunction with the Associate Administrators and the Associate Administrator, Office of Field Operations, coordinates the field implementation of special initiatives which involve multiple HRSA programs and/or field offices (e.g. Border Health); (4) assists with the implementation of HRSA programs in the field by supporting the coordination of activities, alerting program officials of potential issues and assessing policies and service delivery systems; (5) represents the Administrator in working with the other Federal agencies in coordinating health programs and activities; and (6) exercises line management authority as delegated from the Administrator for general administrative and management functions within the field structure.

2. Division of Health Services

Directs and coordinates field development and implementation of HRSA primary care programs and activities designed to increase access to primary care for underserved populations in the States served by the division; (2) provides continuous program monitoring of HRSA health service grants and contracts for compliance with applicable laws, regulations, policies and performance standards; (3) assures implementation of loan programs; (4) provides for development, implementation and monitoring of the annual field work plan related to assigned program areas, including setting objectives responsive to national and field priorities based on guidance provided by the appropriate HRSA bureau component and assigns division resources required to attain these objectives; (5) coordinates with other field office staff and headquarters staff to develop and consolidate objectives crossing program and division lines; (6) serves as a source of expertise on health services development, primary health care programs and as field program liaison with HRSA headquarters on technical programmatic matters; (7) establishes effective communication and working

relationships with health-related organizations of States and other jurisdictions; and (8) serves as a focal point for information on health service programs and related efforts, including voluntary professional and other private sector activities.

3. Division of Health Resources

Directs and coordinates field development and implementation of HRSA programs and activities designed to increase the capacity and capability of health facilities construction, maternal and child health care programs and other health-related programs in the States served by the cluster; (2) provides continuous program monitoring of HRSA grants and contracts for compliance with applicable laws, regulations, policies and performance standards; (3) assures implementation of loan programs; (4) provides for development, implementation, and monitoring of the annual field work plan related to assigned program areas, including setting objectives responsive to national and field priorities based on guidance provided by appropriate HRSA bureau components and assigns division resources required to attain these objectives; (5) coordinates with other field office staff and headquarters staff to develop and consolidate objectives crossing program and division lines; (6) serves as a source of expertise on resource development, maternal and child health programs, HIV/AIDS programs, health professions programs and as field program liaison with HRSA headquarters on technical programmatic matters, (7) establishes effective communication and working

relationships with health-related organizations of States and other jurisdictions, (8) serves as a focal point for information on health resource programs and related efforts, including voluntary, professional and other private sector activities.

Section RF-30 Delegations of Authority: All delegations and redelegations of authority which were in effect immediately prior to the effective date hereof have been continued in effect in them or their successors pending further redelegation. I hereby ratify and affirm all actions taken by any DHHS official which involved the exercise of these authorities prior to the effective date of this delegation.

This reorganization is effective upon date of signature.

Dated: August 12, 1998.

Claude Earl Fox,
Administrator.

[FR Doc. 98-22509 Filed 8-20-98; 8:45 am]
BILLING CODE 4160-15-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Submission for OMB Review; Comment Request

Periodically, the Substance Abuse and Mental Health Services Administration (SAMHSA) will publish a list of information collection requests under OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C.

Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (301) 443-7978.

1999 National Household Survey on Drug Abuse—(0930-0110)—Revision—The National Household Survey on Drug Abuse (NHSDA) is a survey of the civilian, noninstitutionalized population of the United States 12 years old and older. The data are used to determine the prevalence of use of tobacco products, alcohol, illicit substances, and illicit use of prescription drugs. The results are used by SAMHSA, ONDCP, Federal government agencies, and other organizations and researchers to establish policy, direct program activities, and better allocate resources. For 1999, the tobacco component of the core questionnaire will be revised and expanded to permit a more comprehensive set of data on tobacco product use, including information on usual brand.

The sample size of the survey will be expanded to permit prevalence estimates for each of the fifty states and the District of Columbia. In addition, beginning in 1999 the survey will be administered using computer assisted interviewing (CAI); during the first quarter of 1999 a paper and pencil (PAPI) version of the interview will be administered to a supplemental sample of respondents to facilitate analysis of response differences associated with differing methodologies (i.e., computer assisted vs. paper and pencil interviewing). The total annual burden estimate is 301,675 hours as shown below:

Instrument	Number of respondents	Responses per respondent	Hours per response	Total burden
Electronic Screening (CAI/main study)	227,258	1	0.050	11,363
Electronic Screening (PAPI sample)	74,417	1	0.050	3,721
Questionnaire and Verification Form (CAI/main study)	70,000	1	1.000	70,000
Questionnaire and Verification Form (PAPI sample)	20,000	1	1.200	24,000
Screening Verification (CAI/main study)	6,818	1	0.067	457
Screening Verification (PAPI sample)	2,233	1	0.067	150
Interview Verification (CAI/main study)	10,500	1	0.067	704
Interview Verification (PAPI sample)	3,000	1	0.067	201
Total				110,596

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Daniel Chenok, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, D.C. 20503.

Dated: August 8, 1998.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 98-22490 Filed 8-20-98; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4341-N-23]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Mark Johnston, room 7256, Department of Housing and Urban Development, 451 Street Seventh SW, Washington, DC 20410; telephone (202) 708-1226; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B-41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the

application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AIR FORCE: Ms. Barbara Jenkins, Air Force Real Estate Agency, Area—MI, Bolling Air Force Base, 112 Luke Avenue, Suite 104, Building 5683, Washington, DC 20332-8020; (202) 767-4184; ARMY: Mr. Jeff Holste, CECPW-FP, U.S. Army Center for Public Works, 7701 Telegraph Road, Alexandria, VA 22315; (703) 428-6318; COE: Mr. Bob Swiecone, Army Corps of Engineers, Management & Disposal Division, Pulaski Building, Room 4224, 20 Massachusetts Avenue, NW, Washington, DC 20314-1000; (202) 761-1749; DOT: Mr. Rugene Spruill, Principal, Space Management, SVC-140, Transportation Administrative Service Center, Department of Transportation, 400 7th Street, SW, Room 2310, Washington, DC 20590; (202) 366-4246; ENERGY: Ms. Marsha Penhaker, Department of Energy,

Facilities Planning and Acquisition Branch, FM-20, Room 6H-058, Washington, DC 20585; (202) 586-0426; GSA: Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW, Washington, DC 20405; (202) 501-2059; (These are not toll-free numbers).

Dated: August 13, 1998.

Kenneth C. Williams,
Deputy Assistant Secretary for Grant Programs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM, FEDERAL REGISTER REPORT FOR 08/21/98

Suitable/Available Properties

Buildings (by State)

California

Bldg. 604

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010237
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 605

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010238
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 612

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010239
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 611

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010240
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 613

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010241
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 614

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010242
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.

Bldg. 615

Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force

- Property Number: 189010243
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.
- Bldg. 616
Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010244
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.
- Bldg. 617
Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010245
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing.
- Bldg. 618
Point Arena Air Force Station
Co: Mendocino CA 95468-5000
Landholding Agency: Air Force
Property Number: 189010246
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame;
most recent use—housing; needs rehab.
- Broadcast Center
10888 La Tuna Canyon Road
Sun Valley Co: Los Angeles CA 91352-
Landholding Agency: Air Force
Property Number: 189810031
Status: Unutilized
Comment: 58,000 sq. ft. bldg. on 2 acres,
most recent use—office/communications.
- 3 Bachelor Enlisted Quarters
U.S. Coast Guard Station Humboldt Bay
Samoa CA 95564-9999
Landholding Agency: DOT
Property Number: 879810001
Status: Unutilized
Comment: 2550 sq. ft. each, 2-story, wood,
most recent use—residential, needs rehab,
off-site use only
- Colorado
624 Igloos
Pueblo Chemical Depot
Pueblo CO 81006-9330
Landholding Agency: Army
Property Number: 219830273
Status: Unutilized
Comment: underground storage bunkers
- 70 Safe Shelters
Pueblo Chemical Depot
Pueblo CO 81006-9330
Landholding Agency: Army
Property Number: 219830274
Status: Unutilized
Comments: 72 sq. ft., interior, passageway
only
- Bldg. 414
Pueblo Chemical Depot
Pueblo CO 81006-9330
Landholding Agency: Army
Property Number: 219830275
Status: Unutilized
Comment: 100 sq. ft., oil heat plant
- Bldgs. 533, 534
Pueblo Chemical Depot
Pueblo CO 81006-9330
Landholding Agency: Army
Property Number: 219830276
Status: Unutilized
- Comment: 29 sq. ft.
Bldg. 243
Pueblo Chemical Depot
Pueblo CO 81006-9330
Landholding Agency: Army
Property Number: 219830277
Status: Unutilized
Comment: 1200 sq. ft., compressed air plant
Residence
Cherry Creek Lake Project
3311 Parker Road
Aurora
Co: Arapahoe CO 80112-
Landholding Agency: COE
Property Number: 319720001
Status: Excess
Comment: 1000 sq. ft. house and 900 sq. ft.
garage, need rehab, off-site use only
- Storage Shed
Cherry Lane Lake Project
3311 Parker Road
Aurora
Co: Arapahoe CO 80112-
Landholding Agency: COE
Property Number: 319720002
Status: Excess
Comment: 600 sq. ft. w/dirt floor, off-site use
only
- District of Columbia
Dalecarlia Reservoir
Bldgs. 5900, 5902, 5904, 5906, 5908, 5910
Washington Aqueduct
Washington DC 20016-
Landholding Agency: COE
Property Number: 319610004
Status: Excess
Comment: brick/frame residences in poor
condition w/2 floors and basement,
presence of asbestos, on National Historic
Register, off-site use only
- Georgia
Bldg. 92
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830278
Status: Unutilized
Comment: 637 sq. ft., needs rehab, most
recent use—admin., off-site use only
- Bldg. 2445
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830279
Status: Unutilized
Comment: 2385 sq. ft., needs rehab, most
recent use—fire station, off-site use only
- Bldg. 4091
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830280
Status: Unutilized
Comment: 3206 sq. ft., needs rehab, most
recent use—training, off-site use only
- Bldg. 4233
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830281
Status: Unutilized
Comment: 1920 sq. ft., needs rehab, most
recent use—gen. instruction, off-site use
only
- Bldgs. 333, 1702, 2588
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
- Property Number: 219830282
Status: Unutilized
Comment: various sq. ft., needs rehab, most
recent use—storage, off-site use only
- Bldg. 4070
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830283
Status: Unutilized
Comment: 1035 sq. ft., needs rehab, most
recent use—admin., off-site use only
- Bldgs. 1629-1631, 1723
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830284
Status: Unutilized
Comment: 996 sq. ft., needs rehab, most
recent use—repair shop, off-site use only
- Bldg. 1731
Fort Benning Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830285
Status: Unutilized
Comment: 1992 sq. ft., needs rehab, most
recent use—repair shop, off-site use only
- Bldg. 1632
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830286
Status: Unutilized
Comment: 996 sq. ft., needs rehab, most
recent use—admin., off-site use only
- Bldg. 1732
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830287
Status: Unutilized
Comment: 2304 sq. ft., needs rehab, most
recent use—hdqts. bldg., off-site use only
- Bldg. 2282
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830288
Status: Unutilized
Comment: 3000 sq. ft., needs rehab, most
recent use—operations, off-site use only
- Bldg. 1740
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830289
Status: Unutilized
Comment: 4000 sq. ft., needs rehab, most
recent use—storage, off-site use only
- Bldgs. 1743, 1744
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830290
Status: Unutilized
Comment: 7473 sq. ft., needs rehab, most
recent use—storage, off-site use only
- Bldg. 4232
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830291
Status: Unutilized
Comment: 3720 sq. ft., needs rehab, most
recent use—maint. bay, off-site use only
- Bldg. 2403

- Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830292
Status: Unutilized
Comment: 44,352 sq. ft., needs rehab, most recent use—maint. hangar, off-site use only
Bldg. 2644
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830293
Status: Unutilized
Comment: 1345 sq. ft., needs rehab, most recent use—battery shop, off-site use only
Bldg. 3763
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830294
Status: Unutilized
Comment: 1841 sq. ft., needs rehab, most recent use—exch. auto svc., off-site use only
Bldg. 4217
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830295
Status: Unutilized
Comment: 1011 sq. ft., needs rehab, most recent use—exch. auto svc., off-site use only
Bldg. 4493
Fort Benning
Property Number: 219830296
Status: Unutilized
Landholding Agency: Army
Co: Muscogee GA 31905-
Comment: 22,279 sq. ft., needs rehab, most recent use—fitness center, off-site use only
Bldg. 5085
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830297
Status: Unutilized
Comment: 192 sq. ft., needs rehab, most recent use—maint. fuel/pol bldgs., off-site use only
Bldg. 5347
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830298
Status: Unutilized
Comment: 11,020 sq. ft., needs rehab, most recent use—maint. bldg., off-site use only
Bldg. 9048
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830299
Status: Unutilized
Comment: 1005 sq. ft., needs rehab, most recent use—storage, off-site use only
Bldg. 9090
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830300
Status: Unutilized
Comment: 960, sq. ft., needs rehab, most recent use—storage, off-site use only
- Bldg. 9103
Fort Benning
Co: Muscogee GA 31905-
Landholding Agency: Army
Property Number: 219830301
Status: Unutilized
Comment: 3378 sq. ft., needs rehab, most recent use—veh. maint. shop, off-site use only
Idaho
Bldg. 516
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 86348-
Landholding Agency: Air Force
Property Number: 189520004
Status: Excess
Comment: 4928 sq. ft., 1 story wood frame, presence of lead paint and asbestos, most recent use—offices
Bldg. 2201
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83648-
Landholding Agency: Air Force
Property Number: 189520005
Status: Underutilized
Comment: 6804 sq. ft., 1 story wood frame, most recent use—temporary garage for base fire dept. vehicles, presence of lead paint and asbestos shingles
- Iowa
Tract 141
Melos, Stanley, Camp Dodge
Johnston Co: Polk IA 50131-
Landholding Agency: COE
Property Number: 319610005
Status: Excess
Comment: 1104 sq. ft., most recent use—storage, needs rehab, possible asbestos, off-site use only
- Kansas
Bldg. P-180
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830302
Status: Unutilized
Comment: 17,782 sq. ft., needs major rehab, most recent use—storage
Bldg. P-181
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830303
Status: Unutilized
Comment: 3650 sq. ft., needs major rehab, most recent use—storage
Bldg. P-182
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830304
Status: Unutilized
Comment: 169 sq. ft., needs major rehab, most recent use—storage
Bldg. S-654
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830305
Status: Unutilized
Comment: 10,968 sq. ft., needs major rehab, most recent use—warehouse
Bldg. S-656
- Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830306
Status: Unutilized
Comment: 10,942 sq. ft., needs major rehab, most recent use—warehouse
Bldg. S-658
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830307
Status: Unutilized
Comment: 10,698 sq. ft., needs major rehab, most recent use—warehouse
Bldg. S-1846
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830308
Status: Unutilized
Comment: 128 sq. ft., needs major rehab
Bldg. T-2108
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830309
Status: Unutilized
Comment: 3730 sq. ft., needs major rehab, most recent use—exchange concession
Bldg. T-2360
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830310
Status: Unutilized
Comment: 4534 sq. ft., needs major rehab, most recent use—aces. fac.
Bldg. P-2599
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830311
Status: Unutilized
Comment: 249 sq. ft., needs major rehab, most recent use—water sup
Bldg. P-3208
Fort Riley
Ft. Riley KS
Landholding Agency: Army
Property Number: 219830312
Status: Unutilized
Comment: 217 sq. ft., needs major rehab, most recent use—storehouse
Bldgs. P-104, P-105, P-106
Fort Leavenworth
Leavenworth KS 66027-
Landholding Agency: Army
Property Number: 219830313
Status: Unutilized
Comment: 81 sq. ft., most recent use—storage, off-site use only
Bldg. P-108
Fort Leavenworth
Leavenworth KS 66027-
Landholding Agency: Army
Property Number: 219830314
Status: Unutilized
Comment: 138 sq. ft., most recent use—storage, off-site use only
Bldg. P-147
Fort Leavenworth
Leavenworth KS 66027-
Landholding Agency: Army

Property Number: 219830315
 Status: Unutilized
 Comment: 378 sq. ft., most recent use—
 storage, off-site use only

Bldgs. P-163, P-169
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830316

Status: Unutilized
 Comment: 87 sq. ft., most recent use—
 storage, off-site use only

Bldg. P-164
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830317

Status: Unutilized
 Comment: 145 sq. ft., most recent use—
 storage, off-site use only

Bldg. P-171
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830318

Status: Unutilized
 Comment: 144 sq. ft., most recent use—
 storage, off-site use only

Bldg. P-172
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830319

Status: Unutilized
 Comment: 87 sq. ft., most recent use—
 storage, off-site use only

Bldgs. P-173, P-174
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830320

Status: Unutilized
 Comment: 120 sq. ft., most recent use—
 storage, off-site use only

Bldg. P-243
 Fort Leavenworth
 Leavenworth KS 66027-
 Landholding Agency: Army
 Property Number: 219830321

Status: Unutilized
 Comment: 242 sq. ft., most recent use—
 industrial, offsite use only

Kentucky
 Green River Lock & Dam #3
 Rochester

Co: Butler Ky 42273-
 Location: SR 70 west from Morgantown, KY.,
 approximately 7 miles to site

Landholding Agency: COE
 Property Number: 319010022
 Status: Unutilized
 Comment: 980 sq. ft.; 2 story wood frame;
 two story residence; potential utilities;
 needs major rehab

Kentucky River Lock and Dam 3
 Pleasureville
 Co: Henry KY 40057-
 Location: SR 421 North from Frankfort, KY.
 to highway 561, right on 561
 approximately 3 miles to site

Landholding Agency: COE
 Property Number: 319010060
 Status: Unutilized
 Comment: 897 sq. ft.; 2 story wood frame;
 structural deficiencies

Bldg. 1
 Kentucky River Lock and Dam
 Carrollton
 Co: Carroll KY 41008-

Location: Take I-71 to Carrollton, KY exit, go
 east on SR #227 to Highway 320, then left
 for about 1.5 miles to site

Landholding Agency: COE
 Property Number: 319011628
 Status: Unutilized

Comment: 1530 sq. ft.; 2 story wood frame
 house; subject to periodic flooding; needs
 rehab

Bldg. 2
 Kentucky River Lock and Dam
 Carrollton

Co: Carroll KY 41008-
 Location: Take I-71 to Carrollton, KY exit, go
 east on SR #227 to highway 320, then left
 for about 1.5 miles to site

Landholding Agency: COE
 Property Number: 319011629
 Status: Unutilized

Comment: 1530 sq. ft.; 2 story wood frame
 house; subject to periodic flooding; needs
 rehab

Utility Bldg, Nolin River Lake
 Moutardier Recreation Site
 Co: Edmonson KY

Landholding Agency: COE
 Property Number: 319320002
 Status: Unutilized

Comment: 541 sq. ft., concrete block, off-site
 use only

Maryland

Bldg. 0036A
 Aberdeen Proving Ground
 Co: Harford MD 21005-5001
 Landholding Agency: Army
 Property Number: 219830322

Status: Unutilized
 Comment: 149 sq. ft., presence of asbestos/
 lead paint, most recent use—storage

Bldg. 0036B
 Aberdeen Proving Ground
 Co: Harford MD 21005-5001
 Landholding Agency: Army
 Property Number: 219830323

Status: Unutilized
 Comment: 276 sq. ft., presence of asbestos/
 lead paint, most recent use—storage

Bldgs. 02725, 02726, 02770
 Aberdeen Proving Ground
 Co: Harford MD 21005-5001
 Landholding Agency: Army
 Property Number: 219830324

Status: Unutilized
 Comment: 7784 sq. ft., presence of asbestos/
 lead paint, most recent use—housing/
 storage

Bldg. 02768
 Aberdeen Proving Ground
 Co: Harford MD 21005-5001
 Landholding Agency: Army
 Property Number: 219830325

Status: Unutilized
 Comment: 5852 sq. ft., needs repair, presence
 of asbestos/lead paint, most recent use—
 housing/storage

Bldg. E5813
 Aberdeen Proving Ground
 Co: Harford MD 21005-5001
 Landholding Agency: Army
 Property Number: 219830326

Status: Unutilized
 Comment: 69 sq. ft., presence of asbestos/
 lead paint, most recent use—storage

Duplex House w/detached garage
 710 Trail Ave.

Frederick MD 21702-5000
 Landholding Agency: GSA
 Property Number: 549830007

Status: Excess
 Comment: total 1230 sq. ft., needs repair,
 presence of lead based paint
 GSA Number: 4-F-MD-0597

Missouri

Bldg 1448
 Fort Leonard Wood
 Co: Pulaski MO 65473-5000
 Landholding Agency: Army
 Property Number: 219830327

Status: Unutilized
 Comment: 8450 sq. ft., presence of asbestos/
 lead paint, most recent use—training, off-
 site use only

Bldg 2210
 Fort Leonard Wood
 Co: Pulaski MO 65473-5000
 Landholding Agency: Army
 Property Number: 219830328

Status: Unutilized
 Comment: 808 sq. ft., concrete, presence of
 asbestos/lead paint, most recent use—
 storage, off-site use only

Bldg 2270
 Fort Leonard Wood
 Co: Pulaski MO 65473-5000
 Landholding Agency: Army
 Property Number: 219830329
 Status: Unutilized
 Comment: 256 sq. ft., concrete, presence of
 asbestos/lead paint, most recent use—
 storage, off-site use only

Tract 113—House
 Smithville Lake
 Smithville Co: Clay MO 64089-
 Landholding Agency: COE
 Property Number: 319540002
 Status: Excess
 Comment: 1200 sq. ft. residence, presence of
 lead base paint, off-site use only

Riverlands Ofc. Bldg.
 Melvin Price Locks & Dam
 Access Road
 West Alton Co: St. Charles MO 63386-
 Landholding Agency: COE

Property Number: 319730001
 Status: Excess
 Comment: 5000 sq. ft., steel, most recent
 use—office, flood damaged, off-site use
 only

Project Residence
 Long Branch Lake
 30186 Visitor Center Road
 Macon MO 63552-
 Landholding Agency: COE
 Property Number: 319830001
 Status: Excess
 Comment: 1440 sq. ft., off-site use only

Montana

Facility #1
 Havre Training Site
 Co: Hill MT 59501-
 Landholding Agency: Air Force
 Property Number: 189530047
 Status: Excess

- Comment: 6843 sq. ft., 1 story brick frame, good condition, most recent use—technical training site
- Bldg. 112
Forsyth Training Site
Co: Rosebud MT
Landholding Agency: Air Force
Property Number: 189610002
Status: Unutilized
Comment: 586 sq. ft., most recent use—cold storage
- Nebraska
- Bldg. 20
Offutt Communications Annex 4
Silver Creek Co: Nance NE 68663—
Landholding Agency: Air Force
Property Number: 189610004
Status: Unutilized
Comment: 4714 sq. ft., most recent use—dormitory needs major repair
- New Mexico
- 12 Bldgs.
Kirtland AFB
Co: Bernalillo NM 87117-5000
Location: 829-833, 836-841, 843
Landholding Agency: Air Force
Property Number: 189820023
Status: Unutilized
Comment: approx. 273 sq. ft., presence of lead, most recent use—residence, off-site use only
- 9 Bldgs.
Kirtland AFB
Co: Bernalillo NM 87117-5000
Location: 835, 845, 23009, 23011-23012, 23038, 23042, 23045, 23073
Landholding Agency: Air Force
Property Number: 189820024
Status: Unutilized
Comment: approx. 1482 sq. ft., presence of lead, most recent use—residence, off-site use only
- Bldgs. 23301, 23329, 23333
Kirtland AFB
Co: Bernalillo NM 87117-5000
Landholding Agency: Air Force
Property Number: 189820025
Status: Unutilized
Comment: approx. 1813 sq. ft., presence of lead, most recent use—residential, off-site use only
- 37 Bldgs.
Kirtland AFB
Co: Bernalillo NM 87117-5000
Location: 23040, 23064, 23066-23067, 23070, 23135-23137, 23140, 23142-23143, 23176-23181, 23184, 23300, 23302-23306, 23309, 23320, 23323-23327, 23330, 23332, 23335
Landholding Agency: Air Force
Property Number: 189820026
Status: Unutilized
Comment: approx. 1096 sq. ft., presence of lead, most recent use—residence, off-site use only
- 9 Bldgs.
Kirtland AFB
Co: Bernalillo NM 87117-5000
Location: 23013-23014, 23045, 23065, 23069, 23072, 23134, 23138, 23141
Landholding Agency: Air Force
Property Number: 189820027
Status: Unutilized
- Comment: approx. 1299 sq. ft., presence of lead, most recent use—residence, off-site use only
- 18 Bldgs.
Kirtland AFB
Co: Bernalillo NM 87117-5000
Location: 23010, 23015, 23041, 23043, 23046, 23063, 23068, 23071, 23139, 23144, 23182-23183, 23307-23308, 23322, 23328, 23334, 23340
Landholding Agency: Air Force
Property Number: 189820028
Status: Unutilized
Comment: approx. 1358 sq. ft., presence of lead, most recent use—residence, off-site use only
- Bldgs. 23016, 23017
Kirtland AFB
Co: Bernalillo NM 87117-5000
Landholding Agency: Air Force
Property Number: 189820029
Status: Unutilized
Comment: 4019 sq. ft., presence of lead, most recent use—residence, off-site use only
- New York
- 5 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #1004, 1102, 1200, 1214, 1216
Landholding Agency: Army
Property Number: 219830330
Status: Unutilized
Comment: 35,830 sq. ft., fair, possible asbestos/lead paint, most recent use—multipurpose
- Bldgs. 1202, 1204, 1206
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Landholding Agency: Army
Property Number: 219830331
Status: Unutilized
Comment: 21,972 sq. ft., poor, possible asbestos/lead paint, most recent use—admin/storage/barracks
- 5 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #1300, 1400, 1402, 1700, 1708
Landholding Agency: Army
Property Number: 219830332
Status: Unutilized
Comment: 64,861 sq. ft., fair, possible asbestos/lead paint, most recent use—multipurpose
- 8 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #1400, 1600, 1602, 1604, 1606, 1608, 1610, 1612
Landholding Agency: Army
Property Number: 219830333
Status: Unutilized
Comment: 52,873 sq. ft., poor, possible asbestos/lead paint, most recent use—barracks
- 6 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #1800, 1802, 1810, 1818, 2297, 2308
- Landholding Agency: Army
Property Number: 219830334
Status: Unutilized
Comment: 21,972 sq. ft., poor, possible asbestos/lead paint, most recent use—barracks/storage
- 6 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #1804, 1806, 1808, 1812, 1814, 1816
Landholding Agency: Army
Property Number: 219830335
Status: Unutilized
Comment: 35,356 sq. ft., fair, possible asbestos/lead paint, most recent use—admin/barracks/storage
- 4 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #2000, 2002, 2004, 2006
Landholding Agency: Army
Property Number: 219830336
Status: Unutilized
Comment: 35,356 sq. ft., fair, possible asbestos/lead paint, most recent use—lodging
- 6 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #2200, 2202, 2206, 2208, 2210, 2216
Landholding Agency: Army
Property Number: 219830337
Status: Unutilized
Comment: 15,750 sq. ft., fair, possible asbestos/lead paint, most recent use—plant bldgs
- 9 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #2310, 2408, 2410, 2412, 2414, 2416, 2418, 2420, 2422
Landholding Agency: Army
Property Number: 219830338
Status: Unutilized
Comment: 33,763 sq. ft., fair, possible asbestos/lead paint, most recent use—shop/storage
- 7 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #2400, 2402, 2404, 2500, 2506, 2514, 2516
Landholding Agency: Army
Property Number: 219830339
Status: Unutilized
Comment: 21,972 sq. ft., poor, possible asbestos/lead paint, most recent use—storage/admin
- 5 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553—
Location: #2508, 2510, 2512, 2518, 2520
Landholding Agency: Army
Property Number: 219830340
Status: Unutilized
Comment: 22,137 sq. ft., fair, possible asbestos/lead paint, most recent use—storage/chapel annex/admin

- 10 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553-
Location: #2600, 2602-2607, 2609-2610,
2627
Landholding Agency: Army
Property Number: 219830341
Status: Unutilized
Comment: 62,605 sq. ft., fair, possible
asbestos/lead paint, most recent use—
snack bar/club/storage
- 9 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553-
Location: #2608, 2619, 2623, 2611-2616
Landholding Agency: Army
Property Number: 219830342
Status: Unutilized
Comment: 45,851 sq. ft., poor, possible
asbestos/lead paint, most recent use—
barracks/storage/housing
- 8 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553-
Location: #3000, 3002, 3004, 3006, 3010,
3012, 3014, 3016
Landholding Agency: Army
Property Number: 219830343
Status: Unutilized
Comment: 47,395 sq. ft., poor, possible
asbestos/lead paint, most recent use—
housing/storage
- 5 Bldgs.
Stewart Army Subpost
United States Military Academy
New Windsor Co: Orange NY 12553-
Location: #3100, 3102, 3104, 3112, 3114
Landholding Agency: Army
Property Number: 219830344
Status: Unutilized
Comment: 1654 sq. ft., poor, possible
asbestos/lead paint, most recent use—
storage sheds
- Bldgs. 1246, 1247, 1250
West Point, U.S. Military Academy
Highlands Co: Orange NY 10996-
Landholding Agency: Army
Property Number: 219830345
Status: Unutilized
Comment: 1703 sq. ft., poor, possible
asbestos, most recent use—storage, off-site
use only
- "Terry Hill"
County Road 51
Manorville NY
Landholding Agency: GSA
Property Number: 549830008
Status: Surplus
Comment: 2 block structures, 780/272 sq. ft.,
no sanitary facilities, most recent use—
storage/comm. facility, w/6.19 acres in fee
and 4.99 acre easement, remote area
GSA Number: 1-D-NY-864
- Ohio
Barker Historic House
Willow Island Locks and Dam
Newport Co: Washington OH 45768-9801
Location: Located at lock site, downstream of
lock and dam structure
Landholding Agency: COE
Property Number: 319120018
- Status: Unutilized
Comment: 1600 sq. ft. bldg. with 1/2 acre of
land, 2 story brick frame, needs rehab, on
Natl Register of Historic Places, no utilities,
off-site use only
- Dwelling No. 2
Delaware Lake, Highway 23 North
Delaware OH 43015-
Landholding Agency: COE
Property Number: 319810005
Status: Excess
Comment: 2-story brick w/basement, most
recent use—residential, presence of
asbestos/lead paint, off-site use only
- Oklahoma
Water Treatment Plant
Belle Starr, Eufaula Lake
Eufaula Co: McIntosh OK 74432-
Landholding Agency: COE
Property Number: 319630001
Status: Excess
Comment: 16'x16', metal, off-site use only
- Water Treatment Plant
Gentry Creek, Eufaula Lake
Eufaula Co: McIntosh OK 74432-
Landholding Agency: COE
Property Number: 319630002
Status: Excess
Comment: 12'x16', metal, off-site use only
- Pennsylvania
Mahoning Creek Reservoir
New Bethlehem Co: Armstrong PA 16242-
Landholding Agency: COE
Property Number: 319210008
Status: Unutilized
Comment: 1015 sq. ft., 2 story brick
residence, off-site use only
- One Unit/Residence
Conemaugh River Lake, RD #1, Box 702
Saltburg Co: Indiana PA 15681-
Landholding Agency: COE
Property Number: 319430011
Status: Unutilized
Comment: 2642 sq. ft., 1-story, 1-unit of
duplex, fair condition, access restrictions
- Dwelling
Lock & Dam 6, Allegheny River, 1260 River
Rd.
Freeport Co: Armstrong PA 16229-2023
Landholding Agency: COE
Property Number: 319620008
Status: Unutilized
Comment: 2652 sq. ft., 3-story brick house, in
close proximity to Lock and Dam, available
for interim use for nonresidential purposes
- Dwelling
Lock & Dam 4, Allegheny River
Natrona Co: Allegheny PA 15065-2609
Landholding Agency: COE
Property Number: 319710009
Status: Unutilized
Comment: 1664 sq. ft., 2-story brick
residence, needs repair, off-site use only
- Dwelling #1
Crooked Creek Lake
Ford City Co: Armstrong PA 16226-8815
Landholding Agency: COE
Property Number: 319740002
Status: Excess
Comment: 2030 sq. ft., most recent use—
residential, good condition, off-site use
only
- Dwelling #2
Crooked Creek Lake
Ford City Co: Armstrong PA 16226-8815
Landholding Agency: COE
Property Number: 319740003
Status: Excess
Comment: 3045 sq. ft., most recent use—
residential, good condition, off-site use
only
- Dwelling #3
Crooked Creek Lake
Ford City Co: Armstrong PA 16226-8815
Landholding Agency: COE
Property Number: 319740004
Status: Excess
Comment: 1847 sq. ft., most recent use—
office, good condition, off-site use only
- Govt Dwelling
East Branch Lake
Wilcox Co: Elk PA 15870-9709
Landholding Agency: COE
Property Number: 319740005
Status: Underutilized
Comment: approx. 5299 sq. ft., 1-story, most
recent use—residence, off-site use only
- Dwelling #1
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681-9302
Landholding Agency: COE
Property Number: 319740006
Status: Excess
Comment: 1996 sq. ft., most recent use—
residential, good condition, off-site use
only
- Dwelling #2
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681-9302
Landholding Agency: COE
Property Number: 319740007
Status: Excess
Comment: 1996 sq. ft., most recent use—
residential, good condition, off-site use
only
- Dwelling #1
Woodcock Creek Lake
Saegertown Co: Crawford PA 16433-0629
Landholding Agency: COE
Property Number: 319740008
Status: Excess
Comment: 2106 sq. ft., most recent use—
residential, good condition, off-site use
only
- Dwelling #2
Lock & Dam 6, 1260 River Road
Freeport Co: Armstrong PA 16229-2023
Landholding Agency: COE
Property Number: 319740009
Status: Excess
Comment: 2652 sq. ft., most recent use—
residential, good condition, off-site use
only
- South Dakota
West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area,
lacks infrastructure, road hazardous during
winter storms, most recent use—industrial
storage
- Tennessee
Cheatham Lock & Dam
Tract D, Lock Road

- Nashville Co: Davidson TN 37207-
Landholding Agency: COE
Property Number: 319520003
Status: Unutilized
Comment: 1100 sq. ft. dwelling w/storage
bldgs on 7 acres, needs major rehab,
contamination issues, approx. 1 acre in
fldwy, modif. to struct. subj. to approval of
St. Hist. Presv. Ofc.
- Texas
Bldg. P-1026
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830346
Status: Unutilized
Comment: 14,067 sq. ft., fair, hazard
abatement required, most recent use—lab/
auditorium, historic significance
- Bldg. S-1155
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830347
Status: Unutilized
Comment: 2100 sq. ft., good, hazard
abatement required, most recent use—
instruction bldg., off-site use only
- Bldg. P-2376
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830348
Status: Unutilized
Comment: 368,132 sq. ft., fair, hazard
abatement required, most recent use—
hospital, historical significance
- Bldg., S-3896
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830349
Status: Unutilized
Comment: 4200 sq. ft., fair, hazard abatement
required, most recent use—training, off-site
use only
- Bldg. T-5123
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830350
Status: Unutilized
Comment: 2596 sq. ft., fair, hazard abatement
required, most recent use—instruction, off-
site use only, historical significance
- Bldg. P-6150
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830351
Status: Unutilized
Comment: 48 sq. ft., fair, hazard abatement
required, most recent use—pumphouse,
off-site use only
- Bldg. P-6218
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830352
Status: Unutilized
Comment: 216 sq. ft., fair, hazard abatement
required, most recent use—pumping
station, off-site use only
- Bldgs. P-6331, P-6335, P-6495
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830353
Status: Unutilized
Comment: 36 sq. ft., fair, hazard abatement
required, most recent use—pumping
station, off-site use only
- Bldg. P-8000
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830354
Status: Unutilized
Comment: 1766 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 9 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8001, P8008, 8014, 8027, 8033,
8035, 8127, 8229, 8265
Landholding Agency: Army
Property Number: 219830355
Status: Unutilized
Comment: 2456 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 11 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8003, P8011, 8012, 8019, 8043,
8202, 8204, 8216, 8235, 8241, 8261
Landholding Agency: Army
Property Number: 219830356
Status: Unutilized
Comment: 2358 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- Bldgs. P-8003C, P-8220C
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830357
Status: Unutilized
Comment: 1174 sq. ft., fair, hazard abatement
required, most recent use—detached
garage, off-site use only
- Bldg. P-8004
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830358
Status: Unutilized
Comment: 2243 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 7 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8005, 8101, 8107, 8141, 8143,
8146, 8150
Landholding Agency: Army
Property Number: 219830359
Status: Unutilized
Comment: 1804 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 16 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8006, 8007, 8010, 8017, 8013,
8015, 8020, 8029, 8103, 8105, 8201, 8203,
8208, 8218, 8225, 8234
Landholding Agency: Army
- Property Number: 219830360
Status: Unutilized
Comment: 1703 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 7 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8009, 8024, 8207, 8214, 8217,
8226, 8256
Landholding Agency: Army
Property Number: 219830361
Status: Unutilized
Comment: 2253 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 4 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8009C, 8027C, 8248C, 8256C
Landholding Agency: Army
Property Number: 219830362
Status: Unutilized
Comment: 681 sq. ft., fair, hazard abatement
required, most recent use—detached
garage, off-site use only
- 3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8012C, 8039C, 8224C
Landholding Agency: Army
Property Number: 219830363
Status: Unutilized
Comment: 1185 sq. ft., fair, hazard abatement
required, most recent use—detached
garage, off-site use only
- Bldg. P8016
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830364
Status: Unutilized
Comment: 2347 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 8 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8021, 8211, 8244, 8270, 8213,
8223, 8243, 8266
Landholding Agency: Army
Property Number: 219830365
Status: Unutilized
Comment: 249 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- Bldg. P-8022
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830366
Status: Unutilized
Comment: 1849 sq. ft., fair, hazard abatement
required, most recent use—housing, off-site
use only
- 5 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #8022C, 8023C, 8106C, 8127C,
8206C
Landholding Agency: Army
Property Number: 219830367
Status: Unutilized

- Comment: 513 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
7 Bldgs.
Fort Sam Houston
San Antonio
Co: Bexar TX 78234-5000
Location: #8023, 8039, 8139, 8209, 8220, 8253, 8254
Landholding Agency: Army
Property Number: 219830368
Status: Unutilized
Comment: 2485 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldgs. P8026, P8028
Fort Sam Houston
San Antonio
Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830369
Status: Unutilized
Comment: approx. 1850 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8028C, P8143C, P8150C
Landholding Agency: Army
Property Number: 219830370
Status: Unutilized
Comment: 838 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
5 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8030, P8031, 8104, 8032, 8034
Landholding Agency: Army
Property Number: 219830371
Status: Unutilized
Comment: various sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8035C, P8104C, 8236C
Landholding Agency: Army
Property Number: 219830372
Status: Unutilized
Comment: 1017 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8036, P8038, 8040
Landholding Agency: Army
Property Number: 219830373
Status: Unutilized
Comment: approx. 2300 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
7 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8041, P8042, 8231, 8236, 8237, 8258, 8262
Landholding Agency: Army
Property Number: 219830374
Status: Unutilized
- Comment: 2335 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8102, 8106, 8108
Landholding Agency: Army
Property Number: 219830375
Status: Unutilized
Comment: approx. 2700 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldgs. P8109, P8137
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830376
Status: Unutilized
Comment: 1540 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
4 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8110, 8227, 8111, 8229
Landholding Agency: Army
Property Number: 219830377
Status: Unutilized
Comment: 1537 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldgs. P8112, P8228
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830378
Status: Unutilized
Comment: 1807 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
5 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #8113, 8162, 8114, 8152, 8115
Landholding Agency: Army
Property Number: 219830379
Status: Unutilized
Comment: approx. 1500 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
3 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: P8116, 8151, 8158
Landholding Agency: Army
Property Number: 219830380
Status: Unutilized
Comment: 1691 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldg. P8117
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830381
Status: Unutilized
Comment: 1581 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
8 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8118, 8121, 8125, 8153, 8119, 8120, 8124, 8168
- Landholding Agency: Army
Property Number: 219830382
Status: Unutilized
Comment: various sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldgs. P8122, P8123
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830383
Status: Unutilized
Comment: approx. 1400 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldg. P8126
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830384
Status: Unutilized
Comment: 1331 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldg. P8128
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830385
Status: Unutilized
Comment: 1804 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
8 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: P8131C, 8139C, 8203C, 8211C, 8231C, 8243C, 8249C, 8261C
Landholding Agency: Army
Property Number: 219830386
Status: Unutilized
Comment: 849 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
Bldgs. P8133, P8134
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830387
Status: Unutilized
Comment: approx. 2000 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
Bldgs. P8135, P8136
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830388
Status: Unutilized
Comment: approx. 1500 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
4 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8144, 8267, 8148, 8149
Landholding Agency: Army
Property Number: 219830389
Status: Unutilized
Comment: approx. 2200 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
6 Bldgs.
Fort Sam Houston

- San Antonio Co: Bexar TX 78234-5000
Location: #P8154, 8155, 8159, 8163, 8167, 8156
Landholding Agency: 219830390
Status: Unutilized
Comment: approx. 1400 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- 6 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8157, 8160, 8164, 8161, 8166, 8170
Landholding Agency: Army
Property Number: 219830391
Status: Unutilized
Comment: approx. 1500 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldg. P8171
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830392
Status: Unutilized
Comment: 1289 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldg. P8172
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830393
Status: Unutilized
Comment: 1597 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldgs. P8173, P8174
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830394
Status: Unutilized
Comment: approx. 2200 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldg. P8174C
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830395
Status: Unutilized
Comment: 670 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
- Bldg. P8175
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830396
Status: Unutilized
Comment: 2220 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldg. P8200
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830397
Status: Unutilized
Comment: 892 sq. ft., fair, hazard abatement required, most recent use—officers quarters, off-site use only
- Bldg. P8200C
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830398
Status: Unutilized
Comment: 924 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
- Bldg. P8205
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830399
Status: Unutilized
Comment: 1745 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- 4 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8206, 8215, 8232, 8233
Landholding Agency: 219830400
Status: Unutilized
Comment: approx. 2400 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldg. P8245
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830401
Status: Unutilized
Comment: 2876 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- 4 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8246, 8248, 8250, 8259
Landholding Agency: Army
Property Number: 219830402
Status: Unutilized
Comment: approx. 2300 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Bldgs. P8262C, 8271C
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830403
Status: Unutilized
Comment: 1006 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only
- Bldg. P8269
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Landholding Agency: Army
Property Number: 219830404
Status: Unutilized
Comment: 2396 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- 20 Bldgs.
Fort Sam Houston
San Antonio Co: Bexar TX 78234-5000
Location: #P8271, 8002, 8018, 8025, 8037, 8100, 8130, 8132, 8138, 8140, 8142, 8145, 8147, 8210, 8212, 8221, 8242, 8247, 8264, 8257
Landholding Agency: Army
Property Number: 219830405
Status: Unutilized
- Comment: 2777 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only
- Airport Surv. Radar Site Asr7
3203 Glade Road
Colleyville Co: Tarrant TX 76034-
Landholding Agency: GSA
Property Number: 549830005
Status: Excess
Comment: 800 sq. ft. equipment building on 1.35 acres
GSA Number: 7-U-TX-1054
Virginia
Bldg. TT0108
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830406
Status: Unutilized
Comment: 1525 sq. ft., needs rehab, most recent use—storehouse, off-site use only
- Bldg. TT0109
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830407
Status: Unutilized
Comment: 1525 sq. ft., needs rehab, most recent use—fitness center, off-site use only
- Bldg. TT0116
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830408
Status: Unutilized
Comment: 2050 sq. ft., needs rehab, presence of asbestos most recent use—admin., off-site use only
- Bldg. TT0119
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830409
Status: Unutilized
Comment: 2400 sq. ft., needs rehab, most recent use—quarters, off-site use only
- Bldg. TT0120
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830410
Status: Unutilized
Comment: 2160 sq. ft., needs rehab, most recent use—admin., off-site use only
- Bldg. TT0127
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830411
Status: Unutilized
Comment: 2526 sq. ft., needs rehab, most recent use—admin, off-site use only
- Bldg. TT0140
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army
Property Number: 219830412
Status: Unutilized
Comment: 310 sq. ft., needs rehab, most recent use—laundromat, off-site use only
- Bldg. TT0143
Fort A.P. Hill
Bowling Green VA 22427-
Landholding Agency: Army

Property Number: 219830413
 Status: Unutilized
 Comment: 3788 sq. ft., needs rehab, presence of asbestos, most recent use—admin., off-site use only
 Bldg. TT0146
 Fort A.P. Hill
 Bowling Green VA 22427—
 Landholding Agency: Army
 Property Number: 219830414
 Status: Unutilized
 Comment: 2200 sq. ft., needs rehab, most recent use—quarters, off-site use only
 Bldg. TT1205
 Fort A.P. Hill
 Bowling Green VA 22427—
 Landholding Agency: Army
 Property Number: 219830415
 Status: Unutilized
 Comment: 788 sq. ft., needs rehab, most recent use—quarters, off-site use only
 Bldg. T-192
 Fort Monroe
 Ft. Monroe VA 23651—
 Landholding Agency: Army
 Property Number: 219830416
 Status: Unutilized
 Comment: 2804 sq. ft., presence of asbestos/lead paint, most recent use—hobby shop, off-site use only
 Bldg. 206
 Fort Monroe
 Ft. Monroe VA 23651—
 Landholding Agency: Army
 Property Number: 219830417
 Status: Unutilized
 Comment: 9521 sq. ft., presence of asbestos, most recent use—storage, off-site use only
 Peters Ridge Site
 Gathright Dam
 Covington VA
 Landholding Agency: COE
 Property Number: 319430013
 Status: Excess
 Comment: 64 sq. ft., metal bldg.
 Metal Bldg.
 John H. Kerr Dam & Reservoir Co: Boydton VA
 Landholding Agency: COE
 Property Number: 319620009
 Status: Excess
 Comment: 800 sq. ft., most recent use—storage, off-site use only
 Washington
 Bldg. 1021
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830418
 Status: Unutilized
 Comment: 3724 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—carport, off-site use only
 Bldg. 5162
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830419
 Status: Unutilized
 Comment: 2360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. A0101
 Fort Lewis

Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830420
 Status: Unutilized
 Comment: 1675 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. A0105
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830421
 Status: Unutilized
 Comment: 1843 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. A0631
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830422
 Status: Unutilized
 Comment: 2207 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—dayroom, off-site use only
 Bldg. B0216
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830423
 Status: Unutilized
 Comment: 3108 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—veh. maint., off-site use only
 Bldg. B0218
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830424
 Status: Unutilized
 Comment: 3108 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—veh. maint., off-site use only
 Bldg. C1316
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830425
 Status: Unutilized
 Comment: 1675 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. C1246
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830426
 Status: Unutilized
 Comment: 7670 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. B0813
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830427
 Status: Unutilized
 Comment: 1144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only
 Bldg. B0812
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army

Property Number: 219830428
 Status: Unutilized
 Comment: 1144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—dayroom, off-site use only
 Bldg. B0228
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830429
 Status: Unutilized
 Comment: 2739 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only
 Bldg. A0104
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830430
 Status: Unutilized
 Comment: 2284 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—dispensary, off-site use only
 Bldg. C0409
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830431
 Status: Unutilized
 Comment: 1948 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only
 Bldg. 9575
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830432
 Status: Unutilized
 Comment: 17,217 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—veh. maint., off-site use only
 Bldg. 5224
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830433
 Status: Unutilized
 Comment: 2360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—educ. fac., off-site use only
 Bldg. 9575
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830434
 Status: Unutilized
 Comment: 17,217 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—veh. maint., off-site use only
 Bldg. 9794
 Fort Lewis
 Ft. Lewis Co: Pierce WA 98433—
 Landholding Agency: Army
 Property Number: 219830435
 Status: Unutilized
 Comment: 210 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—vet. fac., off-site use only
 West Virginia
 German Ridge Radio Transmitter
 Huntington Co: Wayne WV 25701—
 Landholding Agency: COE
 Property Number: 319610002
 Status: Unutilized

Comment: 187 sq. ft., cinder block bldg. on .55 acre in remote area, most recent use—radio equipment room

Dwelling 1
Summersville Lake
Summersville Co: Nicholas WV 26651-9802
Landholding Agency: COE
Property Number: 319810003
Status: Excess
Comment: 1200 sq. ft., presence of asbestos/lead paint, most recent use—residential, off-site use only

Dwelling 2
Sutton Lake
Sutton Co: Braxton WV 26651-9802
Landholding Agency: COE
Property Number: 319810004
Status: Excess
Comment: 1100 sq. ft., most recent use—residential, off-site use only

Wisconsin
Bldg. 1545
Fort McCoy
Co: Monroe WI 54656-5163
Landholding Agency: Army
Property Number: 219830436
Status: Unutilized
Comment: 2255 sq. ft., needs rehab, most recent use—info sys fac, off-site use only

Bldg. 1547
Fort McCoy
Co: Monroe WI 54656-5163
Landholding Agency: Army
Property Number: 219830437
Status: Unutilized
Comment: 1750 sq. ft., needs rehab, most recent use—info sys fac, off-site use only

Bldg. 1550
Fort McCoy
Co: Monroe WI 54656-5163
Landholding Agency: Army
Property Number: 219830438
Status: Unutilized
Comment: 9467 sq. ft., needs rehab, most recent use—info ctr, off-site use only

Bldg. 1565
Fort McCoy
Co: Monroe WI 54656-5163
Landholding Agency: Army
Property Number: 219830439
Status: Unutilized
Comment: 15,804 sq. ft., needs rehab, most recent use—info sys fac, off-site use only

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie, WI 54911-
Landholding Agency: COE
Property Number: 319011524
Status: Unutilized
Comment: 1,224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie, WI 54911-
Landholding Agency: COE
Property Number: 319011525
Status: Unutilized
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna Co: Outagamie, WI 54131-
Landholding Agency: COE
Property Number: 319011527
Status: Unutilized
Comment: 1,290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie, WI 54911-
Landholding Agency: COE
Property Number: 319011531
Status: Unutilized
Comment: 1,300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie, WI 54180-
Location: 3 miles southwest of intersection State Highway 96 and Canal Road.
Landholding Agency: COE
Property Number: 319011533
Status: Unutilized
Comment: 1,952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence Co: Brown WI 54130-
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway "D") and River Street.
Landholding Agency: COE
Property Number: 319011535
Status: Unutilized
Comment: 1,224 sq. ft.; 2 story brick/wood frame residence; needs rehab

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie, WI 54140-
Landholding Agency: COE
Property Number: 319011536
Status: Unutilized
Comment: 1,224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access

Land (by State)

Arkansas
Parcel 01
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010071
Status: Unutilized
Comment: 77.6 acres.

Parcel 02
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010072
Status: Unutilized
Comment: 198.5 acres

Parcel 03
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010073
Status: Unutilized
Comment: 50.46 acres

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010074
Status: Unutilized
Comment: 236.37 acres

Parcel 05
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010075
Status: Unutilized
Comment: 187.30 acres

Parcel 06
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010076
Status: Unutilized
Comment: 13.0 acres

Parcel 07
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923-9361
Landholding Agency: COE
Property Number: 319010077
Status: Unutilized
Comment: 0.27 acres

Parcel 08
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923-9361
Landholding Agency: COE
Property Number: 319010078
Status: Unutilized
Comment: 14.6 acres

Parcel 09
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923-9361
Landholding Agency: COE
Property Number: 319010079
Status: Unutilized
Comment: 6.60 acres

Parcel 10
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923-9361
Landholding Agency: COE
Property Number: 319010080
Status: Unutilized
Comment: 4.5 acres

Parcel 11
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923-9361
Landholding Agency: COE
Property Number: 319010081
Status: Unutilized
Comment: 19.50 acres

Lake Greeson
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958-9720
Landholding Agency: COE
Property Number: 319010083
Status: Unutilized
Comment: 46 acres

- Colorado
Otis Lane
Chatfield Lake Project
Littleton Co: Jefferson CO 80123-
Landholding Agency: COE
Property Number: 319540001
Status: Excess
Comment: 25 ft. wide (5000 sq. ft.), subject to easements
- Kansas
Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Landholding Agency: COE
Property Number: 319010064
Status: Unutilized
Comment: 61 acres; most recent use—recreation
- Kentucky
Tract 2625
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: Adjoining the village of Rockcastle
Landholding Agency: COE
Property Number: 319010025
Status: Excess
Comment: 2.57 acres; rolling and wooded
- Tract 2709-10 and 2710-2
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 319010026
Status: Excess
Comment: 2.00 acres; steep and wooded
- Tract 2708-1 and 2709-1
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 319010027
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities
- Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: 4½ miles in a southeasterly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 319010028
Status: Excess
Comment: 5.44 acres; steep and wooded
- Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: 6½ miles west of Cadiz
Landholding Agency: COE
Property Number: 319010029
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities
- Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211-
Location: 1 mile in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 319010031
Status: Excess
- Comment: 4.90 acres; wooded; no utilities
- Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212-
Location: Trigg Co. adjoining the city of Canton, KY on the waters of Hopson Creek
Landholding Agency: COE
Property Number: 319010032
Status: Excess
Comment: 8.24 acres; steep and wooded
- Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212-
Location: 3½ miles in a southerly direction from Canton, KY
Landholding Agency: COE
Property Number: 319010033
Status: Excess
Comment: 4.26 acres; steep and wooded
- Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212-
Location: 5 miles south of Canton, KY
Landholding Agency: COE
Property Number: 319010034
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities
- Tract 4619
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212-
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 319010035
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities
- Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212-
Location: 6½ miles south of Canton, KY
Landholding Agency: COE
Property Number: 319010036
Status: Excess
Comment: 1.75 acres; wooded
- Tract 1217
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: On the north side of the Illinois Central Railroad
Landholding Agency: COE
Property Number: 319010042
Status: Excess
Comment: 5.80 acres; steep and wooded
- Tract 1906
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: Approximately 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010044
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities
- Tract 1907
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038-
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010045
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities
- Tract 2001 #1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010046
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities
- Tract 2001 #2
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010047
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities
- Tract 2005
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: Approximately 5½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010048
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities
- Tract 2307
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: Approximately 7½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010049
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities
- Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: 7 miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010050
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities
- Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030-
Location: 9 miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010051
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities
- Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045-
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River.
Landholding Agency: COE
Property Number: 319010052
Status: Excess
Comment: 5.5 acres; wooded; no utilities
- Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045-
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE

- Property Number: 319010053
Status: Excess
Comment: 1.40 acres; wooded; no utilities
Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319010054
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities
Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 2.5 miles southwest of Kuttawa, KY, on the waters of Cypress Creek.
Landholding Agency: COE
Property Number: 319010055
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities
Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010056
Status: Excess
Comment: 97.66 acres; steep and wooded; no utilities
Tract 500–2
Barkley Lake, Kentucky and Tennessee
Kuttawa Co: Lyon KY 42055–
Location: Situated on the waters of Poplar Creek, approximately 1 mile southwest of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319010057
Status: Excess
Comment: 3.58 acres; hillside ridgeland and wooded; no utilities
Tract 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254.
Landholding Agency: COE
Property Number: 319010058
Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities
Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY.
Landholding Agency: COE
Property Number: 319010059
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities
Tract 4628
Barkley Lake, Kentucky and Tennessee
Canton Co: Lyon KY 42212–
Location: 4½ miles south from Canton, KY.
Landholding Agency: COE
Property Number: 319011621
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements
Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 319011622
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements
Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY.
Landholding Agency: COE
Property Number: 319011623
Status: Unutilized
Comment: 0.70 acres; wooded; subject to utility easements
Tract 241–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319011624
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements
Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319011625
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements
Tract 215–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 319011626
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements
Tract 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 319011627
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements
Tract B—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130002
Status: Unutilized
Comment: 10 acres, most recent use—recreational, possible periodic flooding
Tract A—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130003
Status: Unutilized
Comment: 8 acres, most recent use—recreational, possible periodic flooding
Tract C—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130005
Status: Unutilized
Comment: 4 acres, most recent use—recreational, possible periodic flooding
Tract N–819
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Landholding Agency: COE
Property Number: 319140009
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements
Portion of Lock & Dam No. 1
Kentucky River
Carrollton Co: Carroll KY 41008–0305
Landholding Agency: COE
Property Number: 319320003
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored
Portion of Lock & Dam No. 2
Kentucky River
Lockport Co: Henry KY 40036–9999
Landholding Agency: COE
Property Number: 319320004
Status: Underutilized
Comment: approx. 13.14 acres (sloping), access monitored
- Louisiana
Wallace Lake Dam and Reservoir
Shreveport Co: Caddo LA 71103–
Landholding Agency: COE
Property Number: 319011009
Status: Unutilized
Comment: 11 acres; wildlife/forestry; no utilities
Bayou Bodcau Dam and Reservoir
Haughton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, La.
Landholding Agency: COE
Property Number: 319011010
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities
- Maine
Irish Ridge NEXRAD Site
Loring AFB
Fort Fairfield Co: Aroostook ME 04742–
Landholding Agency: Air Force
Property Number: 189640017
Status: Unutilized
Comment: 3.491 acres in fee simple
- Minnesota
Parcel D
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake, between highways 6 and 371.
Landholding Agency: COE
Property Number: 319011038
Status: Excess
Comment: 17 acres; no utilities
Tract 92
Sandy Lake
McGregor Co: Aitkins MN 55760–
Location: 4 miles west of highway 65, 15 miles from city of McGregor.
Landholding Agency: COE
Property Number: 319011040
Status: Excess

- Comment: 4 acres; no utilities
Tract 98
Leech Lake
Benedict Co: Hubbard MN 56641-
Location: 1 mile from city of Federal Dam,
MN.
Landholding Agency: COE
Property Number: 319011041
Status: Excess
Comment: 7.3 acres; no utilities
- Mississippi
Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011019
Status: Underutilized
Comment: 100 acres; no utilities;
intermittently used under lease—expires
1994
- Parcel 8
Grenada Lake
Section 20, T24N
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011020
Status: Underutilized
Comment: 30 acres; no utilities;
intermittently used under lease—expires
1994
- Parcel 9
Grenada Lake
Section 20, T24N, R7E
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011021
Status: Underutilized
Comment: 23 acres; no utilities;
intermittently used under lease—expires
1994
- Parcel 10
Grenada Lake
Sections 16, 17, 18 T24N R8E
Grenada Co: Calhoun MS 38901-0903
Landholding Agency: COE
Property Number: 319011022
Status: Underutilized
Comment: 490 acres; no utilities;
intermittently used under lease—expires
1994
- Parcel 2
Grenada Lake
Section 20 and T23N, R5E
Grenada Co: Grenada MS 38901-0903
Landholding Agency: COE
Property Number: 319011023
Status: Underutilized
Comment: 60 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011024
Status: Underutilized
Comment: 120 acres; no utilities; most recent
use—wildlife and forestry management;
(13.5 acres/agriculture lease)
- Parcel 4
Grenada Lake
Sections 2 and 3, T23N, R5E
Grenada Co: Yalobusha MS 38901-0903
- Landholding Agency: COE
Property Number: 319011025
Status: Underutilized
Comment: 60 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 5
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011026
Status: Underutilized
Comment: 20 acres; no utilities; most recent
use—wildlife and forestry management;
(14 acres/agriculture lease)
- Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903-0903
Landholding Agency: COE
Property Number: 319011027
Status: Underutilized
Comment: 80 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901-0903
Landholding Agency: COE
Property Number: 319011028
Status: Underutilized
Comment: 30 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38390-10903
Landholding Agency: COE
Property Number: 319011029
Status: Underutilized
Comment: 30 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903-0903
Landholding Agency: COE
Property Number: 319011030
Status: Underutilized
Comment: 35 acres; no utilities; most recent
use—wildlife and forestry management;
(11 acres/agriculture lease)
- Parcel 14
Grenada Lake
Section 3, T24N, R6E
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011031
Status: Underutilized
Comment: 15 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901-0903
Landholding Agency: COE
Property Number: 319011032
Status: Underutilized
Comment: 40 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 38901-0903
- Landholding Agency: COE
Property Number: 319011033
Status: Underutilized
Comment: 70 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901-0903
Landholding Agency: COE
Property Number: 319011034
Status: Underutilized
Comment: 35 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902-0903
Landholding Agency: COE
Property Number: 319011035
Status: Underutilized
Comment: 10 acres; no utilities; most recent
use—wildlife and forestry management
- Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenada MS 38901-0903
Landholding Agency: COE
Property Number: 319011036
Status: Underutilized
Comment: 20 acres; no utilities; most recent
use—wildlife and forestry management
- Missouri
Harry S. Truman Dam & Reservoir
Warsaw Co: Benton MO 65355-
Location: Triangular shaped parcel southwest
of access road "B", part of Bledsoe Ferry
Park Tract 150
Landholding Agency: COE
Property Number: 319030014
Status: Underutilized
Comment: 1.7 acres; potential utilities
- Nebraska
Hastings Radar Bomb Scoring
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189810027
Status: Unutilized
Comment: 11 acres
- Ohio
Hannibal Locks and Dam
Ohio River
P.O. Box 8
Hannibal Co: Monroe OH 43931-0008
Location: Adjacent to the new Martinsville
Bridge
Landholding Agency: COE
Property Number: 319010015
Status: Underutilized
Comment: 22 acres; river bank
- Oklahoma
Pine Creek Lake
Section 27
(See County) Co: McCurtain OK
Landholding Agency: COE
Property Number: 319010923
Status: Unutilized
Comment: 3 acres; no utilities; subject to
right of way for Oklahoma State Highway
3
- Pennsylvania
Mahoning Creek Lake

- New Bethlehem Co: Armstrong PA 16242-9603
Location: Route 28 north to Belknap, Road #4
Landholding Agency: COE
Property Number: 319010018
Status: Excess
Comment: 2.58 acres; steep and densely wooded
- Tracts 610, 611, 612
Shenango River Lake
Sharpsville Co: Mercer PA 16150-
Location: I-79 North, I-80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue
Landholding Agency: COE
Property Number: 319011001
Status: Excess
Comment: 24.09 acres; subject to flowage easement
- Tracts L24, L26
Crooked Creek Lake
Co: Armstrong PA 03051-
Location: Left bank—55 miles downstream of dam
Landholding Agency: COE
Property Number: 319011011
Status: Unutilized
Comment: 7.59 acres; potential for utilities
Portion of Tract L-21A
Crooked Creek Lake, LR 03051
Ford City Co: Armstrong PA 16226-
Landholding Agency: COE
Property Number: 319430012
Status: Unutilized
Comment: Approximately 1.72 acres of undeveloped land, subject to gas rights
- Tennessee
Tract 6827
Barkley Lake
Dover Co: Stewart TN 37058-
Location: 2½ miles west of Dover, TN
Landholding Agency: COE
Property Number: 319010927
Status: Excess
Comment: .57 acres; subject to existing easements
- Tracts 6002-2 and 6010
Barkley Lake
Dover Co: Stewart TN 37058-
Location: 3½ miles south of village of Tabaccoport
Landholding Agency: COE
Property Number: 319010928
Status: Excess
Comment: 100.86 acres; subject to existing easements
- Tract 11516
Barkley Lake
Ashland City Co: Dickson TN 37015-
Location: ½ mile downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 319010929
Status: Excess
Comment: 26.25 acres; subject to existing easements
- Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130-
Location: West of Buckeye Bottom Road
Landholding Agency: COE
Property Number: 319010930
Status: Excess
Comment: 14.48 acres; subject to existing easements
- Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130-
Location: Old Jefferson Pike
Landholding Agency: COE
Property Number: 319010931
Status: Excess
Comment: 2.27 acres; subject to existing easements
- Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130-
Location: Across Fall Creek near Fall Creek camping area
Landholding Agency: COE
Property Number: 319010932
Status: Excess
Comment: 14.85 acres; subject to existing easements
- Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562-
Location: TN Highway 56
Landholding Agency: COE
Property Number: 319010933
Status: Unutilized
Comment: 11 acres; subject to existing easements
- Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130-
Location: East of Lamar Road
Landholding Agency: COE
Property Number: 319010934
Status: Excess
Comment: 15.31 acres; subject to existing easements
- Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130-
Location: South of Old Jefferson Pike
Landholding Agency: COE
Property Number: 319010935
Status: Excess
Comment: 12 acres; subject to existing easements
- Tract 7206
Barkley Lake
Dover Co: Stewart TN 37058-
Location: 2½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 319010936
Status: Excess
Comment: 10.15 acres; subject to existing easements
- Tracts 8813, 8814
Barkley Lake
Cumberland Co: Stewart TN 37050-
Location: 1½ miles East of Cumberland City
Landholding Agency: COE
Property Number: 319010937
Status: Excess
Comment: 96 acres; subject to existing easements
- Tract 8911
Barkley Lake
Cumberland City Co: Montgomery TN 37050-
Location: 4 miles east of Cumberland City
Landholding Agency: COE
Property Number: 319010938
Status: Excess
Comment: 7.7 acres; subject to existing easements
- Tract 11503
Barkley Lake
Ashland City Co: Cheatham TN 37015-
Location: 2 miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 319010939
Status: Excess
Comment: 1.1 acres; subject to existing easements
- Tracts 11523, 11524
Barkley Lake
Ashland City Co: Cheatham TN 37015-
Location: 2½ miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 319010940
Status: Excess
Comment: 19.5 acres; subject to existing easements
- Tract 6410
Barkley Lake
Bumpus Mills Co: Stewart TN 37028-
Location: 4½ miles SW. of Bumpus Mills
Landholding Agency: COE
Property Number: 319010941
Status: Excess
Comment: 17 acres; subject to existing easements
- Tract 9707
Barkley Lake
Palmyer Co: Montgomery TN 37142-
Location: 3 miles NE of Palmyer, TN Highway 149
Landholding Agency: COE
Property Number: 319010943
Status: Excess
Comment: 6.6 acres; subject to existing easements
- Tract 6949
Barkley Lake
Dover Co: Stewart TN 37058-
Location: 1½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 319010944
Status: Excess
Comment: 29.67 acres; subject to existing easements
- Tracts 6005 and 6017
Barkley Lake
Dover Co: Stewart TN 37058-
Location: 3 miles south of Village of Tabaccoport.
Landholding Agency: COE
Property Number: 319011173
Status: Excess
Comment: 5 acres; subject to existing easements
- Tracts K-1191, K-1135
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074-
Landholding Agency: COE
Property Number: 319130007
Status: Underutilized
Comment: 92 acres (38 acres in floodway), most recent use—recreation
- Tract A-102
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551-
Landholding Agency: COE
Property Number: 319140006
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements

Tract A-120
Dale Hollow Lake & Dam Project
Swann Ridge, State Hwy No. 53
Celina Co: Clay TN 38551-
Landholding Agency: COE
Property Number: 319140007
Status: Underutilized
Comment: 883 acres, most recent use—
hunting, subject to existing easements

Tracts A-20, A-21
Dale Hollow Lake & Dam Project
Red Oak Ridge, State Hwy No. 53
Celina Co: Clay TN 38551-
Landholding Agency: COE
Property Number: 319140008
Status: Underutilized
Comment: 821 acres, most recent use—
recreation, subject to existing easements

Tract D-185
Dale Hollow Lake & Dam Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570-
Landholding Agency: COE
Property Number: 319140010
Status: Underutilized
Comment: 883 acres, most recent use—
hunting, subject to existing easements

Washington
Spokane Satellite Tracking #1
Fairchild AFB
Portion of Site
Spokane WA 99224-
Landholding Agency: Air Force
Property Number: 189810028
Status: Unutilized
Comment: 1.14 acres w/water well pump
house

Suitable/Unavailable Properties

Buildings (by State)

Alaska

Bldgs. 001A&B
Spruce Cape Lorán Station
Kodiak Co: Kodiak Is. Bor. AK 99615-
Landholding Agency: DOT
Property Number: 879720001
Status: Excess
Comment: 12492 sq. ft. steel frame, most
recent use—barracks and shops, needs
extensive repairs, in Tsunami evacuation
area

California

Sante Fe Flood Control Basin
Irwindale Co: Los Angeles CA 91706-
Landholding Agency: COE
Property Number: 319011298
Status: Unutilized
Comment: 1400 sq. ft.; 1 story stucco; needs
rehab; termite damage; secured area with
alternate access

Colorado

Bldg. 8026
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814-2400
Landholding Agency: Air Force
Property Number: 189730009
Status: Underutilized
Comment: heat plant, 4-story
Bldg. 9023
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814-2400
Landholding Agency: Air Force
Property Number: 189730010

Status: Underutilized
Comment: 4112 sq. ft., most recent use—
preschool
Bldg. 9027
U.S. Air Force Academy
Colorado Springs, Co: El Paso CO 80814-
2400
Landholding Agency: Air Force
Property Number: 189730011
Status: Unutilized
Comment: 4,112 sq. ft.; most recent use—
child care center

Florida
Facility No. 0001
Cocoa Beach Comm. Annex No. 2
Cocoa Beach Co: Brevard FL 32931-
Landholding Agency: Air Force
Property Number: 189610010
Status: Unutilized
Comment: telephone switchgear bldg., 474
sq. ft.; possible asbestos
Facility No. 00901
Cocoa Beach Comm. Annex No. 1
Cocoa Beach Co: Brevard FL 32931-
Landholding Agency: Air Force
Property Number: 189610011
Status: Unutilized
Comment: 1,100 sq. ft., telephone switch
bldg., possible asbestos
Bldg. CN7
Ortona Lock Reservation, Okeechobee
Waterway
Ortona Co: Glades FL 33471-
Location: Located off Highway 78
approximately 7 miles west of intersection
with Highway 27.
Landholding Agency: COE
Property Number: 319010012
Status: Unutilized
Comment: 1,468 sq. ft.; one floor wood frame;
most recent use—residence; secured with
alternate access

Bldg. CN8
Ortona Lock Reservation, Okeechobee
Waterway
Ortona Co.; Glades FL 33471-
Location: Located off Highway 78
approximately 7 miles west of intersection
with Highway 27.
Landholding Agency: COE
Property Number: 319010013
Status: Unutilized
Comment: 1,468 sq. ft.; one floor wood frame;
most recent use—residence; secured with
alternate access

Idaho
Bldg. CFA-613
Central Facilities Area
Idaho National Engineering Lab
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419630001
Status: Unutilized
Comment: 1,219 sq. ft.; most recent use—
sleeping quarters, presence of asbestos, off-
site use only

Illinois
Bldg. 7
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks & Dam No. 53 at
Grand Chain
Landholding Agency: COE

Property Number: 319010001
Status: Unutilized
Comment: 900 sq. ft.; 1 floor wood frame;
most recent use—residence

Bldg. 6
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks and Dam No. 53
at Grand Chain
Landholding Agency: COE
Property Number: 319010002
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame;
most recent use—residence

Bldg. 5
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks and Dam No. 53
at Grand Chain
Landholding Agency: COE
Property Number: 9319010003
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame;
most recent use—residence

Bldg. 4
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks and Dam No. 53
at Grand Chain
Landholding Agency: COE
Property Number: 319010004
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame;
most recent use—residence

Bldg. 3
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks and Dam No. 53
at Grand Chain
Landholding Agency: COE
Property Number: 319010005
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame
Bldg. 2
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks and Dam No. 53
at Grand Chain
Landholding Agency: COE
Property Number: 319010006
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame;
most recent use—residence

Bldg. 1
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941-9801
Location: Ohio River Locks & Dam No. 53 at
Grand Chain
Landholding Agency: COE
Property Number: 319010007
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame;
most recent use—residence

Iowa
Bldg. 00627
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110-
Landholding Agency: Air Force
Property Number: 189310001
Status: Unutilized
Comment: 1932 sq. ft., 1-story concrete block
bldg., most recent use—storage, pigeon
infested, contamination investigation in
progress

Bldg. 00669
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110-
Landholding Agency: Air Force
Property Number: 189310002
Status: Unutilized
Comment: 1113 sq. ft., 1-story concrete block
bldg., contamination clean-up in process

Kansas
Bldg. 2703, Forbes Field
Co: Topeka KS
Landholding Agency: Air Force
Property Number: 189720042
Status: Unutilized
Comment: 192,000 sq. ft. warehouse, needs
major repairs

Maine
Mount Desert Rock Light
U.S. Coast Guard
Southwest Harbor Co: Hancock ME 04679-
Landholding Agency: DOT
Property Number: 879240023
Status: Unutilized
Comment: 1600 sq. ft., 2-story wood frame
dwelling, needs rehab, limited utilities,
limited access, property is subject to severe
storms

Little River Light
U.S. Coast Guard
Cutler Co: Washington ME
Landholding Agency: DOT
Property Number: 879240026
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame
dwelling, well is contaminated, limited
utilities

Burnt Island Light
U.S. Coast Guard
Southport Co: Lincoln ME 04576-
Landholding Agency: DOT
Property Number: 879240027
Status: Unutilized
Comment: 750 sq. ft., 2-story wood frame
dwelling

Massachusetts
Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966-
Landholding Agency: DOT
Property Number: 879240024
Status: Unutilized
Comment: 1000 sq. ft., 2-story brick dwelling,
large wave action with severe ocean storms

Assistant Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966-
Landholding Agency: DOT
Property Number: 879240025
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame
dwelling, large wave action with severe
ocean storms

Michigan
Bldg. 50
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010790
Status: Excess
Comment: 6171 sq. ft.; 1 story; concrete
block; potential utilities; possible asbestos;

most recent use—Fire Department vehicle
parking building

Bldg. 14
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010833
Status: Excess
Comment: 6751 sq. ft.; 1 floor concrete block;
possible asbestos; most recent use—
gymnasium

Bldg. 16
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010834
Status: Excess
Comment: 3000 sq. ft.; 1 floor concrete block;
most recent use—commissary facility

Bldg. 15
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010864
Status: Excess
Comment: 538 sq. ft., 1 floor; concrete/wood
structure; potential utilities; most recent
use—gymnasium facility

Montana
Bldg. 00007
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330066
Status: Unutilized
Comment: 992 sq. ft., 1-story metal, most
recent use—auto/hobby shop

Bldg. 00008
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330067
Status: Unutilized
Comment: 2640 sq. ft., 1-story metal, most
recent use—vehicle parking

Bldg. 00016
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330068
Status: Unutilized
Comment: 3604 sq. ft., 1-story cinder block,
most recent use—storage

Bldg. 00023
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330069
Status: Unutilized
Comment: 3315 sq. ft., 1-story wood, most
recent use—fire station

Bldg. 00024
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330070
Status: Unutilized
Comment: 5016 sq. ft., 1-story brick, most
recent use—dormitory

Bldg. 00027
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330071
Status: Unutilized
Comment: 14280 sq. ft., 1-story cinder block,
most recent use—recreation center and
commissary store

Bldg. 00029
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330072
Status: Unutilized
Comment: 63 sq. ft., 1-story metal

Bldg. 00031
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330073
Status: Unutilized
Comment: 3130 sq. ft., 1-story cinder block,
most recent use—maintenance shop and
admin

Bldg. 00032
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330074
Status: Unutilized
Comment: 64 sq. ft., metal, most recent use—
storage

Bldg. 00035
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330075
Status: Unutilized
Comment: 2252 sq. ft., 4-story metal, most
recent use—storage

Bldg. 00039
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330076
Status: Unutilized
Comment: 21824 sq. ft., 1-story masonry,
most recent use—storage

Bldg. 00040
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330077
Status: Unutilized
Comment: 874 sq. ft., 1-story masonry, most
recent use—storage

Bldg. 00041
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330078
Status: Unutilized
Comment: 108 sq. ft., 1-story masonry

Bldg. 00042
Havre Air Force Station
Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330079
Status: Unutilized
Comment: 760 sq. ft., 1-story masonry, most
recent use—warehouse

Bldg. 00044
Havre Air Force Station Co: Hill MT 59501-
Landholding Agency: Air Force
Property Number: 189330080
Status: Unutilized
Comment: 3298 sq. ft., 1-story metal, most
recent use—wood hobby shop

- Malstrom Communications Annex
(Transmitter), 39 78th St., N.
Malstrom AFB Co: Cascade Mt 59405-
Landholding Agency: Air Force
Property Number: 189510023
Status: Excess
Comment: 1966 sq. ft., 1 story masonry block
bldg. on 22 acres, limited utilities, roof
needs replacement
GSA Number: 7-D-MT-4240
- Nebraska
Bldg. 64
Offutt AFB
Silver Creek Co: Nance NE 68113-
Landholding Agency: Air Force
Property Number: 189720040
Status: Unutilized
Comment: 4000 sq. ft., most recent use—
admin., needs major rehab, possible
asbestos/lead base paint
- New Hampshire
Bldg. 127
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031-1514
Landholding Agency: Air Force
Property Number: 189320057
Status: Excess
Comment: 698 sq. ft., 1-story, concrete and
metal frame, possible asbestos, access
restrictions, most recent use—storage
- Ohio
Bldg. Berlin Lake
7400 Bedell Road
Berlin Center Co: Mahoning OH 44401-9797
Landholding Agency: COE
Property Number: 319640001
Status: Unutilized
Comment: 1420 sq. ft., 2-story brick w/garage
and basement, most recent use—
residential, secured w/alternate access
- Pennsylvania
Tract 302B
Grays Landing Lock & Dam Project
Old Glassworks Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430017
Status: Unutilized
Comment: 502 sq. ft., 2-story, needs repair,
most recent use—beauty shop/residence, if
used for habitation must be flood proofed
or removed off-site
- Tract 353
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430019
Status: Unutilized
Comment: 812 sq. ft., 2-story, log structure,
needs repair, most recent use—residential,
if used for habitation must be flood proofed
or removed off-site
- Tract 402
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430020
Status: Unutilized
Comment: 728 sq. ft., 2-story, needs repairs,
most recent use—residential/parsonage, if
used for habitation must be flood proofed
or removed off-site
- Tract 403A
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430021
Status: Unutilized
Comment: 620 sq. ft., 2-story, needs repair,
most recent use—residential, if used for
habitation must be flood proofed or
removed off-site
- Tract 403B
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430022
Status: Unutilized
Comment: 1600 sq. ft., 2-story, brick
structure, needs repair, most recent use—
residential, if used for habitation must be
flood proofed or removed off-site
- Tract 403C
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430023
Status: Unutilized
Comment: 672 sq. ft., 2-story carriage house/
stable barn type structure, needs repair,
most recent use—storage/garage, if used for
habitation must be flood proofed or
removed off-site
- Tract 434
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338-
Landholding Agency: COE
Property Number: 319430024
Status: Unutilized
Comment: 1059 sq. ft., 2-story, wood frame,
2 apt. units, historic property, if used for
habitation must be flood proofed or
removed off-site
- Tract No. 224
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338-
Landholding Agency: COE
Property Number: 319440001
Status: Unutilized
Comment: 1040 sq. ft., 2 story bldg., needs
repair, historic struct., flowage easement, if
habitation is desired property will be
required to be flood proofed or removed off
site
- Govt. Dwelling
Youghiogeny River Lake
Confluence Co: Fayette PA 15424-9103
Landholding Agency: COE
Property Number: 319640002
Status: Unutilized
Comment: 1421 sq. ft., 2-story brick w/
basement, most recent use—residential
- Texas
Brownsville Urban System (Grantee)
700 South Iowa Avenue
Brownsville Co: Cameron TX 78520-
Landholding Agency: DOT
Property Number: 879010003
Status: Unutilized
Comment: 3500 sq. ft. 1 story concrete block
(2nd floor of Admin. Bldg.), on 10750 sq.
ft. land, contains underground diesel fuel
tanks
- Virginia
Housing
Rt. 637—Gwynnville Road
Gwynn Island Co: Mathews VA 23066-
Landholding Agency: DOT
Property Number: 879120082
Status: Unutilized
Comment: 929 sq. ft., one story residence
GSA Number: 4-U-DE-461
- Wisconsin
Former Lockmaster's Dwelling
DePere Lock
100 James Street
De Pere Co: Brown WI 54115-
Landholding Agency: COE
Property Number: 319011526
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood
frame residence; needs rehab; secured area
with alternate access
- Land (by State)*
- California
Excess Land at Eureka Housing
Eureka Co: Humboldt CA 95501-
Landholding Agency: DOT
Property Number: 879540001
Status: Unutilized
Comment: .5 acres, encroachment by
adjoining land owners, easement
- Florida
Woodland Tract
Elgin AFB, AF Enlisted Widows' Home
Ft. Walton Beach Co: Okaloosa FL 32542-
5000
Landholding Agency: Air Force
Property Number: 189540020
Status: Unutilized
Comment: 3.43 acres, easement
- Georgia
Land-St. Simons Boathouse
St. Simons Island Co: Glynn GA 31522-0577
Landholding Agency: DOT
Property Number: 879540003
Status: Unutilized
Comment: .08 acres, most recent use—pier
and dockage for Coast Guard boats
- Illinois
Lake Shelbyville
Shelbyville Co: Shelby & Moultr IL 62565-
9804
Landholding Agency: COE
Property Number: 319240004
Status: Unutilized
Comment: 5 parcels of land equalling 0.70
acres, improved w/4 small equipment
storage bldgs., and a small access road,
easement restrictions
- Kentucky
Carr Fork Lake
5 miles SE of Hindman, Ky., Hwy. 60
Hindman Co: Knott KY
Landholding Agency: COE
Property Number: 319240003
Status: Unutilized
Comment: 2.81 acres, most recent use—
drainage area for bank stabilization for
adjacent cemetery
- Nebraska
Land/Offutt Comm. Annex No. 4
Silver Creek Co: Nance NE 68663-
Landholding Agency: Air Force
Property Number: 189720041
Status: Unutilized
Comment: 354 acres, most recent use—radio
transmitter site, wetlands, isolated area

- North Dakota
Lot 3/0.16 acre
Snake Creek Cabin Site/Tract C272A Co:
Mclean ND
Landholding Agency: COE
Property Number: 319720003
Status: Unutilized
Comment: 0.16 of an acre, most recent use—
private recreation (cottage site), floodplain
- Oklahoma
Land
Lake Texoma
Co: Bryan OK
Landholding Agency: COE
Property Number 319820002
Status: Excess
Comment: 8.262 acres, most recent use—
undeveloped recreation
- Pennsylvania
East Branch Clarion River Lake
Wilcox Co: Elk PA
Location: Free camping area on the right
bank off entrance roadway
Landholding Agency: COE
Property Number: 319011012
Status: Underutilized
Comment: 1 acre; most recent use—free
campground
- Dashields Locks and Dam
(Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046-0475
Landholding Agency: COE
Property Number: 319210009
Status: Unutilized
Comment: 0.58 acres, most recent use—
baseball field
- Texas
Parcel #222
Lake Texoma
Co: Grayson TX
Location: C. Meyerheim survey A-829 J.
Hamilton survey A-529
Landholding Agency: COE
Property Number: 319010421
Status: Excess
Comment: 52.80 acres; most recent use—
recreation
- Suitable/To Be Excessed**
Buildings (by State)
- Massachusetts
Cuttyhunk Boathouse
South Shore of Cuttyhunk Pond
Gosnold Co: Dukes MA 02713-
Landholding Agency: DOT
Property Number: 879310001
Status: Unutilized
Comment: 2700 sq. ft., wood frame, one
story, needs rehab, limited utilities, off-site
use only
- Nauset Beach Light
Nauset Beach Co: Barnstable MA
Landholding Agency: DOT
Property Number: 879420001
Status: Unutilized
Comment: 48 foot tower, cylindrical cast
iron, most recent use—aid to navigation
- Plymouth Light
Co: Plymouth MA
Landholding Agency: DOT
Property Number: 879420003
Status: Unutilized
- Comment: 250 sq. ft. tower, and 2096 sq. ft.
dwelling, wood frame, most recent use—
aid to navigation/housing
- Light Tower, Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652-
Landholding Agency: DOT
Property Number: 879430005
Status: Excess
Comment: 66 ft. tower, 14'9" diameter, brick
structure, scheduled to be vacated 9/94
- Keepers Dwelling
Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652-
Landholding Agency: DOT
Property Number: 879430006
Status: Excess
Comment: 1160 sq. ft., 2-story wood frame,
attached to light tower, scheduled to be
vacated 9/94
- Duplex Housing Unit
Highland Light
Neal Rt. 6, 9 mile south of Race Point
North Truro Co: Barnstable MA 02652-
Landholding Agency: DOT
Property Number: 879430007
Status: Excess
Comment: 2 living units, 930 sq. ft. each, 1-
story each, located on eroding ocean bluff,
scheduled to be vacated 9/94
- Nahant Towers
Nahant Co: Essex MA
Landholding Agency: DOT
Property Number: 879530001
Status: Unutilized
Comment: 196 sq. ft., 8-story observation
tower
- New York
Bldg. 1
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530048
Status: Excess
Comment: 4955 sq. ft., 2 story concrete block,
needs rehab, most recent use—
administration
- Bldg. 2
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530049
Status: Excess
Comment: 1476 sq. ft., 1 story concrete block,
needs rehab, most recent use—repair shop
- Bldg. 6
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530050
Status: Excess
Comment: 2466 sq. ft., 1 story concrete block,
needs rehab, most recent use—repair shop
- Bldg. 11
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530051
Status: Excess
Comment: 1750 sq. ft., 1 story wood frame,
needs rehab, most recent use—storage
- Bldg. 8
Hancock Field
- Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530052
Status: Excess
Comment: 1812 sq. ft., 1 story concrete block,
needs rehab, most recent use—repair shop
communications
- Bldg. 14
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530053
Status: Excess
Comment: 156 sq. ft., 1 story wood frame,
most recent use—vehicle fuel station
- Bldg. 30
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530054
Status: Excess
Comment: 3649 sq. ft., 1 story, needs rehab,
most recent use—assembly hall
- Bldg. 31
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530055
Status: Excess
Comment: 8252 sq. ft., 1 story concrete block,
most recent use—storage
- Bldg. 32
Hancock Field
Syracuse Co: Onandaga NY 13211-
Landholding Agency: Air Force
Property Number: 189530056
Status: Excess
Comment: 1627 sq. ft., 1 story concrete block,
most recent use—storage
- Land (by State)*
- Georgia
Lake Sidney Lanier
Co: Forsyth GA 30130-
Location: Located on Two Mile Creek adj. to
State Route 369
Landholding Agency: COE
Property Number: 319440010
Status: Unutilized
Comment: 0.25 acres, endangered plant
species
- Lake Sidney Lanier—3 parcels
Gainesville Co: Hall GA 30503-
Location: Between Gainesville H.S. and State
Route 53 By-Pass
Landholding Agency: COE
Property Number: 319440011
Status: Unutilized
Comment: 3 parcels totalling 5.16 acres, most
recent use—buffer zone, endangered plant
species
- Indiana
Brookville Lake—Land
Liberty Co: Union IN 47353-
Landholding Agency: COE
Property Number: 319440009
Status: Unutilized
Comment: 6.91 acres, limited utilities
- Kansas
Parcel #1
Fall River Lake
Section 26
Co: Greenwood KS
Landholding Agency: COE

Property Number: 319010065
 Status: Unutilized
 Comment: 126.69 acres; most recent use—
 recreation and leased cottage sites
 Parcel No. 2, El Dorado Lake
 Approx. 1 mi east of the town of El Dorado
 Co: Butler KS
 Landholding Agency: COE
 Property Number: 319210005
 Status: Unutilized
 Comment: 11 acres, part of a relocated
 railroad bed, rural area
 Massachusetts
 Buffumville Dam
 Flood Control Project
 Gale Road
 Carlton Co: Worcester MA 01540-0155
 Location: Portion of tracts B-200, B-248, B-
 251, B-204, B-247, B-200 and B-256
 Landholding Agency: COE
 Property Number: 319010016
 Status: Excess
 Comment: 1.45 acres
 Minnesota
 Tract #3
 Lac Qui Parle Flood Control Project
 County Rd. 13
 Watson Co: Lac Qui Parle MN 56295-
 Landholding Agency: COE
 Property Number: 319340006
 Status: Unutilized
 Comment: approximately 2.9 acres, fallow
 land
 Tract #34
 Lac Qui Parle Flood Control Project
 Marsh Lake
 Watson Co: Lac Qui Parle MN 56295-
 Landholding Agency: COE
 Property Number: 319340007
 Status: Unutilized
 Comment: approx. 8 acres, fallow land
 New York
 14.90 Acres
 Hancock Field
 Syracuse Co: Onandaga NY 13211-
 Landholding Agency: Air Force
 Property Number: 189530057
 Status: Excess
 Comment: Fenced in compound, most recent
 use—Air Natl. Guard Communication &
 Electronics Group
 Tennessee
 Tract D-456
 Cheatham Lock and Dam
 Ashland Co: Cheatham TN 37015-
 Location: Right downstream bank of
 Sycamore Creek
 Landholding Agency: COE
 Property Number: 319010942
 Status: Excess
 Comment: 8.93 acres; subject to existing
 easements
 Texas
 Corpus Christi Ship Channel
 Corpus Christi Co: Nueces TX
 Location: East side of Carbon Plant Road,
 approx. 14 miles NW of downtown Corpus
 Christi
 Landholding Agency: COE
 Property Number: 319240001
 Status: Unutilized
 Comment: 4.4 acres, most recent use—farm
 land

Unsuitable Properties*Buildings (by State)*

Alabama
 Bldg. 426, Maxwell AFB
 Montgomery Co: Montgomery AL 36114-
 3112
 Landholding Agency: Air Force
 Property Number: 189720027
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Dwelling A
 USCG Mobile Pt. Station
 Ft. Morgan
 Gulfshores Co: Baldwin AL 36542-
 Landholding Agency: DOT
 Property Number: 879120001
 Status: Excess
 Reason: Floodway
 Dwelling B
 USCG Mobile Pt. Station
 Ft. Morgan
 Gulfshores Co: Baldwin AL 36542-
 Landholding Agency: DOT
 Property Number: 879120002
 Status: Excess
 Reason: Floodway
 Oil House
 USCG Mobile Pt. Station
 Ft. Morgan
 Gulfshores Co: Baldwin AL 36542-
 Landholding Agency: DOT
 Property Number: 879120003
 Status: Excess
 Reason: Floodway
 Garage
 USCG Mobile Pt. Station
 Ft. Morgan
 Gulfshores Co: Baldwin AL 36542-
 Landholding Agency: DOT
 Property Number: 879120004
 Status: Excess
 Reason: Floodway
 Shop Building
 USCG Mobile Pt. Station
 Ft. Morgan
 Gulfshores Co: Baldwin AL 36542-
 Landholding Agency: DOT
 Property Number: 879120005
 Status: Excess
 Reason: Floodway
 Alaska
 Bldg. 203
 Tin City Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010296
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 165
 Sparrevohn Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010298
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 150

Sparrevohn Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010299
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 130
 Sparrevohn Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010300
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 306
 King Salmon Airport
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010301
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 11-230
 Elmendorf Air Force Base
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010303
 Status: Unutilized
 Reason: Secured Area, Contamination
 Bldg. 63-320
 Elmendorf Air Force Base
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010307
 Status: Unutilized
 Reason: Secured Area, Contamination
 Bldg. 63-325
 Elmendorf Air Force Base
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010308
 Status: Unutilized
 Reason: Secured Area, Contamination
 Bldg. 103
 Ft. Yukon Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010309
 Status: Unutilized
 Reason: Secured Area, Isolated area, Not
 accessible by road, Contamination
 Bldg. 110
 Ft. Yukon Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-
 5000
 Landholding Agency: Air Force
 Property Number: 189010310
 Status: Unutilized

Kotzebue Air Force Station
21 CSG/DEER
Elmendorf Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010334
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010335
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010336
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 205
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010337
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 1001
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010338
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010339
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination
Bldg. 50
Cold Bay Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189010433
Status: Unutilized
Reason: Other, Isolated area, Not accessible by road
Comment: Isolated and remote; Arctic environment
Bldg. 1548, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420001
Status: Unutilized

Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1568, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420002
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1570, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420003
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1700, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420004
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1832, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420005
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1842, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420006
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1844, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189420007
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration
Bldg. 1853, Galena Airport
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189440011
Status: Unutilized
Reason: Secured Area Floodway
Bldg. 142
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 189520013
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 110
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 189520014
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 646
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 189520015
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2541
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 189520016
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 1770
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 189520017
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 1
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520024
Status: Unutilized
Reason: Extensive deterioration
Bldg. 2
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520025
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road
Bldg. 12
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520026
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road
Bldg. 1
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520027
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road
Bldg. 2
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520028
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road
Bldg. 3
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520029
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road
Bldg. 3024
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530001
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 3045
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506-4420

Landholding Agency: Air Force
Property Number: 189530002
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 18
Lonely Dewline Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530003
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 23
Lonely Dewline Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1015
Kotzebue Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530005
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1
Flaxman Island DEW Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530006
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2
Flaxman Island DEW Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530007
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3
Flaxman Island DEW Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530008
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 4100
Cape Romanzof Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530009
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 200
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530010
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2166
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530011

Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 5500
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530012
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 8
Barter Island
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530013
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 75
Barter Island
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530014
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 86
Barter Island
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530015
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3060
Barter Island
Elmendorf AFB AK 99506-4420
Landholding Agency: Air Force
Property Number: 189530016
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 11-330
Elmendorf Air Force Base
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189530017
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 21-870
Elmendorf Air Force Base
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189530019
Status: Unutilized
Reason: Secured Area

Bldg. 31-342
Elmendorf Air Force Base
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189530022
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 32-126
Elmendorf Air Force Base
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189530023
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 21-737
Elmendorf Air Force Base
Anchorage AK 99506-5000
Landholding Agency: Air Force
Property Number: 189540001
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 52-651
Elmendorf AFB
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189740004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 132
Tin City Long Range Radar Site
Elmendorf AFB AK 99506-2270
Landholding Agency: Air Force
Property Number:
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldgs. 1001, 211
Murphy Dome AF Station
Elmendorf AFB AK 99506-2270
Landholding Agency: Air Force
Property Number: 189810004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1551
Galena Airport
Elmendorf AFB AK 99506-2270
Landholding Agency: Air Force
Property Number: 189810030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 1771
Galena Airport
Elmendorf AFB AK 99506-2270
Landholding Agency: Air Force
Property Number: 189820001
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 62-146
Elmendorf AFB
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189830007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 34-570
Elmendorf AFB
Anchorage AK 99506-3240
Landholding Agency: Air Force
Property Number: 189830008
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 28
USCG Support Center
Kodiak Co: Kodiak Island AK 99619-5000
Landholding Agency: DOT
Property Number: 879210126
Status: Excess
Reason: Within airport runway clear zone, Secured Area

Bldg. 19
USCG Support Center
Kodiak Co: Kodiak Island AK 99619-5000
Landholding Agency: DOT

Property Number: 879210128
 Status: Excess
 Reason: With airport runway clear zone, Secured Area, Other
 Comment: Extensive deterioration
 Bldg. 18
 USCG Support Center
 Kodiak Co: Kodiak Island AK 99619-5000
 Landholding Agency: DOT
 Property Number: 879210132
 Status: Excess
 Reason: Secured Area, Within airport runway clear zone,
 GSA Number: U-ALAS-655A
 Bldg. A512
 USCG Support Center
 Kodiak Co: Kodiak Island AK 99619-5000
 Landholding Agency: DOT
 Property Number: 879210133
 Status: Excess
 Reason: Secured Area, Within airport runway clear zone, Within 2000 ft. of flammable or explosive material
 Bldg. R1, Holiday Beach
 U.S. Coast Guard Support Center
 Kodiak Co: Kodiak Island AK 99619-5014
 Landholding Agency: DOT
 Property Number: 879310014
 Status: Unutilized
 Reason: Secured Area
 Bldg. S-3
 U.S. Coast Guard Support Center
 Kodiak Co: Kodiak Island AK 99619-5014
 Landholding Agency: DOT
 Property Number: 879310015
 Status: Unutilized
 Reason: Secured Area
 Bldg. S-16
 U.S. Coast Guard Support Center
 Kodiak Co: Kodiak Island AK 99619-5014
 Landholding Agency: DOT
 Property Number: 879310016
 Status: Unutilized
 Reason: Secured Area
 Bldg. 624
 U.S. Coast Guard Support Center
 Kodiak Co: Kodiak Island AK 99619-5014
 Landholding Agency: DOT
 Property Number: 879310021
 Status: Unutilized
 Reason: Within airport runway clear zone, Secured Area
 Housing Ketchikan (Naushon UPH)
 3615 Baranof Avenue
 Ketchikan Co: Ketchikan AK 99801-
 Landholding Agency: DOT
 Property Number: 879320005
 Status: Unutilized
 Reason: Extensive deterioration
 Old Petersburg Moorings
 Cannery Wharf
 Petersburg AK 99833-
 Landholding Agency: DOT
 Property Number: 879330002
 Status: Unutilized
 Reason: Extensive deterioration
 Building 408-B
 USCG Support Center Kodiak
 Kodiak Co: Kodiak Is. Bor. AK 99619-
 Landholding Agency: DOT
 Property Number: 879640001
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 456
 Coast Guard—ISC Kodiak
 Kodiak Co: Kodiak Borough AK 99615-
 Landholding Agency: DOT
 Property Number: 879710002
 Status: Excess
 Reason: Within airport runway clear zone, Secured Area, Extensive deterioration
 Bldg. 524A
 USCG ISC Kodiak
 Kodiak Co: Kodiak Is. Bor. 99619-
 Landholding Agency: DOT
 Property Number: 879710004
 Status: Excess
 Reason: Floodway, Secured Area
 Bldg. R13, USCG ISC Kodiak
 Holiday Beach
 Kodiak Co: Kodiak Is. Bor. AK 99619-
 Landholding Agency: DOT
 Property Number: 87920003
 Status: Excess
 Reason: Secured Area
 Bldg. 172, USCG ISC Kodiak
 Nyman's Peninsula
 Kodiak Co: Kodiak Is. Bor. AK 99619-
 Landholding Agency: DOT
 Property Number: 879720004
 Status: Excess
 Reason: Secured Area
 Bldg. 160, USCG ISC Kodiak
 Comsta/Buskin Lake
 Kodiak Co: Kodiak Is. Bor. AK 99619-
 Landholding Agency: DOT
 Property Number: 879720005
 Status: Excess
 Reason: Secured Area, Extensive deterioration
 Arizona
 Facility 90002
 Holbrook Radar Site
 Holbrook Co: Navajo AZ 86025-
 Landholding Agency: Air Force
 Property Number: 189340049
 Status: Unutilized
 Reason: Within airport runway clear zone
 Arkansas
 Dwelling
 Bull Shoals Lake/Dry Run Road
 Oakland Co: Marion AR 72661-
 Landholding Agency: COE
 Property Number: 319820001
 Status: Unutilized
 Reason: Extensive deterioration
 California
 Bldg. 707 63 ABG/DE
 Norton Air Force Base
 Norton Co: San Bernardino CA 92409-5045
 Landholding Agency: Air Force
 Property Number: 189010193
 Status: Excess
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 575 63 ABG/DE
 Norton Air Force Base
 Norton Co: San Bernardino CA 92409-5045
 Landholding Agency: Air Force
 Property Number: 189010195
 Status: Excess
 Reason: Within 2000 ft. of flammable or explosive material
 Bldg. 502 63ABG/DE
 Norton Air Force Base
 Norton Co: San Bernardino CA 92409-5045
 Landholding Agency: Air Force
 Property Number: 189010196
 Status: Excess
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 23 63 ABG/DE
 Norton Air Force Base
 Norton Co: San Bernardino CA 92409-5045
 Landholding Agency: Air Force
 Property Number: 189010197
 Status: Excess
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 100
 Point Arena Air Force Station
 (See County) Co: Mendocino CA 95468-5000
 Landholding Agency: Air Force
 Property Number: 189010233
 Status: Unutilized
 Reason: Secured Area
 Bldg. 101
 Point Arena Air Force Station
 (See County) Co: Mendocino CA 95468-5000
 Landholding Agency: Air Force
 Property Number: 189010234
 Status: Underutilized
 Reason: Secured Area
 Bldg. 116
 Point Arena Air Force Station
 (See County) Co: Mendocino CA 95468-5000
 Landholding Agency: Air Force
 Property Number: 189010235
 Status: Unutilized
 Reason: Secured Area
 Bldg. 202
 Point Arena Air Force Station
 (See County) Co: Mendocino CA 95468-5000
 Landholding Agency: Air Force
 Property Number: 189010236
 Status: Unutilized
 Reason: Secured Area
 Bldg. 201
 Vandenberg Air Force Base
 Point Arguello
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
 Landholding Agency: Air Force
 Property Number: 189010546
 Status: Unutilized
 Reason: Secured Area
 Bldg. 202
 Vandenberg Air Force Base
 Point Arguello
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
 Landholding Agency: Air Force
 Property Number: 189010547
 Status: Unutilized
 Reason: Secured Area
 Bldg. 203
 Vandenberg Air Force Base
 Point Arguello
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
 Landholding Agency: Air Force
 Property Number: 189010548
 Status: Unutilized
 Reason: Secured Area

Bldg. 204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA
93437-
Location: Highway 1, Highway 246, Coast
Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010549
Status: Unutilized
Reason: Secured Area
Bldg. 1823
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Location: Hwy 1, Hwy 246, Coast Road, PT
Sal Rd., Miguelito CYN
Landholding Agency: Air Force
Property Number: 189130360
Status: Excess
Reason: Secured Area, Within 2000 ft. of
flammable or explosive material
Bldg. 10312
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189210026
Status: Unutilized
Reason: Secured Area
Bldg. 10503
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189210028
Status: Unutilized
Reason: Secured Area
Bldg. 16104, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA
93437-
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal
Rd., Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230020
Status: Underutilized
Reason: Secured Area
Bldg. 5428, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437-
Landholding Agency: Air Force
Property Number: 189310015
Status: Unutilized
Reason: Secured Area
Bldg. 6407, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437-
Landholding Agency: Air Force
Property Number: 189310024
Status: Unutilized
Reason: Secured Area
Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437-
Landholding Agency: Air Force
Property Number: 189310030
Status: Unutilized
Reason: Secured Area
Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189330016
Status: Unutilized
Reason: Secured Area
Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340003
Status: Unutilized
Reason: Other, Secured Area
Comment: Electrical Power Generator Bldg.
Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340006
Status: Unutilized
Reason: Secured Area
Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340007
Status: Unutilized
Reason: Secured Area
Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340008
Status: Unutilized
Reason: Secured Area
Bldg. 6008
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340014
Status: Unutilized
Reason: Secured Area
Bldg. 6443
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340020
Status: Unutilized
Reason: Secured Area
Bldg. 7306
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340022
Status: Unutilized
Reason: Secured Area
Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189340028
Status: Unutilized
Reason: Secured Area
Bldg. 6521
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189410004
Status: Unutilized
Reason: Secured Area
Bldg. 908
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189520018
Status: Excess
Reason: Other
Comment: Detached Latrine
Bldg. 13004
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189520022
Status: Excess
Reason: Secured Area, Extensive
deterioration
Bldg. 422
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530029
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 431
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530030
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 470
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530031
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 480
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530032
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 6011
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530035
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 6606
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-
Landholding Agency: Air Force
Property Number: 189530037
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 7307
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA
93437-

Landholding Agency: Air Force
 Property Number: 189530039
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 10717
 Vandenberg Air Force Base
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189530041
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 10722
 Vandenberg Air Force Base
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189530043
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 13213
 Vandenberg Air Force Base
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189530044
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 13215
 Vandenberg Air Force Base
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189530045
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 893
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189620028
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 9350
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189620030
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 13003
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189620031
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 13222
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189620032

Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 815
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630040
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1850
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630041
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1853
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630042
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1856
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630043
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1865
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630044
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1874
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630045
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1875
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630046
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1877
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630047
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration

Bldg. 1879
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630048
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1885
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630049
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 1898
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630050
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 06445
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630052
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 21160
 Vandenberg AFB
 Vandenberg AFB Co: Santa Barbara CA 93437-

Landholding Agency: Air Force Base
 Property Number: 189630055
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 00350
 Vandenberg Air Force Base
 Vandenberg Air Force Base Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189630058
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 06437
 Vandenberg Air Force Base
 Vandenberg Air Force Base Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189710014
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 10715
 Vandenberg Air Force Base
 Vandenberg Air Force Base Co: Santa Barbara CA 93437-

Landholding Agency: Air Force
 Property Number: 189710016
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 13607
 Vandenberg Air Force Base

Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720013 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 01852 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 16162 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189710019 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 21300 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720014 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 10003 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720024 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 22300 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189710020 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 00530 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720016 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 10252 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189730002 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 01310 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189720007 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 00835 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720017 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 11345 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189740005 Status: Unutilized Reason: Secured Area Bldg. 08412 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189720008 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 00879 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720019 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 13219 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189740006 Status: Unutilized Reason: Secured Area Bldg. 11153 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189720009 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 1028 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720020 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 13600 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189740007 Status: Unutilized Reason: Secured Area Bldg. 11154 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189720010 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 01630 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720021 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 14019 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189740008 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldgs. 2-11, 20-21 Edwards AFB P-Area Housing Edwards AFB Co: Kern CA 93524-
Landholding Agency: Air Force Property Number: 189720011 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 01797 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720022 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 14026 Vandenberg AFB Vandenberg AFB Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189810029 Status: Unutilized Reason: Extensive deterioration Bldg. 00907 Vandenberg AFB Co: Santa Barbara CA 93437-
Landholding Agency: Air Force Property Number: 189720012 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 01830 Vandenberg Air Force Base Vandenberg Air Force Base Co: Santa Barbara CA 93437-	Landholding Agency: Air Force Property Number: 189720023	Landholding Agency: Air Force Property Number: 189820002 Status: Unutilized Reason: Secured Area, Extensive deterioration Bldg. 1681 Vandenberg AFB Co: Santa Barbara CA 93437-
		Landholding Agency: Air Force

Property Number: 189820003
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 01839
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Landholding Agency: Air Force
 Property Number: 189820004
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 06519
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Landholding Agency: Air Force
 Property Number: 189820005
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 06526
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Landholding Agency: Air Force
 Property Number: 189820006
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 11167
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Landholding Agency: Air Force
 Property Number: 189820007
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 Bldg. 11168
 Vandenberg AFB Co: Santa Barbara CA 93437-
 Landholding Agency: Air Force
 Property Number: 189820008
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 10 Bldgs.
 USCG Station Humboldt Bay
 Samoa Co: Humboldt CA 95564-9999
 Landholding Agency: DOT
 Property Number: 879440027
 Status: Excess
 Reason: Extensive deterioration
 Comment: Land to be relinquished to BLM (Public Domain Land)

Colorado
 Bldg. 00910
 "Blue Barn"—Falcon Air Force Base
 Falcon Co: El Paso CO 80912-
 Landholding Agency: Air Force
 Property Number: 189530046
 Status: Underutilized
 Reason: Secured Area
 Bldg. 1007
 U.S. Air Force Academy
 Colorado Springs Co: El Paso CO 80814-2400
 Landholding Agency: Air Force
 Property Number: 189730003
 Status: Underutilized
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration
 Bldg. 1008
 U.S. Air Force Academy
 Colorado Springs Co: El Paso CO 80814-2400
 Landholding Agency: Air Force
 Property Number: 189730004
 Status: Underutilized
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration
 Bldg. 9214
 U.S. Air Force Academy
 Colorado Springs Co: El Paso CO 80814-2400
 Landholding Agency: Air Force
 Property Number: 189730012
 Status: Underutilized
 Reason: Within airport runway clear zone, Secured Area
 Bldg. 7067
 USAF Academy Co: El Paso CO 80840-
 Landholding Agency: Air Force
 Property Number: 189810005
 Status: Unutilized
 Reason: Extensive deterioration
 Bldg. 8222
 USAF Academy Co: El Paso CO 80840-
 Landholding Agency: Air Force
 Property Number: 189810006
 Status: Unutilized
 Reason: Extensive deterioration
 Bldg. 9200
 USAF Academy Co: El Paso CO 80840-
 Landholding Agency: Air Force
 Property Number: 189810007
 Status: Unutilized
 Reason: Within airport runway clear zone, Secured Area
 Bldg. 34
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419540001
 Status: Underutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 35
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419540002
 Status: Underutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 36
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419540003
 Status: Underutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 2
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419610039
 Status: Unutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 7
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419610040
 Status: Unutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 31-A
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419610041
 Status: Unutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Bldg. 33
 Grand Junction Projects Office
 Grand Junction Co: Mesa CO 81503-
 Landholding Agency: Energy
 Property Number: 419610042
 Status: Unutilized
 Reason: Other, Secured Area
 Comment: Contamination
 Alameda Facility
 350 S. Santa Fe Drive
 Denver Co: Denver CO 80223-
 Landholding Agency: DOT
 Property Number: 879010014
 Status: Unutilized
 Reason: Other environmental
 Comment: Contamination

Connecticut
 Bldg. 10053
 Bradley International Airport
 East Granby Co: Hartford CT 06026-9309
 Landholding Agency: Air Force
 Property Number: 189640001
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material, Extensive deterioration
 Bldg. 13
 Bradley International Airport
 East Granby Co: Hartford CT 06026-9309
 Landholding Agency: Air Force
 Property Number: 189640002
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 10
 Bradley International Airport
 East Granby Co: Hartford CT 06026-9309
 Landholding Agency: Air Force
 Property Number: 189640003
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material, Secured Area
 Bldg. 5
 Bradley International Airport
 East Granby Co: Hartford CT 06026-9309
 Landholding Agency: Air Force
 Property Number: 189640004
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material
 Bldg. 4
 Bradley International Airport
 East Granby Co: Hartford CT 06026-9309
 Landholding Agency: Air Force
 Property Number: 189640005
 Status: Unutilized
 Reason: Within 2000 ft. of flammable or explosive material
 Hezekiah S. Ramsdell Farm
 West Thompson Lake
 North Grosvenordale Co: Windham CT 06255-9801
 Landholding Agency: COE
 Property Number: 319740001
 Status: Unutilized
 Reason: Floodway, Extensive deterioration
 Bldgs. 25 and 26
 Prospect Hill Road
 Windsor Co: Hartford CT 06095-

Landholding Agency: Energy
Property Number: 419440003
Status: Excess
Reason: Secured Area
9 Bldgs.
Knolls Atomic Power Lab, Windsor Site
Windsor Co: Hartford CT 06095-
Landholding Agency: Energy
Property Number: 419540004
Status: Excess
Reason: Secured Area
Falkner Island Light
U.S. Coast Guard
Guilford Co: New Haven CT 06512-
Landholding Agency: DOT
Property Number: 879240031
Status: Unutilized
Reason: Floodway
Florida
Bldg. 1179
Patrick Air Force Base
1179 School Avenue Co: Brevard FL 32935-
Landholding Agency: Air Force
Property Number: 189240030
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration
Bldg. 575
Patrick Air Force Base Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189320004
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of
flammable or explosive material, Within
airport runway clear zone, Other
Comment: Extensive Deterioration.
Facility 90523
Cape Canaveral AFS
Cape Canaveral AFS Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189330001
Status: Underutilized
Reason: Secured Area
Bldg. 921
Patrick Air Force Base Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189430002
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
23 Family Housing
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825-
Location: Include Bldgs: 448, 451 thru 470,
472 and 474
Landholding Agency: Air Force
Property Number: 189520006
Status: Excess
Reason: Within airport runway clear zone
Bldg. 240
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825-
Landholding Agency: Air Force
Property Number: 189520007
Status: Excess
Reason: Extensive deterioration
Bldg. 243
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540002
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 510
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540003
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 521
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540004
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 872
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540005
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 30004
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540006
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 12513
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542-5000
Landholding Agency: Air Force
Property Number: 189540007
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility 36901
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189640006
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility 8816
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189640007
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 12734, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189640011
Status: Unutilized
Reason: Secured Area
Bldg. 12708, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189640012
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 307
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189710022
Status: Unutilized
Reason: Secured Area
Bldg. 315
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189710023
Status: Unutilized
Reason: Secured Area
Bldg. 317
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189710024
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 318
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189710025
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 324
Patrick Air Force Base
Patrick AFB Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189710026
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility No. 1114
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710027
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility No. 1345
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710028
Status: Unutilized
Reason: Secured Area
Facility No. 1346
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710029
Status: Unutilized
Reason: Secured Area
Facility No. 1348
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710030
Status: Unutilized
Reason: Secured Area
Facility No. 7805
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710031
Status: Unutilized
Reason: Secured Area
Facility No. 7850
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710032

Status: Unutilized
Reason: Secured Area
Facility No. 10831
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710033
Status: Unutilized
Reason: Secured Area
Facility No. 15500
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710034
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility No. 39764
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710035
Status: Unutilized
Reason: Secured Area
Facility No. 70580
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710036
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility No. 70662
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710037
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility No. 72920
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189710038
Status: Unutilized
Reason: Secured Area
Bldg. 897, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189710044
Status: Unutilized
Reason: Extensive deterioration
Bldg. 895, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189710045
Status: Unutilized
Reason: Extensive deterioration
Facility No. 90520
Cape Canaveral AS
Cape Canaveral AS Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189720038
Status: Underutilized
Reason: Secured Area
Bldg. 312
Patrick AFB Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189720039
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 10686
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189740001
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 10563
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189740002
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 10352
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189740003
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Fac. No. 09010
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189810008
Status: Unutilized
Reason: Secured Area
Fac. No. 15832
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925-
Landholding Agency: Air Force
Property Number: 189810009
Status: Unutilized
Reason: Secured Area
Bldg. 74
Eglin AFB
Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189820009
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 3008
Eglin AFB
Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189820010
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 3010
Eglin AFB, Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189820011
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 12709
Eglin AFB, Co: Okaloosa FL 32542-5133
Landholding Agency: Air Force
Property Number: 189820012
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 08807
Cape Canaveral Air Station, Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189820013
Status: Unutilized
Reason: Secured Area
Bldg. 08809
Cape Canaveral Air Station, Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189820014
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 21911
Cape Canaveral Air Station, Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189820015
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 21914
Cape Canaveral Air Station, Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189820016
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 32349
Cape Canaveral Air Station, Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189820017
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Facility 22
Malabar Transmitter Annex
Palm Bay Co: Brevard FL 32907-
Landholding Agency: Air Force
Property Number: 189830001
Status: Unutilized
Reason: Secured Area
Facility 27
Malabar Transmitter Annex
Palm Bay Co: Brevard FL 32907-
Landholding Agency: Air Force
Property Number: 189830002
Status: Unutilized
Reason: Secured Area
Facility 32
Malabar Transmitter Annex
Palm Bay Co: Brevard FL 32907-
Landholding Agency: Air Force
Property Number: 189830003
Status: Unutilized
Reason: Secured Area
Facility 36
Malabar Transmitter Annex
Palm Bay Co: Brevard FL 32907-
Landholding Agency: Air Force
Property Number: 189830004
Status: Unutilized
Reason: Secured Area
Facility 42
Malabar Transmitter Annex
Palm Bay Co: Brevard FL 32907-
Landholding Agency: Air Force
Property Number: 189830005
Status: Unutilized
Reason: Secured Area
Facility 44608
Cape Canaveral Air Station Co: Brevard FL
32925-
Landholding Agency: Air Force
Property Number: 189830006
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. #3, Recreation Cottage
USCG Station
Marathon Co: Monroe FL 33050-
Landholding Agency: DOT
Property Number: 879210008
Status: Unutilized
Reason: Secured Area, Floodway

Bldg. 103, Trumbo Point
Key West Co: Monroe FL 33040-
Landholding Agency: DOT
Property Number: 879230001
Status: Unutilized
Reason: Floodway, Secured Area

Exchange Building
St. Petersburg Co: Pinellas FL 33701-
Landholding Agency: DOT
Property Number: 879410004
Status: Unutilized
Reason: Floodway

9988 Keepers Quarters A
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440009
Status: Underutilized
Reason: Secured Area, Floodway

9989 Keepers Quarters B
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440010
Status: Underutilized
Reason: Secured Area, Floodway

9990 Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440011
Status: Underutilized
Reason: Secured Area, Floodway

9991 Plant Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440012
Status: Underutilized
Reason: Secured Area, Floodway

9992 Shop Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440013
Status: Underutilized
Reason: Secured Area, Floodway

9993 Admin. Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440014
Status: Underutilized
Reason: Secured Area, Floodway

9994 Water Pump Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440015
Status: Underutilized
Reason: Secured Area, Floodway

Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440016
Status: Underutilized

Reason: Secured Area, Floodway

9999 Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440017
Status: Underutilized
Reason: Secured Area, Floodway

3 Bldgs. and Land
Peanut Island Station
Riveria Beach Co: Palm Beach FL 33419-
0909
Landholding Agency: DOT
Property Number: 879510009
Status: Underutilized
Reason: Secured Area, Floodway

Cape St. George Lighthouse Co: Franklin FL
32328-
Landholding Agency: DOT
Property Number: 879640002
Status: Unutilized
Reason: Extensive deterioration

Georgia

Coast Guard Station
St. Simons Island Co: Glynn GA 31552-0577
Landholding Agency: DOT
Property Number: 879540002
Status: Unutilized
Reason: Extensive deterioration

Idaho

Bldg 1012
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648-
Landholding Agency: Air Force
Property Number: 189030004
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material

Bldg 923
Mountain Home Air Force Base
Pine Street
(See County) Co: Elmore ID 83648-
Landholding Agency: Air Force
Property Number: 189030005
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material

Bldg 604
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648-
Landholding Agency: Air Force
Property Number: 189030006
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material

Bldg 229
Mt. Home Air Force Base
1st Avenue and A Street
Mt. Home AFB Co: Elmore ID 83648-
Landholding Agency: Air Force
Property Number: 189040857
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Within airport runway
clear zone

Bldg 4403
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83647-
Landholding Agency: Air Force
Property Number: 189520008
Status: Unutilized

Reason: Extensive deterioration

Bldg PBF-621
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610001
Status: Unutilized
Reason: Secured Area

Bldg CPP-1609
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610002
Status: Unutilized
Reason: Secured Area

Bldg CPP-691
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610003
Status: Unutilized
Reason: Secured Area

Bldg CPP-625
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610004
Status: Unutilized
Reason: Secured Area

Bldg CPP-650
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610005
Status: Unutilized
Reason: Secured Area

Bldg CPP-608
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610006
Status: Unutilized
Reason: Secured Area

Bldg TAN-660
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610007
Status: Unutilized
Reason: Secured Area

Bldg TAN-636
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610008
Status: Unutilized
Reason: Secured Area

Bldg. TAN-609
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610009
Status: Unutilized
Reason: Secured Area

Bldg. TAN-670
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610010
Status: Unutilized
Reason: Secured Area

Bldg. TAN-661
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-

Landholding Agency: Energy
Property Number: 419610011
Status: Unutilized
Reason: Secured Area
Bldg. TAN-657
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610012
Status: Unutilized
Reason: Secured Area
Bldg. TRA-669
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610013
Status: Unutilized
Reason: Secured Area
Bldg. TAN-637
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610014
Status: Unutilized
Reason: Secured Area
Bldg. TAN-635
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610015
Status: Unutilized
Reason: Secured Area
Bldg. TAN-638
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610016
Status: Unutilized
Reason: Secured Area
Bldg. TAN-651
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610017
Status: Unutilized
Reason: Secured Area
Bldg. TRA-673
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610018
Status: Unutilized
Reason: Secured Area
Bldg. PBF-620
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610019
Status: Unutilized
Reason: Secured Area
Bldg. PBF-616
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610020
Status: Unutilized
Reason: Secured Area
Bldg. PBF-617
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610021
Status: Unutilized
Reason: Secured Area
Bldg. PBF-619
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610022
Status: Unutilized
Reason: Secured Area
Bldg. PBF-624
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610023
Status: Unutilized
Reason: Secured Area
Bldg. PBF-625
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610024
Status: Unutilized
Reason: Secured Area
Bldg. PBF-629
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610025
Status: Unutilized
Reason: Secured Area
Bldg. PBF-604
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610026
Status: Unutilized
Reason: Secured Area
Bldg. CF-673
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610027
Status: Unutilized
Reason: Secured Area
Bldg. CF-664
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610029
Status: Unutilized
Reason: Secured Area
Bldg. CF-643
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610030
Status: Unutilized
Reason: Secured Area
Bldg. CF-652
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610032
Status: Unutilized
Reason: Secured Area
Bldg. TRA-641
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610034
Status: Unutilized
Reason: Secured Area
Bldg. CF-691
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610036
Status: Unutilized
Reason: Secured Area
Bldg. CF-606
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610037
Status: Unutilized
Reason: Secured Area
ARA 626
Idaho National Engineering Lab
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610003
Status: Excess
Reason: Secured Area
CF657/CF716
Idaho National Engineering Lab
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610005
Status: Excess
Reason: Secured Area
CPP709
Idaho National Engineering Lab
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610007
Status: Excess
Reason: Secured Area
TAN620/TAN656
Idaho National Engineering Lab
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419610009
Status: Excess
Reason: Secured Area, Extensive
deterioration
STF Area, Natl Eng & Env Lab
#601, 607, 612, 501, 502, ARA-628
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419740003
Status: Excess
Reason: Extensive deterioration
TAN 602, 631, 663, 702, 704
Idaho Natl Engineering & Environmental Lab
Test Area North
Scoville Co: Butte ID 83415-
Landholding Agency: Energy
Property Number: 419830002
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
8 Bldgs.
Idaho Natl Engineering & Environmental Lab
Test Reactor North
Scoville Co: Butte ID 83415-
Location: TRA 643, 644, 655, 660, 704-706,
755
Landholding Agency: Energy
Property Number: 419830003
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Illinois
Bldg. 594
Argonne National Laboratory
Argonne Co: DuPage IL 60439-
Landholding Agency: Energy
Property Number: 419820002
Status: Excess

Reason: Extensive deterioration
 Calumet Harbor Station
 U.S. Coast Guard
 Chicago Co: Cook IL
 Landholding Agency: DOT
 Property Number: 879310005
 Status: Excess
 Reason: Secured Area

Indiana
 Brookville Lake—Bldg.
 Brownsville Rd. in Union
 Liberty Co: Union IN 47353–
 Landholding Agency: COE
 Property Number: 319440004
 Status: Excess
 Reason: Extensive deterioration

Iowa
 Bldg. 00671
 Sioux Gateway Airport
 Sioux Co: Woodbury IA 51110–
 Landholding Agency: Air Force
 Property Number: 189310009
 Status: Unutilized
 Reason: Other
 Comment: Fuel pump station
 Bldg. 00736
 Sioux Gateway Airport
 Sioux Co: Woodbury IA 51110–
 Landholding Agency: Air Force
 Property Number: 189310010
 Status: Unutilized
 Reason: Other
 Comment: Pump station
 House, Tract 100
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530002
 Status: Excess
 Reason: Extensive deterioration
 Play House, Tract 100
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530003
 Status: Excess
 Reason: Extensive deterioration
 House, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530004
 Status: Excess
 Reason: Extensive deterioration
 Shed, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530005
 Status: Excess
 Reason: Extensive deterioration
 Garage, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530006
 Status: Excess
 Reason: Extensive deterioration
 Machine Shed, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530007
 Status: Excess
 Reason: Extensive deterioration
 Barn, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530008
 Status: Excess
 Reason: Extensive deterioration
 2-Car Garage, Tract 122
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530009
 Status: Excess
 Reason: Extensive deterioration
 Barn, Tract 128
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530010
 Status: Excess
 Reason: Extensive deterioration
 Shed, Tract 128
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530011
 Status: Excess
 Reason: Extensive deterioration
 House, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530012
 Status: Excess
 Reason: Extensive deterioration
 Play House, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530013
 Status: Excess
 Reason: Extensive deterioration
 Kennel, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530014
 Status: Excess
 Reason: Extensive deterioration
 Corn Crib, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530015
 Status: Excess
 Reason: Extensive deterioration
 Barn W, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530016
 Status: Excess
 Reason: Extensive deterioration
 Barn E, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530017
 Status: Excess
 Reason: Extensive deterioration
 Shed, Tract 129
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530018
 Status: Excess
 Reason: Extensive deterioration
 House, Tract 130
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530019
 Status: Excess
 Reason: Extensive deterioration
 Out House, Tract 130
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530020
 Status: Excess
 Reason: Extensive deterioration
 Chicken House, Tract 130
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530021
 Status: Excess
 Reason: Extensive deterioration
 Shed, Tract 130
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530022
 Status: Excess
 Reason: Extensive deterioration
 Barn, Tract 135
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530023
 Status: Excess
 Reason: Extensive deterioration
 Smokehouse, Tract 135
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530024
 Status: Excess
 Reason: Extensive deterioration
 Shed, Tract 137
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530025
 Status: Excess
 Reason: Extensive deterioration
 Shed—White, Tract 137
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530026
 Status: Excess
 Reason: Extensive deterioration
 Leanto, Tract 137
 Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319530027
 Status: Excess
 Reason: Extensive deterioration
 Tract 116, Camp Dodge
 Johnston Co: Polk IA 50131–
 Landholding Agency: COE
 Property Number: 319630006
 Status: Unutilized
 Reason: Extensive deterioration

Kansas
Bldg. 2703
Forbes Field
Topeka KS
Landholding Agency: Air Force
Property Number: 189820018
Status: Unutilized
Reason: Extensive deterioration

Kentucky
Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll KY 41008-
Landholding Agency: COE
Property Number: 219040416
Status: Unutilized
Reason: Other
Reason: Spring House
Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin KY 40601-9999
Landholding Agency: COE
Property Number: 219040417
Status: Unutilized
Reason: Other
Reason: Coal Storage
Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin KY 40601-9999
Landholding Agency: COE
Property Number: 219040418
Status: Unutilized
Reason: Other
Reason: Coal Storage
Barn
Kentucky River Lock and Dam No. 3
Highway 561
Pleasureville Co: Henry KY 40057-
Landholding Agency: COE
Property Number: 219040419
Status: Underutilized
Reason: Other
Reason: 110 year old barn with crumbled
foundation
Latrine
Kentucky River Lock and Dam No. 3
Highway 561
Pleasureville Co: Henry KY 40057-
Landholding Agency: COE
Property Number: 319040009
Status: Unutilized
Reason: Other
Reason: Detached Latrine
6-Room Dwelling
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273-
Location: Off State Hwy 369, which runs off
of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120010
Status: Unutilized
Reason: Floodway
2-Car Garage
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273-
Location: Off State Hwy 369, which runs off
of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120011
Status: Unutilized
Reason: Floodway
Office and Warehouse
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273-
Location: Off State Hwy 369, which runs off
of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120012
Status: Unutilized
Reason: Floodway
2 Pit Toilets
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273-
Landholding Agency: COE
Property Number: 319120013
Status: Unutilized
Reason: Floodway
Louisiana
Bldg. 3477
Barksdale Air Force Base
Davis Avenue
Barksdale AFB Co: Bossier LA 71110-5000
Landholding Agency: Air Force
Property Number: 189140015
Status: Unutilized
Reason: Secured Area
Weeks Island Facility
New Iberia Co: Iberia Parish LA 70560-
Landholding Agency: Energy
Property Number: 419610038
Status: Underutilized
Reason: Secured Area
Maine
Supply Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679-
5000
Landholding Agency: DOT
Property Number: 879240005
Status: Unutilized
Reason: Floodway
Base Exchange, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 045679-
5000
Landholding Agency: DOT
Property Number: 879240006
Status: Unutilized
Reason: Floodway
Engineering Shop, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679-
5000
Landholding Agency: DOT
Property Number: 879240007
Status: Unutilized
Reason: Floodway
Storage Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679-
5000
Landholding Agency: DOT
Property Number: 879240008
Status: Unutilized
Reason: Floodway
Squirrel Point Light
U.S. Coast Guard
Phippsburg Co: Sayadahoc ME 04530-
Landholding Agency: DOT
Property Number: 879240032
Status: Unutilized
Reason: Floodway
Keepers Dwelling
Heron Neck Light, U.S. Coast Guard
Vinalhaven Co: Knox ME 04841-
Landholding Agency: DOT
Property Number: 879240035
Status: Unutilized
Reason: Extensive deterioration
Fort Popham Light
Phippsburg Co: Sayadahoc ME 04562-
Landholding Agency: DOT
Property Number: 879320024
Status: Unutilized
Reason: Extensive deterioration
Nash Island Light
U.S. Coast Guard
Addison Co: Washington ME 04606-
Landholding Agency: DOT
Property Number: 879420005
Status: Unutilized
Reason: Other
Comment: Inaccessible
Bldg.—South Portland Base
U.S. Coast Guard
S. Portland Co: Cumberland ME 04106-
Landholding Agency: DOT
Property Number: 879420006
Status: Unutilized
Reason: Secured Area
Garage—Boothbay Harbor Stat.
Boothbay Harbor Co: Lincoln ME 04538-
Landholding Agency: DOT
Property Number: 879430001
Status: Unutilized
Reason: Secured Area
Maryland
Bldg. 3542
Andrews AFB
Andrews AFB MD 20652-25177
Landholding Agency: Air Force
Property Number: 189810010
Status: Unutilized
Reason: Secured Area
Bldg. 3543
Andrews AFB
Andrews AFB MD 20652-25177
Landholding Agency: Air Force
Property Number: 189810011
Status: Unutilized
Reason: Secured Area
Bldgs. 38-39, 41, 43-46, 56
U.S. Coast Guard Yard
Baltimore MD 21226-
Landholding Agency: DOT
Property Number: 879540005
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 53
U.S. Coast Guard Yard
Baltimore MD 21226-
Landholding Agency: DOT
Property Number: 879540006
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 6
U.S. Coast Guard Yard, 2401 Hawkins Point
Rd.
Baltimore MD 21226-1797
Landholding Agency: DOT
Property Number: 879620001
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 59

U.S. Coast Guard Yard, 2401 Hawkins Point Rd.
Baltimore MD 21226-1797
Landholding Agency: DOT
Property Number: 879620002
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Massachusetts
Bldg. 4, USCG Support Center
Commercial Street
Boston Co: Suffolk MA 02203-
Landholding Agency: DOT
Property Number: 8796240001
Status: Underutilized
Reason: Secured Area

Eastern Point Light
U.S. Coast Guard
Gloucester Co: Essex MA 01930-
Landholding Agency: DOT
Property Number: 879240029
Status: Unutilized
Reason: Floodway, Secured Area

Storage Shed
Highland Light
N. Truro Co: Barnstable MA 02652-
Landholding Agency: DOT
Property Number: 879430004
Status: Unutilized
Reason: Extensive deterioration

Michigan
Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010810
Status: Excess
Reason: Other
Comment: Sewage treatment and disposal facility

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010831
Status: Excess
Reason: Other
Comment: Water well

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010832
Status: Excess
Reason: Other
Comment: Water well

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010875
Status: Excess
Reason: Other
Comment: Gasoline Station

Bldg 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010876
Status: Excess
Reason: Other
Comment: Gasoline Station

Bldg 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010877
Status: Excess
Reason: Other
Comment: Pump lift station

Bldg 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010878
Status: Excess
Reason: Other
Comment: Gasoline Station

Bldg 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010889
Status: Excess
Reason: Other
Comment: Sewer pump facility

Bldg 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913-
Landholding Agency: Air Force
Property Number: 189010890
Status: Excess
Reason: Other
Comment: Water pump station

Facility 20
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630001
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 21
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630002
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 30
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630003
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 98
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 103
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 116
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force
Property Number: 189630006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 129
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 152
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630008
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 156
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630009
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 181
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 509
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 562
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630012
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 573
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630013
Status: Unutilized
Reason: Secured Area

Facility 801
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630014
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 827
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045-5295
Landholding Agency: Air Force
Property Number: 189630015
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 832

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630016

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 833

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630017

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1005

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630018

Status: Unutilized

Reason: Secured Area

Facility 1012

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630019

Status: Unutilized

Reason: Secured Area

Facility 1017

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630020

Status: Unutilized

Reason: Secured Area

Facility 1025

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630021

Status: Unutilized

Reason: Secured Area

Facility 1031

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630022

Status: Unutilized

Reason: Secured Area

Facility 1041

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630023

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1445

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630024

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1514

Selfridge AFB

Mt. Clemens Co: Macomb MI 48085-5295

Landholding Agency: Air Force

Property Number: 189630025

Status: Unutilized

Reason: Secured Area

Facility 1575

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630026

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1576

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630027

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1578

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630028

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1580

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630029

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1582

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630030

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1583

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630031

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1584

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630032

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 1585

Selfridge AFB

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189630033

Status: Unutilized

Reason: Secured Area

Facilities 246, 248, 252-254

Selfridge Air National Guard

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189710039

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

7 Facilities

Selfridge Air National Guard

#240, 242, 244, 245, 247, 250, 251

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189710040

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facilities 237, 238

Selfridge Air National Guard

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189710041

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

5 Facilities

Selfridge Air National Guard

#228, 230, 232, 234, 236

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189710042

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 114

Selfridge Air National Guard

Mt. Clemens Co: Macomb MI 48045-5295

Landholding Agency: Air Force

Property Number: 189710043

Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Quarters B

U.S. Coast Guard

Marquette MI 49855-

Landholding Agency: DOT

Property Number: 879740001

Status: Unutilized

Reason: Secured Area

Mississippi

Natchez Moorings

82 L.E. Berry Road

Natchez Co: Adams MS 39121-

Landholding Agency: DOT

Property Number: 879340002

Status: Unutilized

Reason: Extensive deterioration

Missouri

Tract 2222

Stockton Project

Aldrich Co: Polk MO 65601-

Landholding Agency: COE

Property Number: 319510001

Status: Excess

Reason: Extensive deterioration

Barn, Longview Lake

Kansas City Co: Jackson, MO 64134-

Landholding Agency: COE

Property Number: 319620001

Status: Excess

Reason: Extensive deterioration

Montana

Bldg. 1189, Malmstrom AFB

Malmstrom AFB Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189540013

Status: Underutilized

Reason: Secured Area

Bldg. 1308, Malmstrom AFB

Malmstrom AFB Co: Cascade MT 59402-

Landholding Agency: Air Force

Property Number: 189540014

Status: Underutilized
Reason: Secured Area
Bldg. 547
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189620025
Status: Underutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 23
Great Falls ANG Station
Great Falls Co: Cascade MT 59404-
Landholding Agency: Air Force
Property Number: 189720030
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 24
Great Falls ANG Station
Great Falls Co: Cascade MT 59404-
Landholding Agency: Air Force
Property Number: 189720031
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 35
Great Falls ANG Station
Great Falls Co: Cascade MT 59404-
Landholding Agency: Air Force
Property Number: 189720033
Status: Excess
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 360
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189720037
Status: Excess
Reason: Secured Area
Bldg. 3070
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189740011
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material
Bldg. 230
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189810012
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 1065
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189810013
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 1305
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189810014
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 42
Great Falls IAP
Great Falls Co: Cascade MT 59404-5570
Landholding Agency: Air Force
Property Number: 189810015
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 22
Great Falls IAP
Great Falls Co: Cascade MT 59404-5570
Landholding Agency: Air Force
Property Number: 189820019
Status: Underutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 13408
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189820020
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Within airport runway
clear zone, Secured Area, Extensive
deterioration
Bldg. 13415
Malmstrom AFB Co: Cascade MT 59402-
Landholding Agency: Air Force
Property Number: 189820021
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Within airport runway
clear zone, Secured Area, Extensive
deterioration
Nebraska
Offutt Communications Annex—#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031-
Landholding Agency: Air Force
Property Number: 189210006
Status: Unutilized
Reason: Other
Comment: former sewage lagoon
Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524-
Landholding Agency: Air Force
Property Number: 189230021
Status: Unutilized
Reason: Extensive deterioration
Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524-
Landholding Agency: Air Force
Property Number: 189230022
Status: Unutilized
Reason: Extensive deterioration
Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240007
Status: Unutilized
Reason: Secured Area
Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240008
Status: Unutilized
Reason: Secured Area
Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240009
Status: Unutilized
Reason: Secured Area
Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240010
Status: Unutilized
Reason: Secured Area
Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240011
Status: Unutilized
Reason: Secured Area
Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189240012
Status: Unutilized
Reason: Secured Area
Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320058
Status: Excess
Reason: Other
Comment: Generator
Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320059
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320060
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320061
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320062
Status: Excess
Reason: Other
Comment: Contamination

Status: Excess
Reason: Other
Comment: Contamination
Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320088
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 555
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320089
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320090
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320091
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320092
Status: Excess
Reason: Other
Comment: Contamination
27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320093
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320094
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320095
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320096
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320097
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320098
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901-
Landholding Agency: Air Force
Property Number: 189320099
Status: Excess
Reason: Other
Comment: Contamination
Bldg. 686
Offutt Air Force Base
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189320021
Status: Unutilized
Reason: Secured Area
Bldg. 439
Offutt Air Force Base
Offutt Co: Sarpy NE 68113-
Landholding Agency: Air Force
Property Number: 189510022
Status: Unutilized
Reason: Secured Area
Bldg. 606
NE Air National Guard
Lincoln Co: Lancaster NE 68524-1888
Landholding Agency: Air Force
Property Number: 189720028
Status: Underutilized
Reason: Floodway, Secured Area
Bldg. 675
NE Air National Guard
Lincoln Co: Lancaster NE 68524-1888
Landholding Agency: Air Force
Property Number: 189720029
Status: Unutilized
Reason: Floodway, Secured Area
New Hampshire
Bldg. 101
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031-1514
Landholding Agency: Air Force
Property Number: 189320005
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material
Bldg. 102
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031-1514
Landholding Agency: Air Force
Property Number: 189320006
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material
Bldg. 104
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031-1514
Landholding Agency: Air Force
Property Number: 189320007
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material
Bldg. 116
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031-1514
Landholding Agency: Air Force
Property Number: 189540016
Status: Unutilized
Reason: Extensive deterioration
New Jersey
Piers and Wharf
Station Sandy Hook
Highlands Co: Monmouth NJ 07732-5000
Landholding Agency: DOT
Property Number: 879240009
Status: Unutilized
Reason: Extensive deterioration, Secured
Area
Chapel Hill Front Range Light Tower
Middletown Co: Monmouth NJ 07748-
Landholding Agency: DOT
Property Number: 879440002
Status: Unutilized
Reason: Other
Comment: Skeletal tower
Bldg. 103
U.S. Coast Guard Station Sandy Hook
Middleton Co: Monmouth NJ 07737-
Landholding Agency: DOT
Property Number: 879610002
Status: Unutilized
Reason: Secured Area
New Mexico
Bldg. 831
833 CSG/DEER
Holloman Air Force Base Co: Otero NM
88330-
Landholding Agency: Air Force
Property Number: 189130333
Status: Unutilized
Reason: Secured Area
Bldg. 21
Holloman Air Force Base Co: Otero NM
88330-
Landholding Agency: Air Force
Property Number: 189240032
Status: Unutilized
Reason: Secured Area
Bldg. 80
Holloman Air Force Base Co: Otero NM
88330-
Landholding Agency: Air Force
Property Number: 189240033
Status: Unutilized
Reason: Secured Area
Bldg. 98
Holloman Air Force Base Co: Otero NM
88330-
Landholding Agency: Air Force
Property Number: 189240034
Status: Unutilized
Reason: Secured Area

Bldg. 324
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240035
Status: Unutilized
Reason: Secured Area

Bldg. 598
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240036
Status: Unutilized
Reason: Secured Area

Bldg. 801
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240037
Status: Unutilized
Reason: Secured Area

Bldg. 802
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240038
Status: Unutilized
Reason: Secured Area

Bldg. 1095
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240039
Status: Unutilized
Reason: Secured Area

Bldg. 1096
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240040
Status: Unutilized
Reason: Secured Area

Facility 321
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240041
Status: Unutilized
Reason: Secured Area

Facility 75115
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189240042
Status: Unutilized
Reason: Secured Area

Bldg. 874
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189320041
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration

Bldg. 1258
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189320042
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration

Bldg. 134
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430014
Status: Unutilized
Reason: Secured Area

Bldg. 640
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 1894320015
Status: Unutilized
Reason: Secured Area

Bldg. 703
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430016
Status: Unutilized
Reason: Within airport runway clear zone,
Secured Area

Bldg. 813
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430017
Status: Unutilized
Reason: Secured Area

Bldg. 821
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430018
Status: Unutilized
Reason: Secured Area

Bldg. 829
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430019
Status: Unutilized
Reason: Within airport runway clear zone,
Secured Area

Bldg. 867
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430020
Status: Unutilized
Reason: Secured Area

Bldg. 884
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430021
Status: Unutilized
Reason: Within airport runway clear zone,
Secured Area

Bldg. 886
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430022
Status: Unutilized
Reason: Within airport runway clear zone,
Secured Area

Bldg. 908
Holloman Air Force Base
Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189430023
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189510001
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman Air Force Base Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189510002
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189610007
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189610008
Status: Unutilized
Reason: Secured Area

Bldg. 995
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189610009
Status: Unutilized
Reason: Secured Area

Bldg. 1257
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189740012
Status: Unutilized
Reason: Secured Area

Bldg. 332
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189740013
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 205
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189740014
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 1089
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189830009
Status: Unutilized
Reason: Secured Area

Bldg. 2149
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189830010
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 2151
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189830011
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 2176
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189830012
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area
Bldg. 2178
Holloman AFB Co: Otero NM 88330-
Landholding Agency: Air Force
Property Number: 189830013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area
Bldgs. 9252, 9268
Kirtland Air Force Base
Albuquerque Co: Bernalillo NM 87185-
Landholding Agency: Energy
Property Number: 419430002
Status: Unutilized
Reason: Extensive deterioration
McGee Warehouse
Los Alamos National Lab
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610043
Status: Unutilized
Reason: Extensive deterioration
Bldg. 73, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610044
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 75, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610045
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 76, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610046
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 77, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610047
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 78, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610048
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 79, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610049
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 80, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610050
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 99, TA-16
Los Alamos National Lab
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419610051
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 89, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419620005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 90, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419620006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 91, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419620007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 92, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419620008
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 93, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419620009
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 101, TA-16
Los Alamos National Laboratory
Los Alamos Co: Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419620010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration

Tech Area II
Kirtland Air Force Base
Albuquerque Co: Bernalillo NM 87105-
Landholding Agency: Energy
Property Number: 419630004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area,
Extensive deterioration
Bldg. 1, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810001
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 2, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810002
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 24, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810003
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 26, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810004
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 86, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810005
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 88, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810006
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 89, TA-33
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810007
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 2, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810008
Status: Underutilized
Reason: Secured Area
Bldg. 3, TA-21
Los Alamos National Laboratory

Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810009
Status: Unutilized
Reason: Secured Area
Bldg. 4, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810010
Status: Unutilized
Reason: Secured Area
Bldg. 5, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number 419810011
Status: Unutilized
Reason: Secured Area
Bldg. 21, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810012
Status: Unutilized
Reason: Secured Area
Bldg. 116, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810013
Status: Unutilized
Reason: Secured Area
Bldg. 212, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810014
Status: Unutilized
Reason: Secured Area
Bldg. 228, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810015
Status: Unutilized
Reason: Secured Area
Bldg. 286, TA-21
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810016
Status: Unutilized
Reason: Secured Area
Bldg. 10, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810017
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 27, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810018
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 63, TA-16
Los Alamos National Laboratory

Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810019
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Extensive deterioration
Bldg. 515, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810020
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 516 TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810021
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 517, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810022
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 518, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810023
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 519, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810024
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
Bldg. 520, TA-16
Los Alamos National Laboratory
Los Alamos NM 87545-
Landholding Agency: Energy
Property Number: 419810025
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration
11 Bldgs., Tech Area I
Kirtland AFB
#639-43, 828, 830, 863, 881-883
Albuquerque NM 87185-
Landholding Agency: Energy
Property Number: 419820001
Status: Excess
Reason: Extensive deterioration
New York
Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303-5000
Landholding Agency: Air Force

Property Number: 189010075
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 272
Griffiss Air Force Base
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189140025
Status: Excess
Reason: Secured Area
Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189140023
Status: Excess
Reason: Secured Area
Facility 814, Griffiss AFB
NE of Weapons Storage Area
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189230001
Status: Excess
Reason: Within airport runway clear zone,
Secured Area
Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189230002
Status: Excess
Reason: Within airport runway clear zone,
Secured Area
Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441-
Landholding Agency: Air Force
Property Number: 189230003
Status: Excess
Reason: Within airport runway clear zone,
Secured Area
Facility 126
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240020
Status: Unutilized
Reason: Secured Area
Facility 127
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240021
Status: Unutilized
Reason: Secured Area
Facility 135
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240022
Status: Unutilized
Reason: Secured Area
Facility 137
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240023
Status: Unutilized
Reason: Secured Area

Facility 138
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240024
Status: Unutilized
Reason: Secured Area

Facility 173
Griffiss Air Force Base
Selfridge Street
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240025
Status: Unutilized
Reason: Secured Area

Facility 261
Griffiss Air Force Base
McDill Street
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240026
Status: Unutilized
Reason: Secured Area

Facility 308
Griffiss Air Force Base
205 Chanute Street
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240027
Status: Unutilized
Reason: Secured Area

Facility 1200
Griffiss Air Force Base
Donaldson Road
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189240028
Status: Unutilized
Reason: Secured Area

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441-4520
Landholding Agency: Air Force
Property Number: 189330097
Status: Unutilized
Reason: Secured Area

Bldg. 740
Niagara Falls Air Force Reserve
Niagara Falls Co: Niagara NY 14304-5001
Landholding Agency: Air Force
Property Number: 189720026
Status: Unutilized
Reason: Within airport runway clear zone,
Floodway, Secured Area

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189730006
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 604
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810016
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 606
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810017
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 615
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810018
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810019
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 630
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810020
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 635
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810021
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 640
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810022
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 733
Hancock Field
Syracuse Co: Onondaga NY 13211-
Landholding Agency: Air Force
Property Number: 189810023
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 514
Niagara Falls ARS
Niagara Falls Co: Niagara NY 14304-5001
Landholding Agency: Air Force
Property Number: 189810024
Status: Unutilized
Reason: Floodway, Secured Area, Extensive
deterioration

Bldg. 614
Niagara Falls ARS
Niagara Falls Co: Niagara NY 14304-5001
Landholding Agency: Air Force
Property Number: 189830014
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration

Bldg. 722
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305-5001
Landholding Agency: Air Force
Property Number: 189830015
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration

Bldg. 750
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305-5001
Landholding Agency: Air Force
Property Number: 189830016
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration

Bldg. 751
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305-5001
Landholding Agency: Air Force
Property Number: 189830017
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area,
Extensive deterioration

Warehouse
Whitney Lake Project
Whitney Point Co: Broome NY 13862-0706
Landholding Agency: COE
Property Number: 319630007
Status: Unutilized
Reason: Extensive deterioration

2 Buildings
Ant Saugerties
Saugerties Co: Ulster NY 12477-
Landholding Agency: DOT
Property Number: 879230005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 606, Fort Totten
New York Co: Queens NY 11359-
Landholding Agency: DOT
Property Number: 879240020
Status: Unutilized
Reason: Secured Area

Bldg. 607, Fort Totten
New York Co: Queens NY 11359-
Landholding Agency: DOT
Property Number: 879240021
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive deterioration

Bldg. 605, Fort Totten
New York Co: Queens NY 11359-
Landholding Agency: DOT
Property Number: 879240022
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive deterioration

Eatons Neck Station
U.S. Coast Guard
Huntington Co: Suffolk NY 11743-
Landholding Agency: DOT
Property Number: 879310003
Status: Unutilized
Reason: Extensive deterioration, Secured
Area

Bldg. 517, USCG Support Center
Governors Island Co: Manhattan NY 10004-
Landholding Agency: DOT
Property Number: 879320025
Status: Unutilized
Reason: Secured Area

Bldg. 138
U.S. Coast Guard Support Center
Governors Island Co: Manhattan NY 10004-

Landholding Agency: DOT
 Property Number: 879410003
 Status: Unutilized
 Reason: Secured Area
 Bldg. 830
 U.S. Coast Guard
 Governors Island Co: Manhattan NY 10004–
 Landholding Agency: DOT
 Property Number: 879420004
 Status: Unutilized
 Reason: Secured Area
 Bldg. 8
 Rosebank—Coast Guard Housing
 Staten Island Co: Richmond NY 10301–
 Landholding Agency: DOT
 Property Number: 879530009
 Status: Unutilized
 Reason: Secured Area
 Bldg. 7
 Rosebank—Coast Guard Housing
 Staten Island Co: Richmond NY 10301–
 Landholding Agency: DOT
 Property Number: 879530010
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Bldg. 222
 Fort Wadsworth
 Staten Island Co: Richmond NY 10305–
 Landholding Agency: DOT
 Property Number: 879620003
 Status: Unutilized
 Reason: Secured Area
 Bldg. 223
 Fort Wadsworth
 Staten Island Co: Richmond NY 10305–
 Landholding Agency: DOT
 Property Number: 879620004
 Status: Unutilized
 Reason: Secured Area
 Bldg. 205
 Fort Wadsworth
 Staten Island Co: Richmond NY 10305–
 Landholding Agency: DOT
 Property Number: 879620005
 Status: Unutilized
 Reason: Secured Area
 Bldg. 9
 U.S. Coast Guard—Rosebank
 Staten Island Co: Richmond NY 10301–
 Landholding Agency: DOT
 Property Number: 879630027
 Status: Excess
 Reason: Secured Area
 Bldg. 10
 U.S. Coast Guard—Rosebank
 Staten Island Co: Richmond NY 10301–
 Landholding Agency: DOT
 Property Number: 879630028
 Status: Excess
 Reason: Secured Area
 Bldg. 206, Rosebank
 Staten Island Co: Richmond NY 10301–
 Landholding Agency: DOT
 Property Number: 879630029
 Status: Excess
 Reason: Secured Area
 North Carolina
 Bldg. 4230—Youth Center
 Cannon Ave.
 Goldsboro Co: Wayne NC 27531–5005
 Landholding Agency: Air Force
 Property Number: 189120233
 Status: Underutilized

Reason: Secured Area
 Bldg. 607, Pope Air Force Base
 Fayetteville Co: Cumberland NC 28308–2890
 Landholding Agency: Air Force
 Property Number: 189330041
 Status: Unutilized
 Reason: Extensive deterioration, Secured
 Area
 Bldg. 910, Pope Air Force Base
 Fayetteville Co: Cumberland NC 28308–2003
 Landholding Agency: Air Force
 Property Number: 189420022
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Bldg. 912, Pope Air Force Base
 Fayetteville Co: Cumberland NC 28308–2003
 Landholding Agency: Air Force
 Property Number: 189420023
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Bldg. 914, Pope Air Force Base
 Fayetteville Co: Cumberland NC 28308–2003
 Landholding Agency: Air Force
 Property Number: 189420024
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Bldg. 633, Pope Air Force Base
 Fayetteville Co: Cumberland NC 28308–
 Landholding Agency: Air Force
 Property Number: 189540019
 Status: Unutilized
 Reason: Secured Area, Extensive
 deterioration
 Group Cape Hatteras
 Boiler Plant
 Buxton Co: Dare NC 27902–0604
 Landholding Agency: DOT
 Property Number: 879240018
 Status: Unutilized
 Reason: Secured Area
 Group Cape Hatteras
 Bowling Alley
 Buxton Co: Dare NC 27902–0604
 Landholding Agency: DOT
 Property Number: 879240019
 Status: Unutilized
 Reason: Secured Area
 Bldg. 54
 Group Cape Hatteras
 Buxton Co: Dare NC 27902–0604
 Landholding Agency: DOT
 Property Number: 879340004
 Status: Unutilized
 Reason: Secured Area
 Bldg. 83
 Group Cape Hatteras
 Buxton Co: Dare NC 27902–0604
 Landholding Agency: DOT
 Property Number: 879340005
 Status: Unutilized
 Reason: Secured Area
 Water Tanks
 Group Cape Hatteras
 Buxton Co: Dare NC 27902–0604
 Landholding Agency: DOT
 Property Number: 879340006
 Status: Unutilized
 Reason: Secured Area
 USCG Gentian (WLB 290)
 Fort Macon State Park
 Atlantic Beach Co: Carteret NC 27601–

Landholding Agency: DOT
 Property Number: 879420007
 Status: Excess
 Reason: Secured Area
 Unit #71
 Buxton Annex, Cape Kendrick Circle
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530011
 Status: Unutilized
 Reason: Floodway
 Unit #72
 Buxton Annex, Cape Kendrick Circle
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530012
 Status: Unutilized
 Reason: Floodway
 Unit #73
 Buxton Annex, Cape Kendrick Circle
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530013
 Status: Unutilized
 Reason: Floodway
 Unit #74
 Buxton Annex, Cape Kendrick Circle
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530014
 Status: Unutilized
 Reason: Floodway
 Unit #75
 Buxton Annex, Cape Kendrick Circle
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530015
 Status: Unutilized
 Reason: Floodway
 Unit #63
 Buxton Annex, Anna May Court
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530016
 Status: Unutilized
 Reason: Floodway
 Unit #64
 Buxton Annex, Anna May Court
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530017
 Status: Unutilized
 Reason: Floodway
 Unit #76
 Buxton Annex, Anna May Court
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530018
 Status: Unutilized
 Reason: Floodway
 Unit #68
 Buxton Annex, Anna May Court
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530019
 Status: Unutilized
 Reason: Floodway
 Unit #69
 Buxton Annex, Anna May Court
 Buxton Co: Dare NC 27920–
 Landholding Agency: DOT
 Property Number: 879530020
 Status: Unutilized
 Reason: Floodway

Unit #70
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920-
Landholding Agency: DOT
Property Number: 879530021
Status: Unutilized
Reason: Floodway

Unit #77
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920-
Landholding Agency: DOT
Property Number: 879530022
Status: Unutilized
Reason: Floodway

Unit #78
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920-
Landholding Agency: DOT
Property Number: 879530023
Status: Unutilized
Reason: Floodway

Bldg. 45
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909-
5006
Landholding Agency: DOT
Property Number: 879630020
Status: Unutilized
Reason: Secured Area

Bldg. 47
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909-
5006
Landholding Agency: DOT
Property Number: 879630021
Status: Unutilized
Reason: Secured Area

Bldg. 53
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909-
5006
Landholding Agency: DOT
Property Number: 879630022
Status: Unutilized
Reason: Secured Area

Bldg. 57
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909-
5006
Landholding Agency: DOT
Property Number: 879630023
Status: Unutilized
Reason: Secured Area

North Dakota
Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705-
Landholding Agency: Air Force
Property Number: 189010724
Status: Underutilized
Reason: Secured Area

Bldg. 50
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844-
Landholding Agency: Air Force
Property Number: 189310107
Status: Excess
Reason: Other
Comment: Garbage incinerator

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701-
Landholding Agency: Air Force

Property Number: 189320034
Status: Unutilized
Reason: Secured Area

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701-
Landholding Agency: Air Force
Property Number: 189320038
Status: Unutilized
Reason: Secured Area

Bldg. 895
Minot Air Force Base
Minot Co: Ward ND 58701-
Landholding Agency: Air Force
Property Number: 189320039
Status: Unutilized
Reason: Secured Area

Ohio
14 Bldgs.
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433-
Location: 6036, 38, 42, 44, 45, 49, 54, 64, 65,
69, 75
Landholding Agency: Air Force
Property Number: 189820030
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 6104, 08, 09
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433-
Landholding Agency: Air Force
Property Number: 189820044
Status: Unutilized
Reason: Within airport runway clear zone

Lab
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227-4217
Landholding Agency: COE
Property Number: 319510002
Status: Unutilized
Reason: Secured Area

Storage Facility
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227-4217
Landholding Agency: COE
Property Number: 319510003
Status: Unutilized
Reason: Secured Area

Office Building
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227-4217
Landholding Agency: COE
Property Number: 319510004
Status: Unutilized
Reason: Secured Area

Oklahoma
Bldg. 010
Tulsa IAP Base
Tulsa OK 74115-1699
Landholding Agency: Air Force
Property Number: 189820031
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 305
Tulsa IAP Base
Tulsa OK 74115-1699
Landholding Agency: Air Force
Property Number: 189820032
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldg. 310
Tulsa IAP Base
Tulsa OK 74115-1699
Landholding Agency: Air Force
Property Number: 189820033
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area

Bldgs. 4a, 4b, 6, 8, 9, 11, 12
NIPER
Bartlesville Co: Washington OK 74003-
Landholding Agency: Energy
Property Number: 419720003
Status: Unutilized
Reason: Extensive deterioration

Pennsylvania
Z-Bldg.
Bettis Atomic Power Lab
West Mifflin Co: Allegheny PA 15122-0109
Landholding Agency: Energy
Property Number: 419720002
Status: Excess
Reason: Extensive deterioration

Puerto Rico
NAFA Warehouse
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604-
Landholding Agency: DOT
Property Number: 879310011
Status: Unutilized
Reason: Secured Area

Storage Equipment Bldg.
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604-
Landholding Agency: DOT
Property Number: 879330001
Status: Unutilized
Reason: Secured Area

Bldg. 115
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510001
Status: Unutilized
Reason: Secured Area

Bldg. 117
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510002
Status: Unutilized
Reason: Secured Area

Bldg. 118
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510003
Status: Unutilized
Reason: Secured Area

Bldg. 119
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510004
Status: Unutilized
Reason: Secured Area

Bldg. 120
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510005
Status: Unutilized
Reason: Secured Area

Bldg. 122

U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510006
Status: Unutilized
Reason: Secured Area
Bldg. 128
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510007
Status: Unutilized
Reason: Secured Area
Bldg. 129
U.S. Coast Guard Base
San Juan PR 00902-2029
Landholding Agency: DOT
Property Number: 879510008
Status: Unutilized
Reason: Secured Area
Rhode Island
Station Point Judith Pier
Narragansett Co: Washington RI 02882-
Landholding Agency: DOT
Property Number: 879310002
Status: Unutilized
Reason: Extensive deterioration
South Dakota
Bldg. 200, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320048
Status: Unutilized
Reason: Extensive deterioration
Bldg. 201, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320049
Status: Unutilized
Reason: Extensive deterioration
Bldg. 203, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320050
Status: Unutilized
Reason: Extensive deterioration
Bldg. 204, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320051
Status: Unutilized
Reason: Extensive deterioration
Bldg. 205, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320052
Status: Unutilized
Reason: Extensive deterioration
Bldg. 206, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706-
Landholding Agency: Air Force
Property Number: 189320053
Status: Unutilized
Reason: Extensive deterioration
Bldg. 88470
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189340033
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189340037
Status: Unutilized
Reason: Secured Area
Bldg. 111
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189730007
Status: Unutilized
Reason: Secured Area
Bldg. 7530
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189810025
Status: Unutilized
Reason: Secured Area
Bldg. 7504
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820034
Status: Underutilized
Reason: Within 2000 ft. of flammable or
explosive material, Within airport runway
clear zone, Secured Area
Bldg. 4001
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820035
Status: Unutilized
Reason: Secured Area
Bldg. 7239
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820036
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Within airport runway
clear zone, Secured Area
Bldg. 1102
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820037
Status: Unutilized
Reason: Secured Area
Bldg. 88307
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820038
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Bldg. 88320
Ellsworth AFB Co: Meade SD 57706-
Landholding Agency: Air Force
Property Number: 189820039
Status: Unutilized
Reason: Within 2000 ft. of flammable or
explosive material, Secured Area
Tennessee
Bldg. 204
Cordell Hull Lake and Dam Project
Defeated Creek Recreation Area
Carthage Co: Smith TN 37030-
Location: US Highway 85
Landholding Agency: COE
Property Number: 319011499
Status: Unutilized
Reason: Floodway
Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro Co: Jackson TN 38562-
Location: TN Highway 135
Landholding Agency: COE
Property Number: 319011503
Status: Underutilized
Reason: Floodway
Water Treatment Plant
Dale Hollow Lake & Dam Project
Obey River Park, State Hwy 42
Livingston Co: Clay TN 38351-
Landholding Agency: COE
Property Number: 319140011
Status: Excess
Reason: Other
Comment: water treatment plant
Water Treatment Plant
Dale Hollow Lake & Dam Project
Lillydale Recreation Area, Hwy 53
Livingston Co: Clay TN 38351-
Landholding Agency: COE
Property Number: 319140012
Status: Excess
Reason: Other
Comment: water treatment plant
Water Treatment Plant
Dale Hollow Lake & Dam Project
Willow Grove Recreational Area, Hwy 53
Livingston Co: Clay TN 38351-
Landholding Agency: COE
Property Number: 319140013
Status: Excess
Reason: Other
Comment: water treatment plant
Bldg. 3004
Oak Ridge National Lab
Oak Ridge Co: Roane TN 37831-
Landholding Agency: Energy
Property Number: 419710002
Status: Unutilized
Reason: Secured Area, Extensive
deterioration
Bldg. 3004
Oak Ridge National Lab
Oak Ridge Co: Roane TN 37831-
Landholding Agency: Energy
Property Number: 419720001
Status: Excess
Reason: Extensive deterioration
Bldgs. 9714-3, 9714-4, 9983-AY
Y-12 Pistol Range
Oak Ridge Co: Roane TN 37831-
Landholding Agency: Energy
Property Number: 41972004
Status: Unutilized
Reason: Secured Area
5 Bldgs.
K-724, K-725, K-1031, K-1131, K-1410
East Tennessee Technology Park
Oak Ridge Co: Roane TN 37831-
Landholding Agency: Energy
Property Number: 419730001
Status: Unutilized
Reason: Extensive deterioration
Bldg. 9418-1
Y-12 Plant
Oak Ridge Co: Anderson TN 37831-

Landholding Agency: Energy
Property Number: 419810026
Status: Unutilized
Reason: Secured Area, Extensive deterioration
Bldg. 9825
Y-12 Plant
Oak Ridge Co: Anderson TN 37831-
Landholding Agency: Energy
Property Number: 419810027
Status: Unutilized
Reason: Secured Area
Texas
Bldg. 00153
Reese Air Force Base
Lubbock Co: Lubbock TX 79489-5000
Landholding Agency: Air Force
Property Number: 189540017
Status: Unutilized
Reason: Secured Area
Bldg. 03130
Reese Air Force Base
Lubbock Co: Lubbock TX 79489-5000
Landholding Agency: Air Force
Property Number: 189540018
Status: Unutilized
Reason: Secured Area
Old Exchange Bldg.
U.S. Coast Guard
Galveston Co: Galveston TX 77553-3001
Landholding Agency: DOT
Property Number: 879310012
Status: Unutilized
Reason: Secured Area
WPB Building
Station Port Isabel
Coast Guard Station
South Padre Island Co: Cameron TX 78597-6497
Landholding Agency: DOT
Property Number: 879530002
Status: Unutilized
Reason: Floodway
Aton Shops Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530003
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material
WPG Storage Shed
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530004
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material
Flammable Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530005
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material
Battery Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530006
Status: Unutilized
Reason: Secured Area, Within 2,000 ft. of flammable or explosive material
Boat House
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530007
Status: Unutilized
Reason: Secured Area, Within 2,000 ft. of flammable or explosive material
Small Boat Pier
USCG Station Sabine
Sabine Co: Jefferson TX 77655-
Landholding Agency: DOT
Property Number: 879530008
Status: Unutilized
Reason: Secured Area, Within 2,000 ft. of flammable or explosive material
Bldg. 108
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553-
Landholding Agency: DOT
Property Number: 879630008
Status: Unutilized
Reason: Extensive deterioration
Utah
Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056-
Landholding Agency: Air Force
Property Number: 189040859
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area
Vermont
Facility 100
Burlington IAP
Burlington Co: Chittenden VT 05403-5872
Landholding Agency: Air Force
Property Number: 189730008
Status: Excess
Reason: Within 2,000 ft. of flammable or explosive material
Bldg. 95
Burlington IAP
S. Burlington Co: Chittenden VT
Landholding Agency: Air Force
Property Number: 189820040
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material
Bldg. 20
Burlington IAP
S. Burlington Co: Chittenden VT
Landholding Agency: Air Force
Property Number: 189820041
Status: Unutilized
Reason: Secured Area
Bldg. 381
Burlington IAP
S. Burlington Co: Chittenden VT
Landholding Agency: Air Force
Property Number: 189820042
Status: Unutilized
Reason: Secured Area
Bldg. 379
Burlington IAP
S. Burlington Co: Chittenden VT
Landholding Agency: Air Force
Property Number: 189820043
Status: Unutilized
Reason: Secured Area
Depot Street
Downtown at the Waterfront
Burlington Co: Chittenden VT 05401-5226
Landholding Agency: DOT
Property Number: 879220003
Status: Excess
Reason: Floodway
Virginia
Bldg. 417
Camp Pendleton
Virginia Beach VA 23451-
Landholding Agency: Air Force
Property Number: 189710003
Status: Unutilized
Reason: Extensive deterioration
Bldg. 418
Camp Pendleton
Virginia Beach VA 23451-
Landholding Agency: Air Force
Property Number: 189710004
Status: Unutilized
Reason: Extensive deterioration
Bldg. 052 & Tennis Court
USCG Reserve Training Center
Yorktown Co: York VA 23690-
Landholding Agency: DOT
Property Number: 879230004
Status: Excess
Reason: Secured Area
Admin. Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361-510
Landholding Agency: DOT
Property Number: 879240014
Status: Unutilized
Reason: Secured Area
Little Creek Station
Navamphib Base, West Annex, U.S. Coast Guard
Norfolk Co: Princess Anne VA 23520-
Landholding Agency: DOT
Property Number: 879310004
Status: Unutilized
Reason: Secured Area
Operations Bldg.
U.S. Coast Guard Group Hampton Roads
Portsmouth VA 23703-
Landholding Agency: DOT
Property Number: 879710003
Status: Unutilized
Reason: Secured Area
Washington
Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204-
Landholding Agency: Air Force
Property Number: 189210004
Status: Unutilized
Reason: Extensive deterioration
Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011-
Landholding Agency: Air Force
Property Number: 189310058
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material
Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011-
Landholding Agency: Air Force
Property Number: 189310065
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 1, Waste Annex
West of Craig Road Co: Spokane WA 99022-
Landholding Agency: Air Force
Property Number: 189320043
Status: Unutilized
Reason: Secured Area

Pistol Range Bldg.
USCG Port Angeles
Port Angeles Co: Clallam WA 98362-0159
Landholding Agency: DOT
Property Number: 879630030
Status: Unutilized
Reason: Within airport runway clear zone,
Secured Area, Extensive deterioration

Floating Boathouse
Bellingham Co: Whatcom WA 98225-
Landholding Agency: DOT
Property Number: 879820001
Status: Excess
Reason: Other
Comment: Inaccessible

Wisconsin

Rawley Point Light
Two Rivers Co: Manitowoc WI
Landholding Agency: DOT
Property Number: 879540004
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

Wyoming

Bldg. 31
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005-
Landholding Agency: Air Force
Property Number: 189010198
Status: Unutilized
Reason: Secured Area

Bldg. 34
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005-
Landholding Agency: Air Force
Property Number: 189010199
Status: Unutilized
Reason: Secured Area

Bldg. 37
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005-
Landholding Agency: Air Force
Property Number: 189010200
Status: Unutilized
Reason: Secured Area

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005-
Landholding Agency: Air Force
Property Number: 189010201
Status: Unutilized
Reason: Secured Area

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005-
Landholding Agency: Air Force
Property Number: 189010202
Status: Unutilized
Reason: Secured Area

Bldg. 2780
Warren Air Force Base
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189240005
Status: Unutilized
Reason: Secured Area

Bldg. 2781

Warren Air Force Base
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189240006
Status: Unutilized
Reason: Secured Area

Bldg. 386
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189620021
Status: Unutilized
Reason: Secured Area

Bldg. 381
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189620022
Status: Unutilized
Reason: Secured Area

Bldg. 832
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189620023
Status: Unutilized
Reason: Secured Area

Bldg. 833
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189620024
Status: Unutilized
Reason: Secured Area

Bldg. 920, F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189640016
Status: Unutilized
Reason: Secured Area

Bldgs. 2565-2571
F. E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720001
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

Bldgs. 2564, 2572
F. E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720002
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

9 Bldgs.
F. E. Warren AFB
2982-2986, 2989, 2991, 2994-2995
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720003
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

6 Bldgs.
F.E. Warren AFB
2768, 2772, 2773, 2993, 2980, 2988
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720004
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

8 Bldgs.
F.E. Warren AFB
2784, 2762-2764, 2769, 2775, 2777, 2981
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720005
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

8 Bldgs.
F.E. Warren AFB
2785-2786, 2770-2771, 2774, 2776, 2990,
2992
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189720006
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

Bldgs. 2460-2468
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Landholding Agency: Air Force
Property Number: 189830018
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Location: 2469, 2470, 2508-2511, 2520, 2523,
2528
Landholding Agency: Air Force
Property Number: 189830019
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Location: 2471-2472, 2502, 2504-2507, 2544
Landholding Agency: Air Force
Property Number: 189830020
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

8 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Location: 2473, 2500, 2503, 2547, 2557, 2601,
2613, 2625
Landholding Agency: Air Force
Property Number: 189830021
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Location: 2512, 2514-2517, 2418, 2519, 2524,
2525
Landholding Agency: Air Force
Property Number: 189830022
Status: Unutilized
Reason: Secured Area, Extensive
deterioration

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005-5000
Location: 2513, 2530, 2537, 2606, 2626, 2700,
2707, 2720, 2750
Landholding Agency: Air Force
Property Number: 189830023
Status: Unutilized

Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2526, 2527, 2532-2534, 2439, 2608, 2610, 2612
 Landholding Agency: Air Force
 Property Number: 189830024
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2529, 2531, 2535-2536, 2538, 2540-2543
 Landholding Agency: Air Force
 Property Number: 189830025
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2545, 2546, 2548-2554
 Landholding Agency: Air Force
 Property Number: 189830026
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2555, 2556, 2558, 2559, 2603, 2605, 2607, 2609, 2611
 Landholding Agency: Air Force
 Property Number: 189830027
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2560, 2561, 2600, 2602, 2604, 2701, 2702, 2704, 2705
 Landholding Agency: Air Force
 Property Number: 189830028
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2614, 2616, 2618, 2620, 2622, 2624, 2714, 2718, 2722
 Landholding Agency: Air Force
 Property Number: 189830029
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 6 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2615, 2617, 2619, 2621, 2623, 2627
 Landholding Agency: Air Force
 Property Number: 189830030
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2706, 2708-2713, 2715, 2716

Landholding Agency: Air Force
 Property Number: 189830031
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 9 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2717, 2719, 2721, 2727, 2728, 2751, 2753, 2757, 2759
 Landholding Agency: Air Force
 Property Number: 189830032
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 10 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2723-2726, 2752, 2754-2756, 2758, 2703
 Landholding Agency: Air Force
 Property Number: 189830033
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration
 4 Bldgs.
 F.E. Warren AFB
 Cheyenne Co: Laramie WY 82005-5000
 Location: 2739, 2740, 2760, 2761
 Landholding Agency: Air Force
 Property Number: 189830034
 Status: Unutilized
 Reason: Secured Area, Extensive deterioration

Land (by State)

Alaska
 Campion Air Force Station
 21 CSG/DEER
 Elmendorf AFB Co: Anchorage AK 99506-5000
 Landholding Agency: Air Force
 Property Number: 189010430
 Status: Unutilized
 Reason: Other, Isolated Area, Not accessible by road
 Comment: Isolated and remote area; Arctic environment
 Lake Louise Recreation
 21 CSG-DEER
 Elmendorf AFB Co: Anchorage AK 99506-5000
 Landholding Agency: Air Force
 Property Number: 189010431
 Status: Unutilized
 Reason: Other, Isolated area, Not accessible by road
 Comment: Isolated and remote area; Arctic coast
 Nikolski Radio Relay Site
 21 CSG-DEER
 Elmendorf AFB Co: Anchorage AK 99506-5000
 Landholding Agency: Air Force
 Property Number: 189010432
 Status: Unutilized
 Reason: Other, Isolated area, Not accessible by road
 Comment: Isolated and remote area; Arctic coast
 Russian Creek Aggregate Site
 USCG Support Center Kodiak
 Kodiak Co: Kodiak AK 99619-
 Landholding Agency: DOT
 Property Number: 879440025

Status: Excess
 Reason: Floodway
 Sargent Creek Aggregate Site
 USCG Support Center Kodiak
 Kodiak Co: Kodiak AK 99619-
 Landholding Agency: DOT
 Property Number: 879440026
 Status: Excess
 Reason: Floodway
 Land—Sanak Island
 106+acres
 Sanak Island Co: Sanak Harbor AK
 Landholding Agency: DOT
 Property Number: 879640003
 Status: Unutilized
 Reason: Other
 Comment: Inaccessible

Florida
 Land
 MacDill Air Force Base
 6601 S. Manhattan Avenue
 Tampa Co: Hillsborough FL 33608-
 Landholding Agency: Air Force
 Property Number: 189030003
 Status: Excess
 Reason: Floodway
 Land—approx. 220 acres
 Cape San Blas
 Port St. Joe Co: Gulf FL
 Landholding Agency: DOT
 Property Number: 879440018
 Status: Underutilized
 Reason: Secured Area, Floodway

Kentucky
 Tract 4626
 Barkley, Lake, Kentucky and Tennessee
 Donaldson Creek Launching Area
 Cadiz Co: Trigg KY 42211-
 Location: 14 miles from US Highway 68
 Landholding Agency: COE
 Property Number: 319010030
 Status: Underutilized
 Reason: Floodway
 Tract AA-2747
 Wolf Creek Dam and Lake Cumberland
 US HWY. 27 to Blue John Road
 Burnside Co: Pulaski KY 42519-
 Landholding Agency: COE
 Property Number: 319010038
 Status: Underutilized
 Reason: Floodway
 Tract AA-2726
 Wolf Creek Dam and Lake Cumberland
 US HWY. 80 to Route 769
 Burnside Co: Pulaski KY 42519-
 Landholding Agency: COE
 Property Number: 319010039
 Status: Underutilized
 Reason: Floodway
 Tract AA-1358
 Barkley Lake, Kentucky and Tennessee
 Eddyville Recreation Area
 Eddyville Co: Lyon KY 42038-
 Location: US Highway 62 to state highway 93.
 Landholding Agency: COE
 Property Number: 319010043
 Status: Excess
 Reason: Floodway
 Red River Lake Project
 Stanton Co: Powell KY 40380-
 Location: Exit Mr. Parkway at the Stanton
 and Slade Interchange, then take SR Hand
 15 north to SR 613.

Landholding Agency: COE
Property Number: 319011684
Status: Unutilized
Reason: Floodway
Barrren River Lock & Dam No. 1
Richardsville Co: Warren KY 42270—
Landholding Agency: COE
Property Number: 319120008
Status: Unutilized
Reason: Floodway
Green River Lock & Dam No. 3
Rochester Co: Butler KY 42273—
Location: Off State Hwy. 369, which runs off
of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120009
Status: Unutilized
Reason: Floodway
Green River Lock & Dam No. 4
Woodbury Co: Butler KY 42288—
Location: Off State Hwy. 403, which is off
State Hwy 231
Landholding Agency: COE
Property Number: 319120014
Status: Underutilized
Reason: Floodway
Green River Lock & Dam No. 5
Readville Co: Butler KY 42275—
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 319120015
Status: Unutilized
Reason: Floodway
Green River Lock & Dam No. 6
Brownsville Co: Edmonson KY 42210—
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 319120016
Status: Underutilized
Reason: Floodway
Vacant land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural Co: Greenup KY 41144—
Landholding Agency: COE
Property Number: 319120017
Status: Unutilized
Reason: Floodway
Tract 6404, Cave Run Lake
U.S. Hwy 460
Index Co: Morgan KY
Landholding Agency: COE
Property Number: 319240005
Status: Underutilized
Reason: Floodway
Tract 6803, Cave Run Lake
State Road 1161
Pomp Co: Morgan KY
Landholding Agency: COE
Property Number: 319240006
Status: Underutilized
Reason: Floodway
Maryland
Land
Brandywine Storage Annex
1776 ABW/DE Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613—
Landholding Agency: Air Force
Property Number: 189010263
Status: Unutilized
Reason: Secured Area
Tract 131R
Youghiogheny River Lake, Rt. 2, Box 100
Friendsville Co: Garrett MD
Landholding Agency: COE
Property Number: 319240007
Status: Underutilized
Reason: Floodway
Michigan
Middle Marker Facility
Ypsilanti Co: Washtenaw MI 48198—
Location: 549 ft. north of intersection of
Coolidge and Bradley Ave. on East side of
street
Landholding Agency: DOT
Property Number: 879120006
Status: Unutilized
Reason: Within airport runway clear zone
Minnesota
Parcel G
Pine River
Cross Lake Co: Crow Wing MN 56442—
Location: 3 miles from city of Cross Lake
between highways 6 and 371.
Landholding Agency: COE
Property Number: 319011037
Status: Excess
Reason: Other
Comment: highway right of way
Mississippi
Parcel 1
Grenada Lake
Section 20
Grenada Co: Grenada MS 38901-0903
Landholding Agency COE
Property Number: 319011038
Status: Underutilized
Reason: Within airport runway clear zone
Missouri
Ditch 19, Item 2, Tract No. 230
St. Francis Basin Project
2½ miles west of Malden Co: Dunklin MO
Landholding Agency: COE
Property Number: 319130001
Status: Unutilized
Reason: Floodway
New Mexico
Facility 75100
Holloman Air Force Base Co: Otero NM
88330—
Landholding Agency: Air Force
Property Number: 189240043
Status: Unutilized
Reason: Secured Area
North Dakota
0.23 acres
Minot Middle Marker Annex Co: Ward ND
58705—
Landholding Agency: Air Force
Property Number: 189810001
Status: Unutilized
Reason: Within airport runway clear zone
Ohio
Mosquito Creek Lake
Everett Hull Road Boat Launch
Cortland Co: Trumbull OH 44410-9321
Landholding Agency: COE
Property Number: 319440007
Status: Underutilized
Reason: Floodway
Mosquito Creek Lake
Housel—Craft Rd., Boat Launch
Cortland Co. Tumbull OH 44410-9321
Landholding Agency: COE
Property Number: 319440008
Status: Underutilized
Reason: Floodway
Pennsylvania
Lock and Dam #7
Monongahela River
Greensboro Co: Greene PA
Location: Left hand side of entrance
roadway to project.
Landholding Agency: COE
Property Number: 319011564
Status: Unutilized
Reason: Floodway
Mercer Recreation Area
Shenango Lake
Transfer Co: Mercer PA 16154—
Landholding Agency: COE
Property Number: 319810002
Status: Unutilized
Reason: Floodway
South Dakota
Badlands Bomb Range
60 miles southeast of Rapid City, SD
1½ miles south of Highway 44 Co: Shannon
SD
Landholding Agency: Air Force
Property Number: 189210003
Status: Unutilized
Reason: Secured Area
Tennessee
Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson TN 38562—
Location: Tracts 800, 802-806, 835-837, 900-
902, 1000-1003, 1025
Landholding Agency: COE
Property Number: 219040413
Status: Underutilized
Reason: Floodway
Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham TN 37015—
Location: Tracts E-513, E-512-1 and E-512-
2
Landholding Agency: COE
Property Number: 219040415
Status: Underutilized
Reason: Floodway
Tract 6737
Blue Creek Recreation Area
Barkley Lake, Kentucky and Tennessee
Dover Co: Stewart TN 37058—
Location: U.S. Highway 79/TN Highway 761
Landholding Agency: COE
Property Number: 319011478
Status: Underutilized
Reason: Floodway
Tracts 3102, 3105, and 3106
Brimstone Launching Area
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562—
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011479
Status: Excess
Reason: Floodway

- Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551-
Location: TN Highway 52
Landholding Agency: COE
Property Number: 319011480
Status: Unutilized
Reason: Floodway
- Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551-
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011481
Status: Unutilized
Reason: Floodway
- Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030-
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011482
Status: Underutilized
Reason: Floodway
- Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville Co: Smith TN 38564-
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011483
Status: Underutilized
Reason: Floodway
- Tracts 1710, 1716 and 1703
Flynn's Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562-
Location: Whites Bend Road
Landholding Agency: COE
Property Number: 319011484
Status: Underutilized
Reason: Floodway
- Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551-
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011485
Status: Underutilized
Reason: Floodway
- Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562-
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011486
Status: Unutilized
Reason: Floodway
- Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551-
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011487
Status: Unutilized
Reason: Floodway
- Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562-
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011488
Status: Underutilized
Reason: Within airport runway clear zone,
Floodway
- Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030-
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011489
Status: Unutilized
Reason: Floodway
- Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562-
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011490
Status: Unutilized
Reason: Floodway
- Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Trace Creek
Gainesboro Co: Jackson TN 38562-
Location: Brooks Ferry Road
Landholding Agency: COE
Property Number: 319011491
Status: Unutilized
Reason: Floodway
- Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project
Stone Bridge
Carthage Co: Smith TN 37030-
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011492
Status: Unutilized
Reason: Floodway
- Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville Co: Davidson TN 37214-
Location: Interstate 40 to S. Mount Juliet
Road
Landholding Agency: COE
Property Number: 319011493
Status: Underutilized
Reason: Floodway
- Tract 1811
West Fork Launching Area
Smyrna Co: Rutherford TN 37167-
Location: Florence Road near Enon Springs
Road
Landholding Agency: COE
Property Number: 319011494
Status: Underutilized
Reason: Floodway
- Tract 1504
J. Percy Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna Co: Rutherford TN 37167-
Location: Lamon Road
Landholding Agency: COE
Property Number: 319011495
Status: Underutilized
Reason: Floodway
- Tract 1500
J. Percy Priest Dam and Reservoir
Pools Knob Recreation
Smyrna Co: Rutherford TN 37167-
Location: Jones Mill Road
Landholding Agency: COE
Property Number: 319011496
Status: Underutilized
Reason: Floodway
- Tracts 245, 257, and 256
J. Percy Priest Dam and Reservoir
Cook Recreation Area
Nashville Co: Davidson TN 37214-
Location: 2.2 miles south of Interstate 40 near
Saunders Ferry Pike
Landholding Agency: COE
Property Number: 319011497
Status: Underutilized
Reason: Floodway
- Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage Co: Smith TN 37030-
Location: US Highway 85
Landholding Agency: COE
Property Number: 319011498
Status: Unutilized
Reason: Floodway
- Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro Co: Jackson TN 38562-
Location: Sugar Creek Road
Landholding Agency: COE
Property Number: 319011500
Status: Unutilized
Reason: Floodway
- Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville Co: Jackson TN 38564-
Landholding Agency: COE
Property Number: 319011501
Status: Unutilized
Reason: Floodway
- Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro Co: Jackson TN 38562-
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011502
Status: Unutilized
Reason: Floodway
- Tract 104 et al.
Cordell Hull Lake and Dam Project
Horseshoe Bend Launching Area
Carthage Co: Smith TN 37030-
Location: Highway 70 N
Landholding Agency: COE
Property Number: 319011504
Status: Unutilized
Reason: Floodway
- Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project
Lebanon Co: Wilson TN 37087-
Location: Vivrett Creek Launching Area,
Alvin Sperry Road
Landholding Agency: COE
Property Number: 319120007
Status: Underutilized
Reason: Floodway
- Tract A-142, Old Hickory Beach
Old Hickory Blvd.
Old Hickory Co: Davidson TN 37138-
Landholding Agency: COE
Property Number: 319130008

Status: Underutilized
Reason: Floodway
Texas
Tracts 104, 105-1, 105-2 & 118
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010397
Status: Underutilized
Reason: Floodway
Part of Tract 201-3
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010398
Status: Underutilized
Reason: Floodway
Part of Tract 323
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010399
Status: Underutilized
Reason: Floodway
Tract 702-3
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530-9801
Landholding Agency: COE
Property Number: 319010401
Status: Unutilized
Reason: Floodway
Tract 706
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530-9801
Landholding Agency: COE
Property Number: 319010402
Status: Unutilized
Reason: Floodway
Port. of Waco Lake Project
Tracts 100-2, 200, 201, 202, 203
Waco Co: McLennan TX 76708-
Landholding Agency: GSA
Property Number: 549830006
Status: Surplus
Reason: Within airport runway clear zone,
Secured Area
GSA Number: 7-D-TX-634
Utah
10.24 acres
Southern Utah Communication Site
Salt Lake UT
Landholding Agency: Air Force
Property Number: 189810002
Status: Unutilized
Reason: Other
Comment: Inaccessible
Washington
Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011-
Landholding Agency: Air Force
Property Number: 189010137
Status: Unutilized
Reason: Secured Area
Fairchild AFB
Fairchild AFB Co: Spokane WA 99011-
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 189010138
Status: Unutilized
Reason: Secured Area
West Virginia
Morgantown Lock and Dam

Box 3 RD #2
Morgantown Co: Monongahelia WV 26505-
Landholding Agency: COE
Property Number: 319011530
Status: Unutilized
Reason: Floodway
London Lock and Dam
Route 60 East
Rural Co: Kanawha WV 25126-
Location: 20 miles east of Charleston, W.
Virginia
Landholding Agency: COE
Property Number: 319011690
Status: Unutilized
Reason: Other
Comment: .03 acrea; very narrow strip of
land located too close to busy highway
Portion of Tract #101
Buckeye Creek
Sutton Co: Braxton WV 26601-
Landholding Agency: COE
Property Number: 319810006
Status: Excess
Reason: Other
Comment: inaccessible

[FR Doc. 98-22256 Filed 8-20-98; 8:45 am]

BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Conduct Public Scoping and Prepare an Environmental Document

AGENCY: Fish and Wildlife Service, Interior; National Marine Fisheries Service, NOAA, Commerce.

ACTION: Notice of intent to conduct public scoping and prepare an environmental document.

SUMMARY: Pursuant to the National Environmental Policy Act and in accordance with the Washington State Environmental Policy Act, this notice advises the public that the Fish and Wildlife Service and National Marine Fisheries Service (Services) intend to gather information necessary to prepare an environmental document (environmental assessment or environmental impact statement) related to the proposed approval of a Habitat Conservation Plan (Plan) and issuance of an incidental take permit (Permit) to take endangered and threatened species in accordance with section 10(a) of the Endangered Species Act of 1973, as amended (Act). The Permit applicant is the City of Tacoma, Washington, Public Utilities, Water Division (Tacoma Water); the application is related to forest management activities in the Green River Watershed located in southern King County, Washington. Tacoma Water intends to request a Permit for the northern spotted owl, marbled murrelet, and other federally-

listed species. Tacoma Water also plans to seek coverage for approximately 25 currently unlisted fish and wildlife species (including Chinook salmon and bull trout which are proposed for listing under the Act, and other anadromous and resident fish) under specific provisions of the Permit, should these species be listed in the future. In accordance with the Act, Tacoma Water will prepare a Plan for, among other things, minimizing and mitigating any such take which could occur incidental to the proposed Permit activities (watershed management).

The Services are furnishing this notice in order to: (1) advise other agencies and the public of our intentions; and (2) to obtain suggestions and information on the scope of issues to include in the environmental document.

DATES: Written comments from all interested parties must be received on or before September 21, 1998. A public scoping meeting will be held August 25, 1998, 6:30-9:00 p.m., at the Enumclaw Public Library, 1700 First Street, Enumclaw, Washington.

ADDRESSES: Comments and requests for information should be sent to John Engbring, Habitat Conservation Plan Program Manager, Fish and Wildlife Service, 510 Desmond Drive, S.E., Suite 102, Lacey, Washington 98503-1273, telephone (360) 753-5836, facsimile (360) 753-9518; or Steve Landino, Habitat Conservation Plan Program Manager, National Marine Fisheries Service, 510 Desmond Drive, S.E., Suite 103, Lacey, Washington 98503-1273, telephone (360) 753-6054, facsimile (360) 753-9517. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

SUPPLEMENTARY INFORMATION:

Background

Tacoma Water owns and manages a water diversion dam and associated facilities (Headworks) on the Green River, approximately 5500 hectares (13,600 acres) of land upstream of the diversion dam on both sides of the River, and a well field (North Fork Well Field) located approximately 8 kilometers (5 miles) upstream of the Headworks. Tacoma Water operates and manages the Headworks, watershed lands, and the North Fork Well Field as the principal source of municipal and industrial water for the City of Tacoma and portions of Pierce and King Counties. Howard Hanson Dam (Dam) and Howard Hanson Reservoir (Reservoir), owned and operated by the

Army Corps of Engineers (Corps), are also located on the Green River, upstream of the Headworks. City lands in the watershed are adjacent to the Dam and Reservoir on all sides.

Current trends in population growth within the Puget Sound region create a need for Tacoma Water to explore possibilities for increasing its water supply capabilities. To meet this need, Tacoma has developed two separate but related plans. The first of these, the Second Supply Project, involves improvements at the Headworks and the construction of a 54 kilometers (33.5 miles) long pipeline from the Headworks to the City of Tacoma. This project is the subject of a State Environmental Policy Act review in the document entitled "Final Supplemental Environmental Impact Statement for the Second Supply Project, October 18, 1994," prepared by Tacoma Water. The second related plan was developed in conjunction with the Corps, and in cooperation with the Services, the Washington Department of Fish and Wildlife, Washington Department of Ecology, and the Muckleshoot Indian Tribe, to increase the size of the Dam and consequently the Reservoir. Known as the Additional Water Storage Project, this plan incorporates restoration and mitigation measures (including fish passage) to alleviate the historical barrier to migrating salmon, and hence spawning, created by the Headworks and the Corps' Dam. This project is the subject of a National Environmental Policy Act review in the document entitled "Draft Feasibility Report and Environmental Impact Statement, Howard Hanson Dam, Green River, Washington, April 1998," prepared by the Seattle District of the Corps.

Tacoma Water's activities associated with the Second Supply Project, the Additional Water Storage Project, and other management activities on the City's watershed lands have the potential to impact species subject to protection under the Act. Section 10 of the Act contains provisions for the issuance of incidental take permits to non-Federal landowners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities, and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. In addition, the applicant must prepare and submit to the Services for approval a Plan containing a strategy for minimizing and mitigating all take associated with the proposed activities to the maximum extent practicable. The applicant must also ensure that adequate funding for the Plan will be provided.

Tacoma Water has initiated discussions with the Services regarding the possibility of securing a Permit and associated Plan for their activities in the Green River Watershed. Activities proposed for coverage under the Permit include the following:

(1) Water withdrawal at the Headworks for Municipal and Industrial Water Supply which will reduce flows and have concomitant habitat effects downstream and include the bypass of fish at the Headworks intake, and inundate the impoundment area;

(2) Water withdrawal from the North Fork Well Field for Municipal and Industrial Water Supply which will potentially reduce flows in the North Fork Green River above the Reservoir;

(3) Construction of Headworks improvements (anticipated to occur during a 2 year period from the third quarter 1999 through the third quarter 2001). Such construction will cause:

(a) Bypassing of fish at the Headworks intake during construction;

(b) Raising the existing diversion dam by approximately 2 meters (6.5 feet) which will extend the inundation pool to about 780 meters (2,570 feet) upstream of the Headworks diversion;

(c) Realigning and enlarging the existing intake and adding upgraded fish screens and bypass facilities for downstream passage;

(d) Reshaping the Green River channel downstream of the existing diversion to accommodate the future installation of an efficient trap and haul facility for upstream fish passage; and

(e) Installation, monitoring and maintenance of the instream structures in the impoundment for the Headworks dam raise fisheries mitigation;

(4) Fish and water quality impacts related to the Headworks improvement construction;

(5) Operation and maintenance of a wetland restoration project at Auburns Narrows associated with the Second Supply Project;

(6) Operation of a downstream fish bypass facility at the Headworks;

(7) Tacoma watershed forest management activities;

(8) Monitoring of downstream fish passage through a proposed fish passage facility at the Dam associated with the Additional Water Supply Project;

(9) Monitoring and maintenance of Additional Water Supply Project fish habitat restoration projects and Additional Water Supply Project fish and wildlife habitat mitigation projects; and

(10) Restoration of anadromous fish above the Dam by trapping and hauling of adults returning to the Headworks, and possible planting of hatchery

juveniles if found to be beneficial to restoration.

The Services will conduct an environmental review of the Plan and prepare an environmental document. The environmental review will analyze the proposal, as well as a full range of reasonable alternatives and the associated impacts of each. The Services are currently in the process of developing alternatives for analysis. Should information become available which indicates the likelihood of significant impacts from the proposed project, an environmental impact statement will be prepared.

Comments and suggestions are invited from all interested parties to ensure that the full range of issues related to this proposed action and all significant issues are identified. Comments or questions concerning this proposed action and the environmental review should be directed to the Fish and Wildlife Service or National Marine Fisheries Service at the address or telephone numbers provided above.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 USC 4321 *et seq.*), National Environmental Policy Act Regulations (40 CFR 1500-1508), other appropriate Federal laws and regulations, and policies and procedures of the Services for compliance with those regulations.

Dated: August 14, 1998.

Thomas Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 98-22489 Filed 8-20-98; 8:45 am]

BILLING CODE 3510-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Aquatic Nuisance Species Task Force Meeting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice announces a meeting of the Aquatic Nuisance Species Task Force's Zebra Mussel Coordination Committee. The meeting is open to the public. Meeting topics are identified in the **SUPPLEMENTARY INFORMATION**.

DATES: The Zebra Mussel Coordination Committee will meet from 8:00 a.m. to 4:30 p.m. on Thursday, September 10, 1998, and 8:30 a.m. to 12:00 p.m. on Friday, September 11, 1998.

ADDRESSES: The meeting will be held at the New Orleans District, U.S. Army Corps of Engineers, Assembly Room B-152, 7400 Leake Avenue, New Orleans, Louisiana 70118.

FOR FURTHER INFORMATION CONTACT:

Dr. Edwin Theriot, Chair, Zebra Mussel Coordination Committee at 601-634-2678, or Bob Peoples, Executive Secretary, Aquatic Nuisance Species Task Force at 703-358-2025.

SUPPLEMENTARY INFORMATION: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, this notice announces a public meeting of the Zebra Mussel Coordination Committee of the Aquatic Nuisance Species Task Force. The Task Force was established by the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990.

Most of the first day of the meeting will involve Committee review of the U.S. Army Corps of Engineers' Zebra Mussel Public Facility Research, Development and Demonstration Program. This portion of the meeting will serve as the mid-year review of that Program. The remainder of the meeting will involve presentations and discussions about other zebra mussel programs, including Sea Grant and other National Oceanic and Atmospheric Administration efforts, the 100th Meridian Initiative and other activities of the U.S. Fish and Wildlife Service, and the U.S. Environmental Protection Agency's program to prevent the spread of zebra mussels.

Minutes of the meeting will be maintained by the Chair, Zebra Mussel Coordination Committee, U.S. Army Engineers Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, Mississippi, 39180, and Executive Secretary, Aquatic Nuisance Species Task Force, Suite 851, 4401 North Fairfax Drive, Arlington, Virginia 22203-1622. They will be available for public inspection at these locations during regular business hours, Monday through Friday, within 30 days following the meeting.

Dated: August 17, 1998.

Hannibal Bolton,

Acting Co-Chair, Aquatic Nuisance Species Task Force, Acting Assistant Director—Fisheries.

[FR Doc. 98-22510 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Receipt of Application for Approval

The following applicant has applied for approval to conduct certain activities with birds that are protected in accordance with the Wild Bird Conservation Act of 1992. This notice is provided pursuant to Section 112(4) of the Wild Bird Conservation Act of 1992, 50 CFR 15.26(c).

Applicant: William Murphy, Watsonville, CA, on behalf of the Northern Plains Breeding Co-op (CB 005). The applicant wishes to amend approved cooperative breeding program CB 005, to include the Saker falcon (*Falco cherrug*). The South Dakota Raptor Trust maintains responsibility for the oversight of the program.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, *subject to the requirements of the Privacy Act and Freedom of Information Act*, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203. Phone: (703/358-2095); FAX: (703/358-2298).

Dated: August 17, 1998.

Margaret Tieger,

Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 98-22488 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-55-U

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amendments to approved Tribal-State Compact.

SUMMARY: Pursuant to section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved

Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Amendments to the Bad River Band of Lake Superior Chippewa Indians and the State of Wisconsin Gaming Compact of 1991, which were executed on June 11, 1998.

DATES: This action is effective August 21, 1998.

FOR FURTHER INFORMATION CONTACT:

George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC. 20240, (202) 219-4068.

Dated: August 7, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-22493 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Amendments to Approved Tribal-State Compact.

SUMMARY: Pursuant to section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Amendments to the Oneida Tribe of Indians and the State of Wisconsin Gaming Compact, which were executed on May 8, 1998.

DATES: This action is effective August 21, 1998.

FOR FURTHER INFORMATION CONTACT:

George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: August 7, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-22495 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR**Bureau of Indian Affairs****Indian Gaming**

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amendments to approved Tribal-State Compact.

SUMMARY: Pursuant to section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Amendments to St. Croix Chippewa Indians of Wisconsin and the State of Wisconsin Gaming Compact, which were executed on June 18, 1998.

DATES: This action is effective August 21, 1998.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC. 20240, (202) 219-4068.

Dated: August 7, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-22494 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[NV-030-1220-00]

Nevada: Closure of Certain Public Land in the Winnemucca District for the Management of Lands Located Around the Burning Man Event

AGENCY: Bureau of Land Management, Interior.

ACTION: Amend temporary closure and restriction of public lands in Washoe and Pershing Counties.

SUPPLEMENTARY INFORMATION: Certain lands in the Winnemucca District, Pershing and Washoe Counties, Nevada would be temporarily closed or restricted to camping, vehicle use and firearms use from 6 p.m. August 30 to 6 a.m. September 8, 1998. This closure is being made in the interest of public safety at the location of an event known as the Burning Man Festival. This event is expected to attract at least 12,000 visitors this year.

The following areas in and around the Burning Man event site are closed to discharge and display of firearms:

T. 33 N., R. 23 E., Sec. 25; Sec. 26; Sec. 35; Sec. 36.

T. 32 N., R. 23 E., Sec. 1; Sec. 2; Sec. 11; Sec. 12.

T. 33 N., R. 24 E., Sec. 19; Sec. 30; Sec. 31.

The following public lands are temporarily closed to landing, taking off, and taxiing aircraft except for authorized and emergency aircraft:

T. 32 N., R. 23 E., Sec. 1; Sec. 2; Sec. 11; Sec. 12.

T. 33 N., R. 23 E., Sec. 25; Sec. 26; Sec. 35; Sec. 36.

T. 33 N., R. 24 E., Sec. 1; Sec. 2; Sec. 3; Sec. 4; Sec. 8; Sec. 9; Sec. 10; Sec. 11; Sec. 12; Sec. 14; Sec. 15; Sec. 16; Sec. 17; Sec. 18; Sec. 19; Sec. 20; Sec. 21; Sec. 29; Sec. 30; Sec. 31.

T. 33½ N., R. 24 E., Sec. 25; Sec. 26; Sec. 27; Sec. 28; Sec. 33; Sec. 34; Sec. 35; Sec. 36.

T. 33 N., R. 25 E., Sec. 3; Sec. 4.

T. 34 N., R. 25 E., Sec. 25; Sec. 26; Sec. 27; Sec. 28; Sec. 33; Sec. 34; Sec. 35; Sec. 36.

The lands involved are located in the Mount Diablo Meridian and located north of Gerlach, Nevada. A map showing the temporary closure area is available from the following BLM office: Winnemucca Field Office, 5100 East Winnemucca Blvd., Winnemucca, Nevada 89445, (702) 623-1500. Any person who fails to comply with this closure notice issued under 43 CFR Part 8364 may be subject to the penalties provided for in 43 CFR 8360.0-7.

Dated: August 13, 1998.

Sincerely yours,

Colin P. Christensen,

Acting Field Office Manager.

[FR Doc. 98-22468 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-HC-M

DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[NV-020-1990-10]

Intent to Prepare Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent to prepare an Environmental Impact Statement (EIS) for a mining Plan of Operations (POO) amendment for the Rayrock Mines, Inc., Marigold Mining Company's (MMC) expansion project located on public and private lands in Humboldt County, Nevada, and; notice of scoping period and public meetings.

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy

Act of 1969 and, title 43 of the Code of Federal Regulations, subpart 3809, the Bureau of Land Management (BLM) will be directing the preparation of an EIS for the proposed expansion of a mine in Humboldt County, Nevada. The EIS will be prepared by contract and funded by Rayrock Mines, Inc. Public meetings will be held to identify issues to be addressed in the EIS, and to encourage public participation in the review process. Representatives of the BLM and MMC will be summarizing the POO and accepting comments from the audience. The BLM invites comments and suggestions on the scope of the analysis.

DATES: Two scoping meetings will be held. The first is on Tuesday, October 5, 1998 at the Battle Mountain Field Office of the BLM, 50 Bastian Road, Battle Mountain, Nevada. The second will be Wednesday, October 6, 1998, at the Winnemucca Field Office of the BLM, 5100 E. Winnemucca Blvd., Winnemucca, Nevada. Both meetings are scheduled to run from 7-9 p.m. Written comments on the POO and scope of the EIS will be accepted until the close of business, October 23, 1998. The Draft EIS is expected to be completed by August 16, 1999, when the document will be made available for public review and comment.

ADDRESSES: Scoping comments may be sent to: District Manager, Winnemucca Field Office BLM, 5100 E. Winnemucca Blvd., Winnemucca, NV 89445, Attn: Gerald Moritz, Marigold Mine EIS Project Coordinator.

FOR FURTHER INFORMATION CONTACT: Gerald Moritz, Winnemucca Field Office BLM, 5100 E. Winnemucca Blvd., Winnemucca NV 89445, phone (702) 623-1500.

SUPPLEMENTARY INFORMATION: This EIS will address the issues of geology, soils, water resources, vegetation, wildlife, grazing management, air quality, aesthetic resources, cultural resources, ethnographic concerns, paleontologic resources, land use, access, recreation, social and economic values related to project development. In addition, the EIS will address cumulative impacts for the above listed resources.

MMC has been operating the Marigold Mine, an open-pit gold mine at the site, since 1998. The Marigold Mine is located on public and private lands approximately five miles south of the Valmy Exit on Interstate Highway 80, in Humboldt County, Nevada, approximately 43 miles east of Winnemucca and approximately 12 miles west of Battle Mountain, Nevada.

The Marigold Mine uses conventional open pit mining methods including drilling, blasting, loading, and hauling

ore and overburden material. The total mining rate for the existing open pits is 1,700,000 tons per month. Processing operations include milling of high grade ore and utilizing heap leach technology to retrieve gold from the lower grade ore. Waste rock is delivered to waste dumps, or backfilled into portions of the mined out pits. The total project boundary encompasses approximately 10,480 acres of public and private lands. Total approved disturbance under existing operations is approximately 1,349 acres, located on public and private lands.

The proposed action would be to expand existing mining facilities and to construct new facilities, increasing surface disturbances from 1,349 acres to 2,058 acres. Of the 710 acres of new disturbance proposed, approximately 254 acres would be disturbed on BLM-administered public land with 456 acres of disturbance on private lands. Upon approval of this expansion proposal, mining would continue through the year 2006 at approximately the current level of production of existing operations. The proposed expansion includes the following:

1. Construct two new pits and expand existing pits.
2. Construct one new waste dump and expand existing waste dumps.
3. Develop one new heap leach facility and expand existing heap leach facility, including new solution ponds.
4. Construct a new tailing dam facility.
5. Redirect two stream drainages by installing creek diversions.
6. Construct haul roads and miscellaneous access roads.
7. Construct associated ancillary facilities, including a utility corridor.
8. Amend operations boundary.

In addition to the above, the mine reclamation plan would be amended to include recontouring slopes, ripping compacted areas, where needed and covering with suitable plant growth medium, and seeding. Heap leach facilities would be detoxified by rinsing the pads with fresh water. Buildings, process structures, and other equipment would be removed from the site at the end of mining. Foundations would be buried in place prior to growth medium application and revegetation. Equipment, electrical and instrumentation, piping, miscellaneous fencing, and mobile trailers would also be removed from the site or returned to local vendors.

The main issues identified thus far in the project expansion are; sequential backfilling of pits, cumulative air quality effects, visual impacts due to the

proximity of Interstate 80, hydrology, and impacts to bat habitat.

Federal, state, and local agencies and other individuals or organizations who may be interested in or affected by the BLM's decision on the POO are invited to participate in the scoping process. The Authorized Officer will respond to public input and comment as part of the final EIS. The decision regarding the proposal will be recorded as a Record of Decision, which is subject to appeal under 43 CFR part 4.

Dated: August 13, 1998.

Colin P. Christensen,

Acting Field Office Manager, Winnemucca.
[FR Doc. 98-22517 Filed 8-20-98; 8:45 am]
BILLING CODE 4310-HC-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-921-41-5700; WYW128798]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Pursuant to the provisions of 30 U.S.C. 188 (d) and (e), and 43 CFR 3108.2-3(a) and (b)(1), a petition for reinstatement of oil and gas lease WYW128798 for lands in Sublette County, Wyoming, was timely filed and was accompanied by all the required rentals accruing from the date of termination.

The lessee has agreed to the amended lease terms for rentals and royalties at rates of \$5.00 per acre, or fraction thereof, per year and 16 $\frac{2}{3}$ percent, respectively.

The lessee has paid the required \$500 administrative fee and \$125 to reimburse the Department for the cost of this **Federal Register** notice. The lessee has met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), and the Bureau of Land Management is proposing to reinstate lease WYW128798 effective April 1, 1998, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Theresa M. Stevens,

Acting Chief, Leasable Minerals Section.
[FR Doc. 98-22506 Filed 8-20-98; 8:45 am]
BILLING CODE 4310-22-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-930-5700-01; N-62369]

Lander County, Nevada; Notice of Realty Action: Sale of Public Land in Lander County, Nevada, by Non-Competitive Sale Procedures

AGENCY: Bureau of Land Management
ACTION: Non-competitive sale of public lands in Lander County, Nevada.

SUMMARY: The following described lands have been examined and found suitable for direct sale to Bullion Monarch Company at the appraised fair market value of \$95,000. Authority for the sale is in Sections 203 and 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, 1713, 1719).

Mount Diablo Meridian, Nevada

T. 19 N., R. 43 E.,
Sec. 13, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Totalling 94.21 acres.

The above-described lands are hereby classified for disposal in accordance with Executive Order 6910 and the Act of June 28, 1934, as amended.

DATES: Comments must be submitted on or before October 5, 1998.

ADDRESSES: Bureau of Land Management, Battle Mountain Field Office, 50 Bastian Road, Battle Mountain, Nevada 89820.

FOR FURTHER INFORMATION CONTACT: Mary Craggett, Realty Specialist, at the above address or at (702) 635-4168.

SUPPLEMENTARY INFORMATION: This parcel of land near Austin, Nevada, is being offered by direct sale to Bullion Monarch Company, owner of the milling operation on the parcel. The land is not required for Federal purposes and is identified as suitable for disposal in the Shoshone-Eureka Resource Management Plan.

Conveyance of the available mineral interests will occur simultaneously with the sale of the land. Acceptance of the sale offer will constitute an application for the available minerals and the purchaser will be charged a \$50.00 nonrefundable filing fee for the mineral interests.

The proponent will have 30 days from the date of receiving the sale offer to accept the offer and to submit a deposit of \$28,500 (30 percent of the purchase price), the \$50 mineral filing fee, and money for publication costs. The purchaser must submit the rest of the purchase price, \$66,500, within 90 days from the date the sale offer is received. Payments may be by certified check,

postal money order, bank draft, or cashier's check made payable to the U. S. Department of the Interior—BLM. Failure to meet conditions established for this sale will void the sale and any money received for the sale will be forfeited.

The patent, when issued, will contain a reservation to the United States for a right-of-way for ditches and canals constructed by the authority of the United States under the Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945, and will be subject to:

1. Right-of-way CC-022158 for State Route 305, having a width of 200 feet from centerline;

2. Rights-of-way N-11441, N-12678, and N-46509 held by Sierra Pacific Power Company for electrical power distribution lines; and

3. Valid existing rights.

Publication of this Notice in the **Federal Register** segregates the subject lands from all appropriations under the public land laws, except sale under the Federal Land Policy and Management Act of 1976. The segregation will terminate upon issuance of the patent or 270 days from date of publication, whichever ever occurs first.

For a period of 45 days from the date this Notice is published in the **Federal Register**, interested parties may submit comments to the Battle Mountain Field Manager at the above address. Any adverse comments will be reviewed by the State Director, who may sustain, vacate, or modify this realty action and issue a final determination. In the absence of timely filed objections this realty action will become the final determination of the Department of the Interior. The land will not be offered for sale until at least sixty days after the date this notice was published in the **Federal Register**.

Dated: August 11, 1998.

M. Lee Douthit,

Associate Field Manager.

[FR Doc. 98-22507 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-HC-P

DEPARTMENT OF THE INTERIOR

National Park Service

60 Day Notice of Intention to Request Clearance of Collection of Information; Opportunity for Public Comment

AGENCY: Department of the Interior, National Park Service, Yellowstone National Park.

ACTION: Notice and request for comments.

SUMMARY: The National Park Service proposes to conduct visitor surveys of the economics of winter use and wildlife in the national parks, national forests, and communities of the Greater Yellowstone Area. The surveys would be used in a forthcoming draft Environmental Impact Statement on Winter Use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway and for the final Bison Management Environmental Impact Statement.

Under provisions of the Paperwork Reduction Act of 1995 and 5 CFR Part 1320, Reporting and Record Keeping Requirements, the National Park Service is soliciting comments on the need for gathering the information in the proposed surveys. The NPS also is asking for comments on the practical utility of the information being gathered; the accuracy of the burden hour estimate; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden to respondents, including use of automated information collection techniques or other forms of information technology. The NPS goal in conducting these surveys is to incorporate the results into a forthcoming draft Environmental Impact Statement on Winter Use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway and for the final Bison Management Environmental Impact Statement.

DATES: Public comments will be accepted on or before October 20, 1998.

SEND COMMENTS TO: John Sacklin, Planning Office, Yellowstone National Park, P.O. Box 168, Yellowstone National Park, Wyoming 82190, phone: 307-344-2021, fax: 307-344-2023.

FOR FURTHER INFORMATION CONTACT: John Sacklin, phone: 307-344-2021, fax: 307-344-2023, email: john_sacklin@nps.gov.

SUPPLEMENTARY INFORMATION:

Title: Economics of Winter Use and Wildlife in the National Parks, National Forests, and Communities of the Greater Yellowstone Area.

Bureau Form Number: None.

OMB Number: To be requested.

Expiration Data: To be requested.

Type of request: Request for new clearance.

Description of need: The National Park Service needs information about the economics of winter use and wildlife in the national parks, national forests, and communities of the Greater Yellowstone Area to incorporate in a forthcoming draft Environmental Impact Statement on Winter Use in

Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway and for the final Bison Management Environmental Impact Statement.

Automated data collection: At the present time, there is no automated way to gather this information, since it includes asking visitors about their perceptions, expectations, and preferences in the Greater Yellowstone Area.

Description of respondents: A sample of individuals who use the parks and forests in the Greater Yellowstone Area.

Estimated average number of respondents: 2600.

Estimated average number of responses: Each respondent will respond only one time, so the number of responses will be the same as the number of respondents.

Estimated average burden hour per response: 20 minutes.

Frequency of Response: 1 time per respondent.

Estimated annual reporting burden: 867 hours.

Diane M. Cooke,

Information Collection Clearance Officer, WASO Administrative Program Center, National Park Service.

[FR Doc. 98-22487 Filed 8-20-98; 8:45 am]

BILLING CODE 43210-70-M

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items in the Possession of the Chippewa National Forest, USDA Forest Service, Cass Lake, MN

AGENCY: National Park Service

ACTION: Notice

Notice is hereby given under the Native American Graves Protection and Repatriation Act, 43 CFR 10.10 (a)(3), of the intent to repatriate cultural items in the possession of the Chippewa National Forest, USDA Forest Service which meet the definition of "unassociated funerary objects" under Section 2 of the Act.

The 15 cultural items consist of a sherd from a ceramic mortuary vessel, fragmented and burned bone (fish and mammal) from a concentration associated with a funerary timber crib, a fragment of birchbark, and charcoal and charred wood fragments with soil matrix from a burned timber crib surrounding a burial.

In 1977, these items were recovered during legally authorized excavations of portions of two burial mounds at the Winnibigoshish Dam site (21 IC 4) near

Winnibigoshish Dam, Chippewa National Forest, Itasca County, MN. The human remains removed at that time from these excavations were reburied in a nearby location.

Based on radiocarbon dates and ceramic style, these cultural items have been determined to date to the Blackduck phase occupation (ca. 1000 A.D.). Based on continuities of pottery styles, manner of interment, continuities of tools, geographic location, reliance on wild rice and fish as food staples, anthropological sources, and historical documentation, the Blackduck culture is a likely antecedent for the historic and present-day Assiniboine, Cree, and Ojibwe cultures.

Officials of the USDA Forest Service have determined that, pursuant to 43 CFR 10.2 (d)(2)(ii), these 15 cultural items are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of an Native American individual. Officials of the USDA Forest Service have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these items and the Assiniboine and Sioux Tribes of the Fort Peck Reservation, Bad River Band of the Lake Superior Chippewa Indians, Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bois Forte Band of Chippewa Indians, Chippewa-Cree Indians of the Rocky Boy's Reservation, Fond du Lac Band of Chippewa Indians, Fort Belknap Indian Community, Grand Portage Band of Chippewa Indians, Grand Traverse Band of Ottawa and Chippewa Indians, Keweenaw Bay Indian Community of L'Anse and Ontonagon Bands of Chippewa Indians, Lac Courte Orielles Band of Lake Superior Chippewa Indians, Lac Du Flambeau Band of Lake Superior Chippewa Indians, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Leech Lake Band of Chippewa Indians, Mille Lacs Band of Chippewa Indians, Minnesota Chippewa Tribe, Red Cliff Band of Lake Superior Chippewa Indians, Red Lake Band of Chippewa Indians, Saginaw Chippewa Tribe, Sault Ste. Marie Tribe of Chippewa Indians, Sokaogon Chippewa Community of the Mole Lake Band of Chippewa Indians, St. Croix Chippewa Indians of Wisconsin, Turtle Mountain Band of Chippewa Indians, and White Earth Band of Chippewa Indians.

This notice has been sent to officials of the Assiniboine and Sioux Tribes of

the Fort Peck Reservation, Bad River Band of the Lake Superior Chippewa Indians, Bay Mills Indian Community of the Sault Ste. Marie Band of Chippewa Indians, Bois Forte Band of Chippewa Indians, Chippewa-Cree Indians of the Rocky Boy's Reservation, Fond du Lac Band of Chippewa Indians, Fort Belknap Indian Community, Grand Portage Band of Chippewa Indians, Grand Traverse Band of Ottawa and Chippewa Indians, Keweenaw Bay Indian Community of L'Anse and Ontonagon Bands of Chippewa Indians, Lac Courte Orielles Band of Lake Superior Chippewa Indians, Lac Du Flambeau Band of Lake Superior Chippewa Indians, Lac Vieux Desert Band of Lake Superior Chippewa Indians, Leech Lake Band of Chippewa Indians, Mille Lacs Band of Chippewa Indians, Minnesota Chippewa Tribe, Red Cliff Band of Lake Superior Chippewa Indians, Red Lake Band of Chippewa Indians, Saginaw Chippewa Tribe, Sault Ste. Marie Tribe of Chippewa Indians, Sokaogon Chippewa Community of the Mole Lake Band of Chippewa Indians, St. Croix Chippewa Indians of Wisconsin, Turtle Mountain Band of Chippewa Indians, and White Earth Band of Chippewa Indians. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these objects should contact Steve Eubanks, Forest Supervisor, Chippewa National Forest, United States Forest Service, Route 3, Box 244, Cass Lake, MN 56633, telephone (218) 335-8600 before September 21, 1998. Repatriation of these objects to the Leech Lake Band of Chippewa Indians may begin after that date if no additional claimants come forward.

The National Park Service is not responsible for the determinations within this notice.

Dated: August 13, 1998.

Francis P. McManamon,

*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 98-22539 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects from Harney County, OR in the Control of the Malheur National Wildlife Refuge, U.S. Fish and Wildlife Service, Princeton, OR

AGENCY: National Park Service

ACTION: Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects from Harney County, OR in the control of Malheur National Wildlife Refuge, U.S. Fish and Wildlife Service, Princeton, OR.

A detailed assessment of the human remains was made by Fish and Wildlife professional staff and Oregon State Museum of Anthropology professional staff in consultation with representatives of the Burns Paiute Tribe of the Burns Paiute Indian Colony.

During the 1930s, human remains representing 15 individuals were recovered by Refuge Superintendent Stanley Jewett from the Sod House area following Civilian Conservation Corps construction activities. No known individuals were identified. The three associated funerary objects consist of two shell fragments and an obsidian flake.

In 1970, human remains representing one individual were recovered from the Blitz Marsh site (35-HA-9) during legally authorized field collections conducted by the University of Oregon. No known individual was identified. The six associated funerary objects are chunks of burned clay daub.

In 1971, human remains representing one individual were recovered from the Dike site (35-HA-49) during a legally authorized field school conducted by Portland State University. No known individual was identified. The 201 associated funerary objects include a scraper, flakes, shell, and non-human bone.

In 1973, human remains representing one individual were recovered from the C.D. Littlefield Memorial site (MNWR-90) during legally authorized field collections conducted by Portland State University personnel. No known individual was identified. No associated funerary objects were present.

In 1974, human remains representing one individual were recovered from the

Boundary Surface site (35-HA-1020 or MNWR-77) during a legally authorized field school conducted by Portland State University personnel. In 1995, this collection was transferred and accessioned by the Oregon State Museum of Anthropology. No known individual was identified. No associated funerary objects were present.

Based on apparent age, locations, archeological context, and osteological evidence, these human remains have been determined to be Native American. Based on archeological evidence, these burials have been determined to date to within the last 2,000 years. Based on oral history, ethnographic and historic accounts, age and locations of the burials, these remains have been affiliated with the Burns Paiute Tribe of the Burns Paiute Indian Colony. Consultation with representatives of the Burns Paiute Tribe of the Burns Paiute Indian Colony also indicates that the area from which these burials were recovered is within the historic territory of the Burns Paiute Tribe of the Burns Paiute Indian Colony.

Based on the above mentioned information, officials of the U.S. Fish and Wildlife Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of a minimum of 17 individuals of Native American ancestry. Officials of the U.S. Fish and Wildlife Service have also determined that, pursuant to 43 CFR 10.2 (d)(2), the 210 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the U.S. Fish and Wildlife Service have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Burns Paiute Tribe of the Burns Paiute Indian Colony.

This notice has been sent to officials of the Burns Paiute Tribe of the Burns Paiute Indian Colony. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Forrest Cameron, Project Leader, Malheur National Wildlife Refuge, H.C. 72 Box 245, Princeton, OR 97721; telephone: (541) 493-2612, fax (541) 493-2405, before September 21, 1998. Repatriation of the human remains and associated funerary objects to the Burns Paiute Tribe of the Burns Paiute Indian Colony may begin

after that date if no additional claimants come forward.

Dated: August 11, 1998.

Francis P. McManamon,
*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 98-22540 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Draft Petition Evaluation Document/ Environmental Impact Statement; Tennessee

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Reopening of the public comment period for the draft petition evaluation document/environmental impact statement (PED/EIS) for Fall Creek Falls State Park, Tennessee.

SUMMARY: On May 1, 1998, the Office of Surface Mining (OSM) of the United States Department of the Interior announced, via Federal Register notice, the availability of the draft PED/EIS for a petition to designate certain lands in the watershed and viewshed of Fall Creek Falls State Park and Natural Area, Van Buren and Bledsoe Counties, Tennessee, as unsuitable for all surface coal mining operations. OSM also announced that written comments on the draft PED/EIS would be accepted until July 30, 1998. Because of the public's continuing interest and concerns regarding the environmental and economic issues addressed in the PED/EIS, OSM is reopening the comment period.

DATES: *Comments:* OSM will accept comments on the draft PED/EIS until 4:30 p.m. eastern time September 16, 1998.

ADDRESSES: *Electronic or written comments:* Submit electronic comments to bbrock@osmre.gov. Written comments may be hand-delivered or mailed to Beverly Brock, Supervisor, Technical Group, Office of Surface Mining, 530 Gay Street, S.W., Suite 500, Knoxville, Tennessee 37902.

FOR FURTHER INFORMATION CONTACT: Beverly Brock, Supervisor, Technical Group, Office of Surface Mining, 530 Gay Street, S.W., Suite 500, Knoxville, Tennessee 37902. Telephone: (423) 545-4103, ext. 146.

SUPPLEMENTARY INFORMATION: OSM has been petitioned by Save Our Cumberland Mountains, Tennessee

Citizens for Wilderness Planning, and forty-nine citizens to designate the watershed and viewshed of Fall Creek Falls State Park and Natural Area, Tennessee, as unsuitable for all types of surface coal mining operations. OSM prepared and distributed a draft PED/EIS as required by Section 522(d) of the Surface Mining Control and Reclamation Act of 1977 and the National Environmental Policy Act of 1969. The draft PED/EIS evaluates the potential coal resources of the area, the demand for coal resources, and the impacts of alternative unsuitability decisions on the human environment, the economy, and the supply of coal.

A public hearing was held in Crossville, Tennessee, on June 18, 1998, to receive oral comments on the draft PED/EIS.

The original comment period opened on May 1, 1998, and closed July 30, 1998. Because of the public's continuing interest and concerns regarding the environmental and economic issues addressed in the PED/EIS, OSM is reopening the comment period as of August 21, 1998, and will close on September 16, 1998.

Dated: August 13, 1998.

Allen D. Klein,

*Regional Director, Appalachian Regional
Coordinating Center.*

[FR Doc. 98-22383 Filed 8-20-98; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF JUSTICE

Federal Bureau of Investigation

Agency Information Collection Activities

AGENCY: Notice of Information Collection Under Review: Federal Firearm Licensee Survey; new collection.

The Department of Justice (DOJ), Federal Bureau of Investigation (FBI) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the emergency review procedures of the Paperwork Reduction Act of 1995. The proposed information collection was previously published in the **Federal Register** on June 1, 1998 at 63 FR 29755 allowing for emergency review with a 60 day public comment period. No comments were received by the Federal Bureau of Investigation. The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until September 21, 1998. This process

is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Department of Justice Desk Officer, Room 10235, Washington, DC 20503. Comments may also be submitted to the Department of Justice (DOJ), Justice Management Division, Information Management and Security Staff, Attention: Mr. Robert B. Briggs, Department Clearance Officer, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of the information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Overview of this information collection:

- (1) *Type of Information Collection:* New data collection.
- (2) *Title of the Form/Collection:* Federal Firearm Licensee Survey.
- (3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form: None. Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice.
- (4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit (Federally licensed firearms dealers, manufacturers, or importers). *Brief Abstract:* The Brady Handgun Violence Prevention Act of 1994, requires the Attorney General to

establish a national instant criminal background check system that any Federal Firearm Licensee may contact, by telephone or by other electronic means in addition to the telephone, for information, to be supplied immediately, on whether receipt of a firearm to a prospective purchaser would violate federal or state law. Information pertaining to licensees who may contact the NICS is being collected to plan and manage the NICS, to ensure appropriate resources are available to support the NICS, and also to ensure the privacy and security of NICS information.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,200 Federal Firearms Licensees at an average of 15 minutes to respond.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 300.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: August 18, 1998.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 98-22511 Filed 8-20-98; 8:45 am]

BILLING CODE 4410-02-M

DEPARTMENT OF LABOR

Employment Standards Administration/Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary

of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (45 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and superseding decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor,

Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

Modification to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

None

Volume II

District of Columbia:

DC980001 (Feb. 13, 1998)
DC980003 (Feb. 13, 1998)

West Virginia:

WV980002 (Feb. 13, 1998)
WV980003 (Feb. 13, 1998)
WV980006 (Feb. 13, 1998)

Volume III

Georgia:

GA980003 (Feb. 13, 1998)
GA980031 (Feb. 13, 1998)
GA980032 (Feb. 13, 1998)
GA980033 (Feb. 13, 1998)
GA980034 (Feb. 13, 1998)
GA980065 (Feb. 13, 1998)
GA980073 (Feb. 13, 1998)
GA980085 (Feb. 13, 1998)
GA980086 (Feb. 13, 1998)
GA980087 (Feb. 13, 1998)
GA980088 (Feb. 13, 1998)

Volume IV

Michigan:

MI980039 (Feb. 13, 1998)
MI980042 (Feb. 13, 1998)

Volume V

Kansas:

KS980012 (Feb. 13, 1998)

Nebraska:

NE980001 (Feb. 13, 1998)
NE980003 (Feb. 13, 1998)
NE980005 (Feb. 13, 1998)
NE980007 (Feb. 13, 1998)
NE980010 (Feb. 13, 1998)
NE980011 (Feb. 13, 1998)
NE980019 (Feb. 13, 1998)
NE980025 (Feb. 13, 1998)
NE980038 (Feb. 13, 1998)
NE980044 (Feb. 13, 1998)

Volume VI

Alaska:

AK980001 (Feb. 13, 1998)

Oregon:

OR980001 (Feb. 13, 1998)

Volume VII

Nevada:

NV980001 (Feb. 13, 1998)
NV980002 (Feb. 13, 1998)
NV980005 (Feb. 13, 1998)
NV980007 (Feb. 13, 1998)
NV980008 (Feb. 13, 1998)
NV980009 (Feb. 13, 1998)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts." This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, D.C. this 13th day of August 1998.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 98-22309 Filed 8-20-98; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Summary of Decisions Granting in Whole or in Part Petitions for Modification

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Notice of affirmative decisions issued by the Administrators for Coal

Mine Safety and Health and Metal and Nonmetal Mine Safety and Health on petitions for modification of the application of mandatory safety standards.

SUMMARY: Under section 101(c) of the Federal Mine Safety and Health Act of 1977, the Secretary of Labor may modify the application of a mandatory safety standard to a mine if the Secretary determines either that an alternate method exists at a specific mine that will guarantee no less protection for the miners affected than that provided by the standard, or that the application of the standard at a specific mine will result in a diminution of safety to the affected miners.

Summaries of petitions received by the Secretary appear periodically in the **Federal Register**. Final decisions on these petitions are based upon the petitioner's statements, comments and information submitted by interested persons, and a field investigation of the conditions at the mine. MSHA has granted or partially granted the requests for modification submitted by the petitioners listed below. In some instances, the decisions are conditioned upon compliance with stipulations stated in the decision.

FOR FURTHER INFORMATION CONTACT:

Petitions and copies of the final decisions are available for examination by the public in the Office of Standards, Regulations, and Variances, MSHA, Room 627, 4015 Wilson Boulevard, Arlington, Virginia 22203. Contact Barbara Barron at 703-235-1910.

Patricia W. Silvey,

Director, Office of Standards, Regulations and Variances.

Affirmative Decisions on Petitions for Modification

Docket No.: M-97-001-C.

FR Notice: 62 FR 11926.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160 volt) cables inby the last open crosscut considered acceptable alternative method. Granted for the Shoemaker Mine with conditions for the 4,160-volt longwall equipment.

Docket No.: M-97-002-C.

FR Notice: 62 FR 11926.

Petitioner: Eastern Associated Coal Corporation.

Reg Affected: 30 CFR 75.364.

Summary of Findings: Petitioner's proposal states that a portion of the mine has been sealed thus eliminating the need for certain checkpoints; that checkpoints 3, 4, 7, and 8 are now

behind seals and, therefore, are no longer necessary; and that checkpoints 5 and 6 that were used to evaluate a return air course from 2 West Mains will be eliminated due to rehabilitation and ventilation changes in the seal project which is now being examined as required considered acceptable alternative method. Granted for the Federal No. 2 Mine with conditions for the monitoring and evaluation of the unsafe-to-travel segment of the designated return aircourse in Miracle Run Shaft Bottom area.

Docket No.: M-97-003-C.

FR Notice: 62 FR 11926.

Petitioner: CONSOL of Kentucky, Inc.
Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt, with actuation temperatures between 200 and 230 degrees Fahrenheit and with water pressure equal to or greater than 10 psi; and to have the sprinklers located not more than 10 feet apart so that the discharge of water will extend over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the Jones Fork 13A-H4 Mine with conditions for a single overhead pipe sprinkler system.

Docket No.: M-97-004.

FR Notice: 62 FR 11926.

Petitioner: Marrowbone Development Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use 2,400-volt a.c. electricity to power continuous mining equipment considered acceptable alternative method. Granted for the Big Branch Mine with conditions for the 2,400-volt continuous miner.

Docket No.: M-97-005-C.

FR Notice: 62 FR 11926.

Petitioner: Powderhorn Coal Company.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use belt air to ventilate active working places and to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses considered acceptable alternative method. Granted for the Roadside Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-97-006-C.

FR Notice: 62 FR 11926.

Petitioner: Philippi Development, Inc.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish an inlet evaluation point along with an outlet evaluation point at which every seven days a certified person would measure methane and oxygen concentrations, air quantity, make tests to determine if the air is moving in its proper direction and record the results in a book provided on the surface considered acceptable alternative method. Granted for the Sentinel Mine with conditions for the evaluation of airflow through an approximately 600-foot long, unsafe-to-travel segment of common return aircourse entries.

Docket No.: M-97-007-C.

FR Notice: 62 FR 11926.

Petitioner: Laurel Coal Company.

Reg Affected: 30 CFR 75.503 (18.41(f) of Part 18).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the Coalburg 7A Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-008-C.

FR Notice: 62 FR 11927.

Petitioner: Laurel Coal Corporation.

Reg Affected: 30 CFR 75.503 (18.41(f) of Part 18).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the Coalburg 9A Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-012-C.

FR Notice: 62 FR 11927.

Petitioner: Paramount Coal Corporation.

Reg Affected: 30 CFR 77.214(a).

Summary of Findings: Petitioner's proposal to backfill the existing highwall with scalp rock in an area containing abandoned mine openings considered acceptable alternative method. Granted for the Deep Mine No. 24 Mine with conditions for the modification of 30 CFR 77.214(a).

Docket No.: M-97-019-C.

FR Notice: 62 FR 23797.

Petitioner: C & H Mining Company.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitoring systems on permissible three-wheel tractors with drag bottom buckets considered acceptable alternative method. Granted for the No. 8 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-97-022-C.

FR Notice: 62 FR 23797.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1405.

Summary of Findings: Petitioner's proposal to use bar and pin or link and pin couplers on its underground haulage equipment considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions.

Docket No.: M-97-025-C.

FR Notice: 62 FR 23798.

Petitioner: CONSOL of Kentucky, Inc.

Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of non-fire resistant belt, with actuation temperatures between 200 degrees and 230 degrees fahrenheit and with water pressure equal to or greater than 10 psi, so that the discharge of water would extend over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the E3RF Mine with conditions for a single overhead pipe sprinkler system.

Docket No.: M-97-028-C.

FR Notice: 62 FR 23798.

Petitioner: Maple Meadow Mining Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the Maple Meadow Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-033-C.

FR Notice: 62 FR 23799.

Petitioner: Peabody Coal Company.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage trailing

cables (2,400-volt) in by the last open crosscut at the sections where continuous miners are working considered acceptable alternative method. Granted for the Marissa Mine with conditions for the 2,400-volt continuous miner used at the Marissa Mine.

Docket No.: M-97-036-C.

FR Notice: 62 FR 23799.

Petitioner: Long Branch Energy.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the No. 22 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-97-040-C.

FR Notice: 62 FR 29370.

Petitioner: G & P Contractors, Inc.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators on permissible three-wheel tractors instead of machine-mounted methane monitors considered acceptable alternative method. Granted for Stoney Fork No. 2 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-97-050-C.

FR Notice: 62 FR 29372.

Petitioner: Canyon Fuel Company, LLC.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use high-voltage (4,160-volt) cables to supply power to longwall equipment used in by the last open crosscut considered acceptable alternative method. Granted for the SUFCO Mine with conditions for the 4,160-volt longwall equipment.

Docket No.: M-97-057-C.

FR Notice: 62 FR 29373.

Petitioner: Headache Coal Company, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor and to have the fire extinguisher readily accessible to the operator; to have the fire extinguisher inspected daily by the equipment operator prior to entering the escapeway; to have the operator make daily inspections of the fire extinguisher

and keep the records at the mine site; and to have a sufficient number of spare fire extinguishers maintained at the mine in case an extinguisher becomes defective considered acceptable alternative method. Granted for the Mine No. 7 with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-97-058-C.

FR Notice: 62 FR 34311.

Petitioner: Clark Elkhorn Mining Company.

Reg Affected: 30 CFR 75.900.

Summary of Findings: Petitioner's proposal to use contactors to obtain undervoltage protection instead of using circuit breakers considered acceptable alternative method. Granted for the Sunset Mine No. 2 Mine with conditions to allow the use of vacuum contactors to provide undervoltage, grounded phase, and overload protection and monitor the grounding conductors for 480-volt belt conveyor drive motors and water pump motors greater than 5 horsepower.

Docket No.: M-97-059-C.

FR Notice: 62 FR 34311.

Petitioner: B & B Anthracite Coal.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the working section considered acceptable alternative method. Granted for the Rock Ridge No. 1 Slope Mine with conditions for examinations of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-97-061-C.

FR Notice: 62 FR 34311.

Petitioner: B & B Anthracite Coal.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Rock Ridge Slope with conditions for firefighting equipment in the working section.

Docket No.: M-97-063-C.

FR Notice: 62 FR 34311.

Petitioner: Ambrose Branch Coal Company, Inc.

Reg Affected: 30 CFR 77.214.

Summary of Findings: Petitioner's proposal to fill seven (7) drift openings with refuse material at the abandoned

Fleetwood Energy, Inc., Mine No. 2 considered acceptable alternative method. Granted for the Preparation Plant with conditions for modification of 30 CFR 77.214(a).

Docket No.: M-97-065-C.

FR Notice: 62 FR 34313.

Petitioner: Monterey Coal Company.

Reg Affected: 30 CFR 75.1700.

Summary of Findings: Petitioner's proposal to mine through oil and gas wells with the longwall system after they have been properly plugged considered acceptable alternative method. Granted for the No. 1 Mine with conditions for mining through or near plugged oil or gas wells penetrating the Illinois No. 6 Coal Seam.

Docket No.: M-97-066-C.

FR Notice: 62 FR 34312.

Petitioner: Turriss Coal Company.

Reg Affected: 30 CFR 75.1100-2(i)(1).

Summary of Findings: Petitioner's proposal to use the following materials at its Elkhart Mine: 160 Kennedy Metal Stopping Panels 32 Kennedy Stopping Rib Angles; 3 rolls of tape; 3 twist tools; 2 rolls of brattice cloth; 3 stopping jacks; 3 dutch heads; 3 shovels; 12 buckets of Celite 10-12 Airtite (or equivalent material for stopping); and 5 tons of rock dust considered acceptable alternative method. Granted for the Elkhart Mine with conditions for emergency materials readily available at locations not exceeding 2 miles from each working section.

Docket No.: M-97-068-C.

FR Notice: 62 FR 34312.

Petitioner: Drummond Company, Inc.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's request for an amendment to the final Decision and Order dated April 1, 1995 was granted for the Shoal Creek Mine with conditions for the use of belt air to ventilate active workings.

Docket No.: M-97-080-C.

FR Notice: 62 FR 38124.

Petitioner: Little Buck Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the No. 3 Slope Buck Mt. Vein with conditions for firefighting equipment in the working section.

Docket No.: M-97-088-C.

FR Notice: 62 FR 44723.

Petitioner: Eastern Associated Coal Corporation.

Reg Affected: 30 CFR 75.380(g).

Summary of Findings: Petitioner's proposal to change the longwall panel

development to a three-entry system considered acceptable alternative method. Granted for the Federal No. 2 Mine with conditions for the use of trolley track haulage entries as primary escapeways on longwall development panels.

Docket No.: M-96-015-C.

FR Notice: 61 FR 17733.

Petitioner: Roberts Brothers Coal Company.

Reg Affected: 30 CFR 75.1103-4.

Summary of Findings: Petitioner's proposal to use two belt flights to be monitored by one identification line considered acceptable alternative method. Granted for the Cardinal No. 2 Mine with conditions to allow the extension of the Pyott-Boone Electronics Inc. point type heat sensor fire detection system installed in panels from which rooms are driven, to be extended to provide fire detection for a secondary in-panel belt conveyor without identifying such as separate belt flight during retreat of the panel by room development.

Docket No.: M-96-018-C.

FR Notice: 61 FR 17733.

Petitioner: Eagle Nest, Inc.

Reg Affected: 30 CFR 75.503(18.41).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines used in by the last open crosscut with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load; to have a tag that states "DO NOT DISENGAGE PLUGS UNDER LOAD" on all battery plug connectors used on the machines; and to provide instructions in the safe practices and provisions to all persons who are required to operate or maintain the machines considered acceptable alternative method. Granted for the Eagle Nest Inc. Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-019-C.

FR Notice: 61 FR 17733.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish check points to monitor methane and to ensure passage of air; to maintain the check points in safe condition at all times; to have a certified person test for methane and the quantity of air at each check point on a weekly basis; and to have the certified person making the examinations and tests place their initials, date, and time in a record book kept on the surface and made available for inspection by

interested persons considered acceptable alternative method. Granted for the Robinson Run No. 95 Mine with conditions for the "North Mains" aircourse ventilating eight 1-East seals, two 26-Block seals and six of eighteen 3-Block seals.

Docket No.: M-96-040-C.

FR Notice: 61 FR 33141.

Petitioner: Pontiki Coal Corporation.

Reg Affected: 30 CFR 75.388.

Summary of Findings: Petitioner's proposal to drill boreholes when working places advance to within 30 feet of certain surveyed areas in the mine unless those areas have been preshift examined considered acceptable alternative method. Granted for the Pontiki No. 1 Mine with conditions for the use of administration and engineering controls in lieu of drilling boreholes when the working place approaches to within 25 feet of an adjacent panel that cannot be preshift examined.

Docket No.: M-96-041-C.

FR Notice: 61 FR 33141.

Petitioner: Pontiki Coal Corporation.

Reg Affected: 30 CFR 75.388.

Summary of Findings: Petitioner's proposal to drill boreholes when working places advance to within 30 feet of certain surveyed areas in the mine unless those areas have been preshift examined considered acceptable alternative method. Granted for the Pontiki No. 1 Mine with conditions for the use of administration and engineering controls in lieu of drilling boreholes when the working place approaches to within 25 feet of an adjacent panel that cannot be preshift examined.

Docket No.: M-96-062-C.

FR Notice: 61 FR 38787.

Petitioner: Cyprus Cumberland Resources Corp.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to permit the velocity of air in the belt conveyor entries to be increased above 300 feet per minute (fpm) considered acceptable alternate method. Granted for the Cumberland Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-96-064-C.

FR Notice: 61 FR 38787.

Petitioner: West Cameron Mining.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the

Lenig Tunnel Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-075-C.

FR Notice: 61 FR 47192.

Petitioner: Cumberland Resources Corporation.

Reg Affected: 30 CFR 75.1103-4(a).

Summary of Findings: Petitioner's proposal to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses considered acceptable alternative method. Granted for the Cumberland Mine with conditions for the use of a carbon monoxide monitoring system that identifies the location of sensors in lieu of identifying belt flights.

Docket No.: M-96-092-C.

FR Notice: 61 FR 47194.

Petitioner: Eastern Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the Big Branch Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-093-C.

FR Notice: 61 FR 47194.

Petitioner: Western Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative method. Granted for the Northern Mingo No. 1 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-094-C.

FR Notice: 61 FR 47194.

Petitioner: Western Mingo Coal Company.

Reg Affected: 30 CFR 75.503(18.41)(f).

Summary of Findings: Petitioner's proposal to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load considered acceptable alternative

method. Granted for the Northern Mingo No. 2 Mine with conditions for the use of permanently installed spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-097-C.

FR Notice: 62 FR 47194.

Petitioner: Arch of Illinois.

Reg Affected: 30 CFR 75.1107-4(a)(1).

Summary of Findings: Petitioner's proposal to use an operator/technician, the Archvevor mining system's Program Logic Controlled (PLC) computer, and the continuous monitoring of the Archvevor mining system while energized, as a fire suppression device, during secondary mining considered acceptable alternative method. Granted for the Conant Mine with conditions for the Archvevor Mining System.

Docket No.: M-96-098-C.

FR Notice: 61 FR 57458.

Petitioner: Sidney Coal Company, Inc. and its subsidiaries.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to move equipment in and out of its underground mines considered acceptable alternative method. Granted for Freedom Energy Mine No. 1; Solid Energy Mine No. 1; Clean Energy Mine No. 1; Black Diamond Mine no. 1 and Rockhouse Mine Energy No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-104-C.

FR Notice: 62 FR 420.

Petitioner: Mountain Coal Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use 1,100 feet of 2/0, type SHD-GC cable on continuous miners, 1,000 feet of #2, type GC cable on roof bolters, and 1,000 feet of #2, type SHD-GC cable on auxiliary face fans considered acceptable alternative method. Granted for the West Elk Mine with conditions for the three-phase, 995-volt continuous mining machine, 995-volt roof bolting machine, 995-volt auxiliary fan, 575-volt roof bolting machine, and 575-volt auxiliary fan.

Docket No.: M-96-105-C.

FR Notice: 61 FR 57459.

Petitioner: Little Buck Coal Company.

Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal to permit the use of the slope conveyance (gunboat) in transporting persons without installing safety catches or other no less effective devices, but instead use an increased rope strength/safety factor and secondary safety rope connection in place of such devices considered acceptable alternative method. Granted for the No. 3 Slope

Buck Mountain Mine with conditions for the use of the gunboat without safety catches.

Docket No.: M-96-107-C.

FR Notice: 61 FR 57459.

Petitioner: Old Ben Coal Company.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use the split-tail system of face ventilation allowing the belt to be blended with the air to the faces from the intake entries and to install a low-level carbon monoxide detection system as an early warning fire detection system in all belt entries used as intake air courses considered acceptable alternative method. Granted for the Ziegler No. 11 Mine with conditions to allow air coursed through conveyer belt entries to be used to ventilate working places.

Docket No.: M-96-109-C.

FR Notice: 61 FR 57459.

Petitioner: The Ohio Valley Coal Company.

Reg Affected: 30 CFR 75.364.

Summary of Findings: Petitioner's proposal to establish evaluation stations to monitor the affected area; to have a certified person to: (1) test the evaluation stations on a weekly basis to determine the volume of air, and methane and oxygen concentrations; and (2) record on a date board located at each checkpoint the initials of the examiner and the date and time of the examination; and to maintain the air measurement stations in a safe and travelable condition considered acceptable alternative method. Granted for the Powhatan No. 6 Mine with conditions for the unsafe-to-travel aircourses rendered inaccessible by roof falls and roof deterioration known as MAIN EAST and LOADED SIDE.

Docket No.: M-96-111-C.

FR Notice: 61 FR 57459.

Petitioner: CONSOL of Kentucky, Inc.

Reg Affected: 30 CFR 75.1101-8.

Summary of Findings: Petitioner's proposal to use a single overhead pipe system with 1/2-inch orifice automatic sprinklers located on 10-foot centers, to cover 50 feet of fire-resistant belt or 150 feet of nonfire-resistant belt, with actuation temperatures between 200 and 230 degrees Fahrenheit, and with water pressure equal to or greater than 10 psi and the sprinklers would be located to discharge water over the belt drive, belt take-up, electrical control, and gear reducing unit considered acceptable alternative method. Granted for the Loves Branch H-4 Mine with conditions for a single overhead pipe sprinkler.

Docket No.: M-96-112-C.

FR Notice: 61 FR 57459.

Petitioner: K & M Coal Company, Inc.

Reg Affected: 30 CFR 75.342.

Summary of Findings: Petitioner's proposal to use hand-held continuous-duty methane and oxygen indicators instead of machine mounted methane monitors on permissible three-wheel tractors with drag type buckets considered acceptable alternative method. Granted for the No. 18 Mine with conditions for the Mescher permissible three-wheel battery-powered tractors used to load coal.

Docket No.: M-96-113-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.335(a)(1).

Summary of Findings: Petitioner's proposal to permit alternative methods of construction using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing the inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Buck Mountain Slope with conditions for seals installed in this mine.

Docket No.: M-96-114-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the working section considered acceptable alternative method. Granted for the Buck Mountain Slope Mine with conditions for examination of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-96-116-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1100-2(a)(2).

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-117-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1200(d) and (i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope; and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for the use of cross-sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-118-C.

FR Notice: 61 FR 57460.

Petitioner: Jackstone Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for Buck Mountain Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-122-C.

FR Notice: 61 FR 57480.

Petitioner: Keystone Coal Mining Corporation.

Reg Affected: 30 CFR 75.364(b)(1).

Summary of Findings: Petitioner's proposal to establish two monitoring stations to evaluate the affected area; to post a sign in an adjacent travel entry indicating the safe travel route to each monitoring station; to have a certified person conduct weekly examinations at each monitoring station to measure the quantity and quality of air entering or exiting the monitoring station; to post at each monitoring station a diagram showing the normal quantity and quality of methane, oxygen measurements, and the direction of the air flow; to have the examiner record their initials, date and time of examinations on a date board provided at the monitoring stations; and to record the results of the tests in a weekly examination book kept on the surface and made available to all interested parties considered acceptable alternative method. Granted for the Urling No. 1 Mine with conditions for the evaluation of airflow through an approximately 800-foot long, unsafe to travel, segment of three common intake aircourse entries of the West Extension area.

Docket No.: M-96-130-C.

FR Notice: 61 FR 64372.

Petitioner: Yellow Creek Corporation.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator deck of each Mescher Tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections; and to replace the fire extinguisher if found to be defective considered acceptable alternative method. Granted for the No. 2 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-131-C.

FR Notice: 61 FR 64373.

Petitioner: Hut Coal Company, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspection; and to replace the fire extinguisher if found to be defective considered acceptable alternative method. Granted for the No. 1 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-132-C.

FR Notice: 61 FR 64373.

Petitioner: Canfield Energy, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 3 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-133-C.

FR Notice: 61 FR 64373.

Petitioner: Summit Anthracite, Inc.

Reg Affected: 30 CFR 75.340.

Summary of Findings: Petitioner's proposal to permit battery charging of

the mine's locomotive during idle periods when all miners are out of the mine; and to permit the intake air used to ventilate the charging station located at the No. 1 Chute of the active gangway level to continue through its normal route to the last open crosscut and into the monkey airway (return) considered acceptable alternative method. Granted for the Tracey Vein Slope Mine with conditions for an underground battery charging station in the intake (gangway) entry.

Docket No.: M-96-134-C.

FR Notice: 61 FR 64373.

Petitioner: Canfield Energy, Inc.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 4 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-146-C.

FR Notice: 62 FR 421.

Petitioner: F-M Coal Company.

Reg Affected: 30 CFR 75.380(f)(4)(i).

Summary of Findings: Petitioner's proposal to install two 5-pound or one 10-pound portable chemical fire extinguisher in the operator's deck of each Mescher tractor operated at the mine; to have the fire extinguisher readily accessible to the operator; to have the equipment operator inspect each fire extinguisher daily and keep records of the inspections and to maintain a sufficient number of spare fire extinguishers at the mine in case a defective fire extinguisher needs to be replaced considered acceptable alternative method. Granted for the No. 2 Mine with conditions for Mescher three wheel tractors to be operated in the primary intake escapeway.

Docket No.: M-96-153-C.

FR Notice: 62 FR 422.

Petitioner: Boone Resources, Inc.

Reg Affected: 30 CFR 75.350.

Summary of Findings: Petitioner's proposal to use belt air to provide ventilation for the sections and possibly a longwall system; and to install a carbon monoxide monitoring system as an early warning fire detection system in all belt entries used as intake

aircourses considered acceptable alternative method. Granted for the Boone No. 1 Mine with conditions to allow air coursed through conveyor belt entries to be used to ventilate working places.

Docket No.: M-96-155-C.

FR Notice: 62 FR 422.

Petitioner: Road Fork Development Company.

Reg Affected: 30 CFR 75.901.

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mines considered acceptable alternative method. Granted for the Calloway Mine; Pegs Branch Mine; Burnwell Energy Mine; and Extra Energy Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-156-C.

FR Notice: 62 FR 422.

Petitioner: Rawl Sales and Processing.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-157-C.

FR Notice: 62 FR 422.

Petitioner: Crystal Fuels Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-158-C.

FR Notice: 62 FR 422

Petitioner: Vantage Mining Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-159-C.

FR Notice: 62 FR 423.

Petitioner: Rawl Sales and Processing Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-160-C.

FR Notice: 62 FR 423.

Petitioner: Sycamore Fuels, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-161-C.

FR Notice: 62 FR 423.

Petitioner: Rawl Sales and Processing Company.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for Rocky Hollow Mine with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-166-C.

FR Notice: 62 FR 4331.

Petitioner: D & D Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to

permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for 7 Foot Drift Mine with conditions for seals installed in this mine.

Docket No.: M-96-167.

FR Notice: 62 FR 4331.

Petitioner: D & D Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the 7 Foot Drift Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-170-C.

FR Notice: 62 FR 4331.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1200(d) & (i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for the use of cross-sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-171-C.

FR Notice: 62 FR 4331.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's request to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-172-C.

FR Notice: 62 FR 4332.

Petitioner: Burnrite Slope Coal Company.

Reg Affected: 30 CFR 75.1400.

Summary of Findings: Petitioner's proposal to use a slope conveyance (gunboat) in transporting persons

without installing safety catches or other no less effective devices but instead use an increased rope strength/safety factor and secondary safety rope connection in place of such devices considered acceptable alternative method. Granted for the Burnrite Slope Mine with conditions for the use of the gunboat without safety catches.

Docket No.: M-96-175-C.

FR Notice: 62 FR 4332.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking device to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-176-C.

FR Notice: 62 FR 4332.

Petitioner: Rawls Sales and Processing Co.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Tall Timber Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-177-C.

FR Notice: 62 FR 4332.

Petitioner: Road Fork Development Company.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of the mines, considered acceptable alternative method. Granted for the Calloway Mine; Pegs Branch Mine; Burnwell Energy Mine; and Extra Energy Mine with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-178-C.

FR Notice: 62 FR 4332.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.503.

Summary of Findings: Petitioner's proposal to use permanently installed, spring-loaded locking devices to secure battery plugs on mobile equipment to prevent unintentional loosening of the battery plugs from battery receptacles and to eliminate the hazards associated with difficult removal of padlocks during emergency situations considered

acceptable alternative method. Granted for the Mine No. 1 with conditions for the use of permanently installed, spring-loaded locking devices in lieu of padlocks on battery plugs.

Docket No.: M-96-179-C.

FR Notice: 62 FR 4332.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-180-C.

FR Notice: 62 FR 4333.

Petitioner: Dry Fork Energy, Inc.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-181-C.

FR Notice: 62 FR 4333.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-182-C.

FR Notice: 62 FR 4333.

Petitioner: Apex Minerals, Inc.

Reg Affected: 30 CFR 75.901(a).

Summary of Findings: Petitioner's proposal to use a diesel generator to power mobile equipment in and out of the mine considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-184-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins

beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-185-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-186-C.

FR Notice: 62 FR 4333.

Petitioner: M & H Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit the use of construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Mercury Slope Mine with conditions for seals installed in this mine.

Docket No.: M-96-187-C.

FR Notice: 62 FR 4333.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-188-C.

FR Notice: 62 FR 4334.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below

to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-189-C.

FR Notice: 62 FR 4334.

Petitioner: Sheldon Derck.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Slope No. 1 Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-190-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1202-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-191-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1200 (d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-192-C.

FR Notice: 62 FR 4334.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire

extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for Jordan No. 1 Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-193-C.

FR Notice: 62 FR 4334.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish two check points to monitor the affected area; to maintain these check points in a safe condition; to have a certified person test for methane and the quantity of air on a weekly basis at each check point; and to have the person making examinations and tests record their initials, date, and time in a record book kept on the surface and made available for inspection by interested persons considered acceptable alternative method. Granted for Shoemaker Mine with conditions for the unsafe-to-travel 4025-foot segment of the Main East Returns near Seabright Air Shaft.

Docket No.: M-96-200-C.

FR Notice: 62 FR 4335.

Petitioner: Sidney Coal Company, Inc. and its subsidiaries.

Reg Affected: 30 CFR 75.701.

Summary of Findings: Petitioner's proposal to use diesel generator to power mobile equipment in and out of its mine, considered acceptable alternative method. Granted for the Freedom Energy Mine No. 1; Solid Energy Mine No. 1; Clean Energy Mine No. 1; Black Diamond Mine No. 1; and Rockhouse Energy Mine No. 1 with conditions for the 480-volt, three-phase, 150 KW/187.5 KVA diesel powered generator set.

Docket No.: M-96-203-C.

FR Notice: 62 FR 4335.

Petitioner: Elk Run Coal Company, Inc.

Reg Affected: 30 CFR 75.1002.

Summary of Findings: Petitioner's proposal to use 2,300-volt cables to power longwall equipment in the active pillar workings; to implement additional safety procedures mines; and to provide training to all mining personnel considered acceptable alternative method. Granted for the Black Knight II Mine with conditions for the 2,400-volt continuous miner.

Docket No.: M-96-205-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1200(d)&(i).

Summary of Findings: Petitioner's proposal to use cross-sections instead of

contour lines through the intake slope, at locations of rock tunnel connections between veins, and at 1,000-foot intervals of advance from the intake slope and to limit the required mapping of the mine workings above and below to those present within 100 feet of the veins being mined except when veins are interconnected to other veins beyond the 100-foot limit through rock tunnels considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for the use of cross sections, in lieu of contour lines, limiting the mapping of mines above or below this mine to those within 100 feet of the vein being mined.

Docket No.: M-96-206-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.360.

Summary of Findings: Petitioner's proposal to visually examine each seal for physical damage from the slope gunboat during the preshift examination after an air quantity reading is taken in by the intake portal and to test for the quantity and quality of air at the intake air split locations off the slope in the gangway portion of the workings; and physically examine the entire length of the slope once a month considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for examinations of seals (conducted from the gunboat) in the intake air haulage slope of this mine.

Docket No.: M-96-209-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1100.

Summary of Findings: Petitioner's proposal to use only portable fire extinguishers to replace existing requirements where rock dust, water cars, and other water storage are not practical considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for firefighting equipment in the working section.

Docket No.: M-96-210-C.

FR Notice: 62 FR 11925.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.1201-1(a).

Summary of Findings: Petitioner's proposal to revise and supplement mine maps annually instead of every 6 months, as required, and to update maps daily by hand notations considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for annual revisions and supplements of the mine map.

Docket No.: M-96-211-C.

FR Notice: 62 FR 11926.

Petitioner: Brookside Coal Company.

Reg Affected: 30 CFR 75.335.

Summary of Findings: Petitioner's proposal to permit the use of construction of seals using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criteria in the 10 psi range; and to permit the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Diamond Vein Slope Mine with conditions for seals installed in this mine.

Docket No.: M-95-047-C.

FR Notice: 60 FR 18148.

Petitioner: Jordan Coal Company.

Reg Affected: 30 CFR 75.335(a)(1).

Summary of Findings: Petitioner's proposal to permit seals of construction using wooden materials of moderate size and weight due to the difficulty in accessing previously driven headings and breasts containing inaccessible abandoned workings; to accept a design criterion in the 10 psi range; and the water trap to be installed in the gangway seal and sampling tube in the monkey seal for seals installed in pairs considered acceptable alternative method. Granted for the Jordan No. 1 Slope Mine with conditions for seals installed in this mine.

Docket No.: M-95-165-C.

FR Notice: 60 FR 64080.

Petitioner: Elk Run Coal Company, Inc.

Reg Affected: 30 CFR 75.333(d)(1).

Summary of Findings: Petitioner's proposal to use electronically operated Roll-Down Doors constructed of rubber material similar to those used in conveyor belts to control ventilation within the air course in the main entries instead of heavy Metal Doors considered acceptable alternative method. Granted for the White Knight Mine; Bishop 2 Mine; Laurel Eagle Mine; and Laurel Alma Mine with conditions for the installation of flame resistant rubber roll-down doors installed in the same framing structure with fuse link controlled, automatic closing steel roll-down fire doors.

Docket No.: M-95-182-C.

FR Notice: 61 FR 8306.

Petitioner: Jacks Branch Coal Company.

Reg Affected: 30 CFR 75.333(d)(1).

Summary of Findings: Petitioner's proposal to use electronically operated Roll-Down Doors constructed of rubber material similar to those used in conveyor belts to control ventilation

within the air course in the main entries instead of using heavy Metal Doors considered acceptable alternative method. Granted for the Mine No. 1 with conditions for the installation of flame resistant rubber roll-down doors installed in the same framing structure with fuse link controlled, automatic closing steel roll-down fire doors.

Docket No.: M-93-004-C.

FR Notice: 58 FR 8065.

Petitioner: Cyprus Mountain Coals Corporation.

Reg Affected: 30 CFR 77.1304(a).

Summary of Findings: Petitioner's proposal to use recycled waste oil and diesel fuel to form a blasting agent considered acceptable alternative method. Granted for the Star Fire Mine with conditions.

Docket No.: M-93-029-C.

FR Notice: 58 FR 16553.

Petitioner: Consolidation Coal Company.

Reg Affected: 30 CFR 75.364(b)(2).

Summary of Findings: Petitioner's proposal to establish airway check points to monitor the quantity and quality of air entering and leaving the affected area considered acceptable alternative method. Granted for the Loveridge No. 22 Mine with conditions for the intake aircourse on the south side of Main West and for the intake aircourse at the Sugar Run Portal Motor Barn.

Docket No.: M-86-167-C.

FR Notice: 52 FR 46133.

Petitioner: Clinchfield Coal Company.

Reg Affected: 30 CFR 75.326.

Summary of Findings: Petitioner's proposal to use the velocity of air in the belt conveyor of 50 feet a minute, or greater, and have a definite and distinct movement in the designated direction considered acceptable alternative method. Granted for the McClure No. 1 Mine with conditions.

Docket No.: M-85-184-C.

FR Notice: 52 FR 46134.

Petitioner: Clinchfield Coal Company.

Reg Affected: 30 CFR 75.1105.

Summary of Findings: Petitioner's proposal is amended to read: the velocity of air in the belt conveyor will be 50 feet a minute, or greater, and have a definite and distinct movement in the designated direction considered acceptable alternative method. Granted for the McClure No. 1 Mine with conditions.

[FR Doc. 98-22534 Filed 8-20-98; 8:45 am]

BILLING CODE 4510-34-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (98-109)]

NASA Advisory Council, Minority Business Resource Advisory Committee; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Minority Business Resource Advisory Committee.

DATES: Tuesday, September 22, 1998, 9:00 a.m. to noon; and Wednesday, September 23, 1998, 9:00 a.m. to 4:00 p.m.

ADDRESSES: National Aeronautics and Space Administration, Room 9H40, 300 E Street, SW, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. Ralph C. Thomas III, Code K, National Aeronautics and Space Administration, Washington, DC 20546, (202) 358-2088.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- MBRAC Subpanel Reports
- Status of MBRAC

Recommendations

- Special Issues
- Action Items
- Call to Order
- Reading of Minutes
- Agency Small Disadvantaged

Business (SDB) Program

- Report of Chair
- Public Comment
- Center Directorate Reports
- Report on NASA FY 98 SDB

Accomplishments

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: August 17, 1998.

Matthew M. Crouch,

*Advisory Committee Management Officer,
National Aeronautics and Space Administration.*

[FR Doc. 98-22554 Filed 8-20-98; 8:45 am]

BILLING CODE 7510-01-P

NATIONAL BIPARTISAN COMMISSION ON THE FUTURE OF MEDICARE

Public Hearing

Establishment of the Medicare Commission included in Chapter 3,

Section 4021 of the Balanced Budget Act of 1997 Conference Report. The Medicare Commission is charged with holding public meetings and publicizing the date, time and location in the **Federal Register**.

The National Bipartisan Commission on the Future of Medicare will hold a public meeting on Tuesday, September 8 at the Adams Building, Library of Congress, Room 202, Washington, DC. Please check the Commission's web site for additional information: <http://Medicare.Commission.Gov>.

Tuesday, September 8, 1998

1:00 p.m.–5:00 p.m.

Tentative Agenda:

Members of the Commission to hear from witnesses testifying before the Commission referred to as the "Call for Solutions."

Wednesday, September 9, 1998

Tentative date for meeting

If you have any questions, please contact the Bipartisan Medicare Commission, ph: 202–252–3380.

Authorized for publication in the **Federal Register** by Julie Hasler, Office Manager, National Bipartisan Medicare Commission.

I hereby authorize publication of the Medicare Commission meetings in the **Federal Register**.

Julie Hasler,

Office Manager, National Bipartisan Medicare Commission.

[FR Doc. 98–22553 Filed 8–20–98; 8:45 am]

BILLING CODE 1132–00–M

NATIONAL SCIENCE FOUNDATION

Agency Information Collection Activities: Comment Request

TITLE OF COLLECTION: NSF–OMB Follow-Up Survey: Science and Engineering Research Facilities at Colleges and Universities (OMB Control No. 3145–0101).

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is announcing plans to request clearance of this collection. In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting OMB clearance of this collection for no longer than 3 years.

SEND COMMENTS TO: F. Neville Withington, Acting Reports Clearance Officer, National Science Foundation,

4201 Wilson Boulevard, Suite 245, Arlington, Virginia 22230 or send email to fwithing@nsf.gov. Written comments should be received within 60 days of the date of this notice.

FOR FURTHER INFORMATION CONTACT:

Ms. Withington on (703) 306–1126 x2004 or send email to fwithing@nsf.gov. You may also obtain a copy of the data collection instrument and instructions from Ms. Withington.

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology.

Proposed Project: The 1998 Survey of Science and Engineering Research Facilities at Colleges and Universities conducted by NSF collected data on the status of academic science and engineering (S&E) research facilities. The proposed follow-up survey will collect additional information to supplement the original survey data, increasing its usefulness to Federal agencies, policymakers and higher education administrators. Total project construction costs which exceed \$25 million per project will be reported and particular space designation measurements (gross square feet and net assignable square feet) of the building will be identified. Additional questions regarding special features or conditions which might contribute to prices beyond standard expectations are also included in the questionnaire.

Use of Information: The availability of these data will allow universities to prepare a comparison of their costs for construction with the data collected in the initial NSF Facilities survey. The follow-up study, by focusing on costs segmented by project, requiring exact space designations, and taking into account any specialized project features, thereby improving the precision of analysis of large research facility costs, will allow Federal policymakers, planners, and budget analysts, as well as academic officials and state agencies, to make more exact and, as a result, more valid judgments concerning the reasonableness of facility costs.

Burden on the Public: We estimate a total of 75 colleges and universities will be screened for the survey, and expect approximately one-half of these to be eligible for the follow-up study.

Approximately one hour will be required for each qualifying institution to respond, for a total of 38 hours of annual burden.

Dated: August 17, 1998.

F. Neville Withington,

Acting Reports Clearance Officer.

[FR Doc. 98–22467 Filed 8–20–98; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Privacy Act of 1974: Revisions to System of Records: New and Revised Systems

SUMMARY: Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), the National Science Foundation (NSF) is providing notice of revisions to one existing system and the planned creation of one new system. The revisions to the current system NSF–66 "NSF Photo Identification System" are being made to include new routine uses and to more accurately reflect the records contained therein. The revised system is reprinted in its entirety. The new system, NSF–70 "NSF Visitor Credentials System," covers information used to track visitors to the NSF. These systems are necessary for NSF's building access and security programs.

EFFECTIVE DATE: Sections 552a(e)(4) and (11) of Title 5 of the U.S. Code require that the public have thirty days to comment on the routine uses of systems of records. The new routine uses that are the subject of this notice will take effect on September 21, 1998, unless modified by a subsequent notice to incorporate comments received from the public.

COMMENTS: Written comments should be submitted to Leslie Crawford, NSF Privacy Act Officer, National Science Foundation, Office of the General Counsel, 4201 Wilson Boulevard, Room 1265, Arlington, VA 22230.

Dated: August 13, 1998.

Leslie Crawford,

Privacy Act Officer.

NSF–66

SYSTEM NAME:

NSF Photo Identification Card System.

SYSTEM LOCATION:

National Science Foundation, Division of Human Resource Management, 4201 Wilson Boulevard, Arlington, VA 22230.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

NSF Employees and NSF Contractors who work in the building and have a need for an ID pass.

CATEGORIES OF RECORDS IN THE SYSTEM:

Digital photograph, LAN ID, name, social security number, proximity card number, signature, date of birth, card reader accessed, date and time of access.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101 and 42 U.S.C. 1870. Other authorities include: Presidential Order dated June 28, 1995, subject: "Upgrading Security at Federal Facilities" which directs that all federal agencies shall meet the minimum security standards recommended by the Department of Justice in their report entitled, Vulnerability Assessment of Federal Facilities. The report establishes "agency photo ID for all personnel displayed at all times" as a minimum standard for Level IV facilities. NSF has been designated as a Level IV facility.

PURPOSE(S):

The information is used to produce identification cards for access to the building as well as for building security, to identify the bearer of the card as a Federal employee or contractor, and for tracking stolen or lost cards. The proximity card, when presented at a system card reader, unlocks the door or permits use of the elevator by the authorized cardholder.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USES AND THE PURPOSES OF SUCH USES:

Information from this system may be disclosed to:

1. Individuals, as necessary, for tracking stolen or lost identification cards.
2. The Department of Justice, to the extent disclosure is compatible with the purpose for which the record was collected, and is relevant and necessary to litigation or anticipated litigation, in which one of the following is a party or has an interest: (a) NSF or any of its components; (b) an NSF employee in his/her official capacity; (c) an NSF employee in his/her individual capacity when the Department of Justice is representing or considering representing the employee; or (d) the United States, when NSF determines that litigation is likely to affect the Agency.
3. Contractors, experts, advisors, and other individuals who perform a service to or work on or under a contract or other arrangement with or for the Federal government, as necessary to carry out their duties.

4. Appropriate Federal, State, or local agencies responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, to disclose pertinent information when the NSF becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

5. Representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**STORAGE:**

Stored electronically.

RETRIEVABILITY:

Records may be retrieved by LAN ID, name, social security number, proximity card number, date of birth, digital photograph, and access point.

SAFEGUARDS:

Information is controlled by password and in an area that is locked during non-business hours.

RETENTION AND DISPOSAL:

Information is retained on all current employees and contractors. Employees and contractors separating return their identification cards when they are no longer employed by the agency. Their records will be deleted or destroyed after three months. Proximity card records are retained for 90 days.

SYSTEM MANAGER(S) AND ADDRESS:

Division Director, Human Resource Management, 4201 Wilson Boulevard, Arlington, VA 22230.

NOTIFICATION PROCEDURE:

The Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR part 613.

RECORD ACCESS PROCEDURES:

See "Notification" above.

CONTESTING RECORD PROCEDURES:

See "Notification" above.

RECORD SOURCE CATEGORIES:

See "Notification" above.

SYSTEM EXEMPTIONS FROM CERTAIN PROVISIONS OF THE ACT:

None.

NSF-70**SYSTEM NAME:**

NSF Visitor Credentials System.

SYSTEM LOCATION:

National Science Foundation, Division of Administrative Services, 4201 Wilson Boulevard, Arlington, VA 22230.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

NSF visitors and short term contractors who have a need and clearance to enter the building.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, expected date and time of arrival, expected duration, contact person, contact phone number, type of visitor.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

44 U.S.C. 3101 and 42 U.S.C. 1870. Other authorities include: Presidential Order dated June 28, 1995, subject: "Upgrading Security at Federal Facilities" which directs that all federal agencies shall meet the minimum security standards recommended by the Department of Justice in their report entitled, Vulnerability Assessment of Federal Facilities. The report establishes minimum standards for Level IV facilities. NSF has been designated as a Level IV facility.

PURPOSE(S):

The system is used to register all visitors to the building and to produce identification cards used while the visitor is at the building.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USES AND THE PURPOSES OF SUCH USES:

Information from this system may be disclosed to:

1. The Department of Justice, to the extent disclosure is compatible with the purpose for which the record was collected, and is relevant and necessary to litigation or anticipated litigation, in which one of the following is a party or has an interest: (a) NSF or any of its components; (b) an NSF employee in his/her official capacity; (c) an NSF employee in his/her individual capacity when the Department of Justice is representing or considering representing the employee; or (d) the United States, when NSF determines that litigation is likely to affect the Agency.
2. Contractors, experts, advisors, and other individuals who perform a service to or work on or under a contract or other arrangement with or for the Federal government, as necessary to carry out their duties.
3. Appropriate Federal, State, or local agencies responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, to disclose pertinent information when the

NSF becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

4. Representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Stored electronically.

RETRIEVABILITY:

Records may be retrieved by name, contact person, or contact phone number.

SAFEGUARDS:

Information is controlled by password and physically stored in an area that is locked at all times.

RETENTION AND DISPOSAL:

Information is deleted after three months. A visitor leaving the Foundation is expected to turn in their visitor name tag to the Information Center. This name tag will be destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Systems and Services Branch, Division of Administrative Services.

NOTIFICATION PROCEDURE:

The Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR part 613.

RECORD ACCESS PROCEDURES:

See "Notification" above.

CONTESTING RECORD PROCEDURES:

See "Notification" above.

RECORD SOURCE CATEGORIES:

See "Notification" above.

SYSTEM EXEMPTIONS FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 98-22535 Filed 8-20-98; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-461]

Illinois Power Co., Clinton Power Station, Unit 1; Notice of Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has

partially denied a request by Illinois Power Company (the licensee) to amend Facility Operating License NPF-62 issued to the licensee for operation of the Clinton Power Station, Unit 1, located in DeWitt County, Illinois. Notice of Consideration of Issuance of the amendment was published in the **Federal Register** on December 20, 1995 (60 FR 65681).

The purpose of the licensee's amendment request was to revise Technical Specification (TS) 5.2.2.e, "Unit Staff," by revising the requirements for controls on the working hours of unit staff who perform safety related functions and by removing the requirement for monthly review of individual overtime.

The proposed changes were denied in part. The licensee's request to remove the monthly review of individual overtime requirement was denied because this removal would result in working hours controls that would not be sufficient to assure that adequate shift coverage is maintained without routine heavy use of overtime.

The NRC staff has concluded that part of the licensee's request cannot be granted. The licensee was notified of the Commission's partial denial of the proposed change by letter dated August 13, 1998.

By September 21, 1998, the licensee may demand a hearing with respect to the partial denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene. A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Leah Manning Stetzner, Vice President, General Counsel, and Corporate Secretary, 500 South 27th Street, Decatur, IL 62525, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated October 27, 1995, and (2) the Commission's letter to the licensee dated August 13, 1998.

These documents are available for public inspection at the Commission's Public Document Room and at the local public document room located at the

Vespasian Warner Public Library, 120 West Johnson Street, Clinton, IL 61727.

Dated at Rockville, MD, this 13th day of August 1998.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

Senior Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 98-22527 Filed 8-20-98; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40327; File No. SR-EMCC-98-06]

Self-Regulatory Organizations; Emerging Markets Clearing Corporation; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Fees and Charges

August 14, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on July 22, 1998 Emerging Markets Clearing Corporation ("EMCC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by EMCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change establishes a fee for EMCC's warrant processing service.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, EMCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. EMCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.²

¹ 15 U.S.C. 78s(b)(1).

² The Commission has modified the text of the summaries prepared by EMCC.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to establish a fee for EMCC's warrant processing service. This service enables EMCC to pair-off warrant fail receive and warrant fail deliver obligations.³ According to the proposed rule change, EMCC's members will be charged a \$2.00 fee per fail receive or fail deliver obligation that is eliminated as a result of the pair-off process. The fee will be effective with the first pair-off process that EMCC conducts after the date of this filing.

EMCC believes that the proposed rule change is consistent with Section 17A(b)(3)(D) of the Act⁴ and the rules and regulations thereunder because it provides for the equitable allocation of reasonable dues, fees, and other charges among EMCC's participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

EMCC does not believe that the proposed rule change will have an impact on or impose a burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments relating to the proposed rule change have been solicited or received. EMCC will notify the Commission of any written comments received by EMCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act⁵ and pursuant to Rule 19b-4(e)(2)⁶ promulgated thereunder because the proposal changes a due, fee, or other charge imposed by EMCC. At any time within sixty days of the filing for such rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors,

³ For a complete description of EMCC's warrant processing service, refer to Securities Exchange Act Release No. 40190 (July 16, 1998), 63 FR 38445 [File No. SR-EMCC-98-5].

⁴ 15 U.S.C. 78q-1(b)(3)(D).

⁵ 15 U.S.C. 78s(b)(3)(A)(ii).

⁶ 17 CFR 240.19b-4(e)(2).

or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW, Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of EMCC. All submissions should refer to File No. SR-EMCC-98-06 and should be submitted by September 11, 1998.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁷

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 98-22478 Filed 8-20-98; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40326; File No. SR-NSCC-98-08]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change Amending the Securities Clearing Group Agreement

August 14, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on July 6, 1998, the National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which items have

⁷ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

been prepared primarily by NSCC. The Commission is publishing this notice and order to solicit comments from interested persons and to grant accelerated approval of the proposal.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Under the proposed rule change, Emerging Markets Clearing Corporation ("EMCC") and Delta Clearing Corp. ("DCC") will become members of the Securities Clearing Group ("SGC").

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.²

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

NSCC filed the proposed rule change on behalf of the SCG. The SCG was formed by seven registered clearing agencies under the terms of an agreement dated October 19, 1988 ("Agreement").³ On July 18, 1989, the Commission approved the Agreement, which sets forth the purpose of the SCG, the method of participation in the SCG, the legal considerations relevant to the SCG's goals, and the formation of the SCG.⁴

The goal of the SCG is to promote coordinated action among its members in identifying, addressing, and minimizing the risks and problems common to more than one clearing agency. The SCG strives to reduce risk posed by common participation by providing a framework in which its members share appropriate financial, operational, and clearing data of common participants.

² The Commission has modified the text of the summaries prepared by NSCC.

³ The original members of the SCG were: NSCC, The Depository Trust Company, Midwest Clearing Corporation, Midwest Securities Trust Company, The Options Clearing Corporation, Philadelphia Depository Trust Company, and Stock Clearing Corporation of Philadelphia.

⁴ Securities Exchange Act Release No. 27044 (July 18, 1989) 58 FR 30963 (July 25, 1989) [File No. SR-NSCC-88-09].

The SCG believes that allowing EMCC and DCC to become SCG members will further the goals of the SCG. Both EMCC and DCC are clearing agencies and self-regulatory organizations as defined in sections 3(a)(23)(A) and 3(a)(26) of the Act.⁵ Both EMCC and DCC have participants in common with other SCG members and therefore share exposure to those common members. The SCG believes that allowing EMCC and DCC to become SCG members will expand the SCG's sources for information sharing and will enable the SCG to minimize risks to the national system for the clearance and settlement of securities transactions.

In its order approving the formation of the SCG, the Commission noted that a "nexus" exists among clearing agencies because of (1) common participants, (2) interfaces through which clearing agencies offer access to participants in other clearing agencies or access to services offered by other clearing agencies; (3) shared operational and financial exposure, and (4) common regulatory responsibilities.⁶ The SCG believes that the same "nexus" of common interests exists between the current SCG members and EMCC and DCC.

Pursuant to the terms of the Agreement, all of the current SCG members voted on May 12, 1998 to allow EMCC and DCC to become members of the SCG. Both EMCC and DCC have agreed to abide by the terms of the Agreement.

The SCG believes that allowing EMCC and DCC to become members of the SCG is consistent with the requirements of the Act and the rules and regulations thereunder because their inclusion should foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

(B) Self-Regulatory Organization's Statement on Burden on Competition

NSCC does not believe that the proposed rule change will have an impact on or impose a burden on competition.

⁵ 15 U.S.C. 78c(a)(23)(A) and 78c(a)(26). EMCC was formed by NSCC, the Emerging Markets Traders Association, and the International Securities Market Association for the purpose of facilitating the clearance and settlement of emerging market debt instruments. DCC is a clearing corporation for the clearance and settlement of repurchase agreements and over the counter options on U.S. government securities.

⁶ Securities Exchange Act Release No. 27044, *supra* note 4.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments relating to the proposed rule change have been solicited or received. The NSCC will notify the Commission of any written comments received by NSCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Section 17A(b)(3)(F) of the Act⁷ requires that the rules of a clearing agency be designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. The Commission believes that the proposed rule change is consistent with this obligation because the SCG enables its members to share appropriate financial, operational, and clearing data with respect to common participants. Because among other things, EMCC and DCC have common participants, the Commission believes that allowing EMCC and DCC to become members of the SCG should enhance cooperation and coordination among clearing agencies. Therefore, the Commission believes that the proposed rule change is consistent with the Act.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the publication of notice of the filing. Approving prior to the thirtieth day after publication of notice should allow the SCG members to begin exchanging information about common participants in a more timely fashion. Consequently, SCG members should be better equipped to assure the safeguarding of securities and funds in their custody and control or for which they are responsible and to minimize their financial risks.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the

Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of NSCC. All submissions should refer to File No. SR-NSCC-98-08 and should be submitted by September 11, 1998.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁸ that the proposed rule change (File No. SR-NSCC-98-08) be and hereby is approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁹

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 98-22479 Filed 8-20-98; 8:45 am]

BILLING CODE 8010-01-M

UNITED STATES SENTENCING COMMISSION

Sentencing Guidelines for United States Courts

AGENCY: United States Sentencing Commission.

ACTION: Request for public comment.

SUMMARY: Pursuant to its authority under 28 U.S.C. 994(o) and (p), and the "emergency authority" in section 6(d) of the Telemarketing Fraud Prevention Act of 1998, Pub. L. 105-184 (the "Act"), the Commission requests comment on several issues pertaining to the directive contained in the Act. Specifically, the Commission seeks comment on how the Act's directive, to substantially increase the penalties for persons convicted of offenses described in 18 U.S.C. 2326 in connection with the conduct of telemarketing fraud, interacts with the mass-marketing and sophisticated concealment amendments submitted to Congress by the Commission on May 1, 1998. (These amendments were published in the **Federal Register** of May 21, 1998 (63 FR 28203-04)).

DATES: Written public comment should be submitted to the Commission not later than September 10, 1998. The emergency authority provision of the Act requires the Commission to promulgate any necessary amendments and submit them to Congress not later than October 21, 1998.

⁸ 15 U.S.C. 78s(b)(2).

⁹ 17 CFR 200.30-3(a)(12).

⁷ 15 U.S.C. 78q-1(b)(3)(F).

ADDRESS: Public comment should be sent to: United States Sentencing Commission, One Columbus Circle, N.E., Suite 2-500, Washington, D.C. 20002-8002, Attention: Public Affairs.

FOR FURTHER INFORMATION CONTACT: Michael Courlander, Public Affairs Officer, Telephone: (202) 273-4590.

Authority: 28 U.S.C. 994 (a), (o), (p), (x); section 6(d) of Pub. L. 105-184.

Richard P. Conaboy,
Chairman.

Issues for Comment—Telemarketing Fraud

During the 1997-98 amendment cycle, the Commission examined the characteristics of telemarketing fraud offenses, the statutory enhancement for telemarketing fraud in 18 U.S.C. 2326, and whether the current enhancements in § 2F1.1 (Fraud), § 3A1.1 (Hate Crime Motivation or Vulnerable Victim), and the departure policy statements in § 5K2.0-§ 5K2.18 provide adequate punishment for persons convicted of telemarketing fraud offenses. The Commission published issues for comment relating to this review in January, 1998. See 63 FR 625-26 (January 6, 1998). Following this review, the Commission, on May 1, 1998, submitted to Congress an amendment that increases by two offense levels (approximately 25 percent) the penalties for fraud offenses that are committed through mass-marketing, including telemarketing fraud offenses (the "mass-marketing" amendment). See 63 FR 28203-04 (May 21, 1998). That amendment also provided a two-level increase and a "floor" offense level of level 12 for fraud offenses that involve conduct, such as sophisticated concealment, that makes it difficult for law enforcement authorities to discover the offense or apprehend the offenders (the "sophisticated concealment" amendment). These amendments are slated to take effect on November 1, 1998, absent any disapproval legislation enacted by Congress.

Subsequently, on June 23, 1998, Congress enacted the Telemarketing Fraud Prevention Act of 1998 (Pub. L. 105-184; 112 Stat. 520) (the "Act"), which directs the Commission, under emergency amendment authority, "to provide for substantially increased penalties for persons convicted of offenses described in (18 U.S.C. 2326) * * * in connection with the conduct of telemarketing." In carrying out this directive, the Commission is required, among other things, to "(1) ensure that the guidelines and policy statements promulgated pursuant to [the directive] * * * reflect the serious nature of

[telemarketing] offenses; (2) provide an additional appropriate sentencing enhancement, if the offense involved sophisticated means, including but not limited to sophisticated concealment efforts, such as perpetrating the offense from outside the United States; [and] (3) provide an additional appropriate sentencing enhancement for cases in which a large number of vulnerable victims, including but not limited to victims described in [18 U.S.C. 2326(2) (victims over the age of 55)], are affected by a fraudulent scheme or schemes."

With this as background, the Commission invites comment on the issues that follow relating to: (1) How the Commission should respond to the directive in the Act; and (2) the interaction of this directive and the Commission's mass-marketing and sophisticated concealment amendments submitted to Congress on May 1, 1998.

1. Do the recently adopted mass-marketing and sophisticated concealment amendments adequately address the congressional directive to provide for "substantially increased penalties for persons convicted of offenses described in (18 U.S.C. 2326) * * * in connection with the conduct of telemarketing"? If not, how should the Commission modify the recent amendments or otherwise amend the guidelines to satisfy the directive? If an enhancement of greater magnitude is necessary, by how many offense levels should the sentence for such offenders be increased? Alternatively, are there additional factors that the Commission should address, either by specific offense characteristics, guideline commentary, or departure provisions, to provide appropriate punishment for telemarketing offenses?

2. The mass-marketing amendment is intended to apply to persons who engage in a plan to victimize a large number of persons through a fraudulent telemarketing scheme. Does this amendment adequately address the directive "to provide an additional appropriate sentencing enhancement for cases in which a large number of vulnerable victims, including but not limited to victims described in [18 U.S.C. 2326(2) (victims over the age of 55)], are affected by a fraudulent scheme or schemes"? What is the meaning of the term "large number" (in that part of the directive that refers to a large number of vulnerable victims)? Does application of this new enhancement, in conjunction with other guideline provisions, such as the enhancement for more than one victim (§ 2F1.1(b)(2)) and the vulnerable victim adjustment (§ 3A1.1), comply with the directive? If

not, what amendment or amendments would satisfy the directive?

3. Does the sophisticated concealment amendment adequately address the directive "to provide an additional appropriate sentencing enhancement, if the offense involved sophisticated means, including but not limited to sophisticated concealment efforts, such as perpetrating the offense from outside the United States"? If not, what amendment or amendments would satisfy the directive?

4. Are there other provisions contained in the directive, not specifically addressed in this issue for comment, that require the Commission to amend the guidelines?

5. If additional guideline amendments are required to satisfy the congressional directive, how should those amendments be coordinated with general increases in fraud penalties (e.g., increases in the loss table) that the Commission may consider at some future date in order to ensure consistent and proportional sentencing for similar types of fraud offenses?

[FR Doc. 98-22526 Filed 8-20-98; 8:45 am]

BILLING CODE 2210-40-P

SOCIAL SECURITY ADMINISTRATION

Announcement of Service to Epidemiological Researchers to Provide Vital Status Data on Subjects of Health Research

AGENCY: Social Security Administration.
ACTION: Notice.

SUMMARY: Section 311 of the Social Security Independence and Program Improvements Act of 1994 directed the Social Security Administration (SSA) to provide support to health researchers involved in epidemiological research. Specifically, when a study is determined to contribute to a national health interest SSA will furnish information regarding whether a study subject is shown on the SSA administrative records as being alive or deceased (vital status).

DATES: This service is available as of this date by contacting the Associate Commissioner for Research, Evaluation and Statistics. The mailing address is Social Security Administration, Office of Research, Evaluation and Statistics, 4-C-15 Operations Building, 6401 Security Building, Baltimore MD 21235. The fax number for the Associate Commissioner is 410-965-3308.

FOR FURTHER INFORMATION CONTACT: Ms. Cheryl Williams, Office of Research, Evaluation and Statistics, 4-C-15

Operations Building, 6401 Security Boulevard, Baltimore MD 21235; telephone 410-965-5540.

SUPPLEMENTARY INFORMATION:

A. Background

Historically, SSA had made disclosures of vital status data under the provisions of the Freedom of Information Act (FOIA, 5 U.S.C. 552(a)(3)). However, as a result of the Supreme Court decision in *United States Department of Justice v. Reporters Committee for Freedom of the Press* 489 U.S. 749 (1989), SSA discontinued the process of providing such data. The enactment of Section 311 of the Social Security Independence and Program Improvements Act of 1994 established the legal authority for SSA to release vital status data except for death data obtained from a State under section 205(r) of the Social Security Act, which data may only be released for statistical and research purposes to State and Federal agencies at the discretion of the Commissioner of Social Security. Accordingly, when the research in question has been determined to contribute to a national health interest SSA will furnish vital status data on study subjects. The researcher must submit the study subject's Social Security Number, full name (first, last and middle name), date of birth (month, day, century and year) and sex. SSA, in turn, will furnish one of the following vital status determinations for each study subject so long as the researcher has provided adequate assurances that information relating to presumed living will be kept confidential:

- Death information (except information obtained under section 205(r)) (the date of death and State where a claim was filed, or the State of residence at the time of death) if available;
- Presumption that the individual is living (There is sufficient information in SSA administrative records to support this determination);
- Status unknown (SSA has no record of death, nor sufficient information within the SSA administrative records to support a determination that the subject is alive);
- Social Security Number (SSN) verification failed (the SSN and name furnished to SSA did not match or the date of birth furnished for an SSN/name did not match the information in the SSA administrative records); or
- The SSN was impossible or had never been issued.

A companion change to the Internal Revenue Code (26 U.S.C. section 6103) permits SSA to release "presumption of

living" data based on reports of earnings obtained from the IRS.

B. Application Process

Please submit requests for this service in memorandum format addressed to the Associate Commissioner for Research, Evaluation and Statistics, Social Security Administration. For each request for services, the following specific areas must be covered in separately numbered paragraphs:

1. The name, address and phone number of the study's Principal Investigator. Also include the name and phone number of another person who can be contacted if SSA has questions about the request.
2. The title of the study or project.
3. Attach a one page summary of the study protocol or the project activities. Include specific purpose(s) of the research to be undertaken and the outcomes expected.
4. The organization or institution supporting the research and the specific person who will sign agreements to reimburse SSA for expenses incurred in supplying data.
5. An explanation of how data provided by SSA will be used. That is, will the data only be used to determine the subjects' vital status or will it also be used to obtain death certificates to determine the causes of death or to obtain additional information from next-of-kin, physicians, or hospitals.
6. A specific statement that vital status data obtained from SSA under the category, "presumed living" will only be used for the purposes described in the request and will not be used for administrative or legal purposes.
7. Procedures to ensure the confidentiality of the vital status data supplied by SSA under the category, "presumed living".
8. Plans to publish or release the research results including whether any supporting documentation will be made available in identifiable form under the category, "presumed living".
9. Final disposition of SSA data to include the location of files and full disclosure of who will have access to the identifying data under the category, "presumed living" and for how long.
10. In addition to the staff of the requesting organization, identify, "other parties" receiving (or have contractual or other rights to) vital status information provided by SSA under the category "presumed living". "Other parties" would include consultants, collaborators, nosologist, contractors, subcontractors, and sponsoring or participating agencies or organizations.

Note: If the applicant indicates that other organizations or individuals will receive

identifying SSA vital status data under the category "presumed living", that organization must also be a party (signatory) to the applicant's memorandum or must submit a separate supporting memorandum. In this supporting documentation each third party must indicate (1) their role in the study and the activities they will perform, (2) how they will store and maintain confidentiality of the identifying data under the category "presumed living", and (3) how and when the identifying data on the "presumed living" will be destroyed.

An evaluation team comprised of staff members from SSA's Office of Research, Evaluation and Statistics and the National Center for Health Statistics (NCHS) will review each application for services. The team will not attempt to determine the scientific merit of the study. It is understood that the merit of the study has been (or will be) determined by the sponsoring agency and/or the organization performing the study. The team's purpose will be to reach a consensus that the results of the study could be expected to advance the public's knowledge in a health area of importance to a segment of the United States population.

If such a determination is made and the Associate Commissioner for Research, Evaluation and Statistics concurs, the applicant will be notified, in writing, of the methods that may be used to submit data on study subjects, the exact format to be used in submitting this data and the cost for developing and transmitting the vital status data from SSA records. The applicant will be required to sign a memorandum of understanding which will delineate his/her responsibilities in the use of the requested vital status data. The applicant will also be required to sign a contractual agreement to facilitate payment for the service.

C. Service Costs

The service is currently available at a cost of \$.16 per record (data supplied to identify one study subject) up to 25,000 records. Additional records will be processed at a cost of \$.012 per record. Form SSA-1234-U5 "Agreement Covering Reimbursable Services" will be signed by the applicant and an appropriate SSA representative to formalize the payment process. As authorized by Pub. L. 97-35, SSA requires federal agency requestors to provide an advance payment equal to 50 percent of the SSA costs for this service. Non-federal requestors are required to provide an advance payment of 100 percent of the SSA costs for this service.

D. Criteria Used to Approve Requests

The SSA/NCHS team will use the following criteria in formulating their

recommendations for the Associate Commissioner for Research, Evaluation and Statistics:

Use of Data for Statistical Purposes

The request for services should clearly state that the vital status data supplied will be used to support statistical calculations and/or study findings. Furthermore, the request must indicate those situations in which the death data furnished will be used to identify state death records. A request will be disapproved if it proposes to use the vital status data or state death data obtained from the vital status data for administrative, law enforcement or other nonstatistical purposes. The team can suggest that the applicant be given the opportunity to revise the application to eliminate any nonstatistical uses of the vital status data.

Disease Registries

Requests from individuals and or groups working with disease registries will be accepted. (Disease registry is a roster of persons diagnosed and/or treated for a particular disease and maintained for the purpose of morbidity and/or mortality surveillance without any specific hypotheses to be examined.) Registries usually employ a standardized methodology, are subject to informal and sometimes formal controls, and may rely on other methods for follow-up of a majority of the roster. Such registries deserve special considerations. Applicants who propose to submit a roster of names deriving from such a registry should specify the date the registry was founded, the purposes of the registry, the eligibility criteria for including persons in the registry, the provisions for internal and external approval of the registry's quality and methods (including human subject considerations), and the dates of the last documented internal and/or external reviews.

SSA will generally approve these submissions provided the requests give adequate documentation of the registries' activities.

Furthermore, registries will not be required to submit separate applications for each study. Multiple uses of SSA vital status data are permitted, provided that: (1) each study is solely used for statistical purposes in medical and health research, (2) adequate assurances are given confidentiality of the identifying vital status data under the "presumed living" category will be maintained, and (3) vital status data under the "presumed living" category will be kept separate from any administrative records.

Mortality Follow-Up on Non-Disease Cohorts

Most applicants are required to submit separate requests for specific studies. However, some organizations conduct mortality surveillance studies on "non disease" cohorts such as industrial workers, population samples, and members of particular families. Vital status data on such individuals may be used for multiple epidemiological studies. Such organizations, in essence, are maintaining exposure or other non-disease "registries" which facilitate epidemiological studies of groups with particular experiences. Such organizations will not be required to submit separate applications to SSA for each study, although they will be required to describe expected protocols and give specific, current or future examples.

Multiple uses of vital status data obtained from SSA under the "presumed living" category are permitted, provided that (1) each study is used solely for statistical purposes in medical or health research, (2) adequate assurances are given the confidentiality of identifying vital status data under the "presumed living" category will be maintained, and (3) vital status data under the "presumed living" category will be kept separate from any administrative records.

Use of Data by a Third Party

If the applicant indicates that another organization will receive identifying SSA vital status data under the "presumed living" category, that organization must be a party to the original submittal or submit a supporting memorandum. In this supporting documentation, the third party must indicate (1) how they will store data and maintain the confidentiality of data under the "presumed living" category and (2) how and when data under the "presumed living" category will be destroyed.

Final Disposition of Data

The applicant must indicate if, how and when identifiable data under the "presumed living" category furnished in support of a request, will be destroyed. If there is no indication that the identifiable data under the "presumed living" category will be destroyed, then the individual requesting the vital status data must explain, in some detail, why the data needs to be maintained.

E. Repeated Use of the Service

Once an applicant is approved to obtain vital status data for a specific study or project, the approval is valid as

long as there are no major changes in the project. Additional records may be submitted under the approved contract for services. If however, the project specifications change, the applicant must submit a new request for services. The following is a list of possible occurrences which would require the submission of a new request for services:

- The project will be supported by a new organization,
- A new organization will be receiving the vital status data,
- Confidentiality provisions under the "presumed living" category have changed,
- Provisions for disposing of data under the "presumed living" category obtained from this request have changed,
- Vital status data under the "presumed living" category will be used for legal, administrative or other actions which could directly affect particular living individuals or establishments,
- Changes have been made in the project's research objectives.

(Catalog of Federal Domestic Assistance Program Number 96.007, Social Security—Research and Demonstration)

Dated: May 1, 1998.

Jane L. Ross,

Deputy Commissioner for Policy.

[FR Doc. 98-22463 Filed 8-20-98; 8:45 am]

BILLING CODE 4190-29-P

TENNESSEE VALLEY AUTHORITY

Red Hills Power Project

AGENCY: Tennessee Valley Authority.
ACTION: Issuance of record of decision.

SUMMARY: This notice is provided in accordance with the Council on Environmental Quality's regulations (40 CFR parts 1500 to 1508) and TVA's procedures implementing the National Environmental Policy Act. TVA has decided to adopt the preferred alternative identified in its Final Environmental Impact Statement (EIS) on the Proposed Purchase of Electricity Generated by the Red Hills Power Project (RHPP). The Final EIS was made available to the public on July 3, 1998. A notice of Availability of the Final EIS was published in the **Federal Register** on July 10, 1998. Under the preferred alternative, TVA would commit to purchase all of the electricity generated by the Red Hills Power Project in Choctaw County, Mississippi. This would result in the construction and operation of a 440-megawatt (MW) lignite-fueled generation facility by Choctaw Generation Limited

Partnership and an adjacent surface lignite mine by Mississippi Lignite Mining Company. TVA would also construct a transmission line connecting the generation facility to the TVA power distribution system; this transmission line would be constructed within Corridor A (the preferred alternative corridor).

FOR FURTHER INFORMATION CONTACT:

Charles P. Nicholson, NEPA Specialist, Environmental Management, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 8C, Knoxville, Tennessee 37902-1499; telephone (423) 632-3582 or e-mail cpnicholson@tva.gov.

SUPPLEMENTARY INFORMATION:

In December 1995, TVA issued its "Energy Vision 2020 Integrated Resource Plan and Final EIS." This document projected demands for electricity in the TVA power service area through the year 2020 and evaluated different ways of meeting these projected increases. Under the load forecast adopted by TVA, the demand for electricity was projected to exceed TVA's 1996 generating capacity of 28,000 MW by 6,250 MW in 2005. TVA plans to meet this demand through a combination of supply-side options, customer service options, and environmental control options. One of the supply-side options is purchasing power from independent power producers. An independent power producer, Tractebel Power, Inc., parent company of Choctaw Generation Limited Partnership, and Phillips Coal Company, parent company (along with The North American Coal Company) of Mississippi Lignite Mining Company, joint venture partners in the RHPP, submitted a proposal to TVA for the sale of the total electric power output from the RHPP.

TVA provided public notice of its intent to prepare an Environmental Impact Statement on its proposed purchase of power from the RHPP on October 16, 1996. A public meeting on the proposal was held on November 15, 1996. TVA released its draft EIS on February 13, 1998, and held a public meeting to receive comments on the document on March 12, 1998. Comments were received from two federal and four state agencies, two corporations, one university institute, seven representatives of local governments or development corporations, and seven individuals. After considering all comments, TVA revised the EIS appropriately. The Final EIS was distributed to commenting agencies and the public on July 2, 1998.

Alternatives Considered

Alternative methods of meeting TVA's future electrical generation capacity requirements were evaluated in "Energy Vision 2020." One of the selected methods was the purchase of power from independent power producers such as Tractebel. Tiering from "Energy Vision 2020," the RHPP Final EIS evaluates a No Action Alternative and an Action Alternative.

Under the No Action Alternative, TVA would not purchase the electricity generated by the RHPP. TVA would also not construct a transmission line connecting the generation facility to the TVA power distribution system. The environmental impacts associated with TVA's purchase of this electrical power would not occur, and TVA would consider other options for meeting its future electrical demands. This would not necessarily preclude eventual development of the generation facility and/or mine, with the electricity sold to another purchaser.

Under the Action Alternative, TVA would commit to purchasing the electricity generated by the RHPP and would construct a transmission line connecting the generation facility to the TVA power distribution system. The generation facility would be built near the town of Ackerman, Choctaw County, Mississippi. It would use two circulating fluidized bed boilers with limestone injection, feeding a single steam turbine with a net output of 440 MW of electricity. The facility would consume about 3 million tons per year of lignite from the adjacent lignite mine. To control sulfur emissions, the lignite would be burned with about 235,000 tons per year of limestone from existing quarries in central Mississippi. Other air emissions would be controlled by use of the circulating fluidized bed boilers, combustion controls, and a fabric filter baghouse. The facility would also be capable of cofiring up to 245,000 tons per year of wood waste. Both limestone and wood waste would be transported to the facility by truck. The generation facility would produce about 677,000 tons per year of ash, which would be trucked from the facility to an adjacent ash management unit.

The generation facility would use a wet mechanical draft cooling tower system. With the anticipated maximum reuse of cooling water, a continuous source of about 6.33 million gallons per day of blowdown makeup water would be required. This would be supplied by three nearby wells pumping water from the Massive Sands of the Tuscaloosa Aquifer System at depths of about 3,000 feet. Blowdown from the cooling tower

would be processed for removal of silica and other dissolved solids and recycled to the cooling system. Reject water from the silica removal process would be used to wet the ash to control dust. There would be no discharges of wastewater from generation facility systems.

The lignite mine would be located between the generation facility and the Natchez Trace Parkway. Mine development would begin in late 1998, and consist of construction of access roads, mine support facilities, a lignite handling facility, temporary stream diversions, a stormwater runoff control pond, and sedimentation control ponds. Overburden removal would begin in 1999 and actual lignite mining operations would begin in 2000, concurrent with the completion of the generation facility.

Mining would begin near the generation facility, progress towards the northwest, and disturb about 110 acres per year. Over the 30-year life of the mine, about 4,700 acres would be disturbed, 1,400 acres by mine development activities and 3,300 by lignite removal operations. Lignite would be mined from six seams. Overburden would be removed by a combination of electric or diesel-powered shovels, trucks, dozers, and a dragline. Lignite would be loaded by front-end loaders and hydraulic backhoes, and transported from the mine pit to the lignite handling facility by high capacity dump trucks. The lignite would be crushed at the lignite handling facility and transported by conveyor to the generation facility.

Reclamation would be concurrent with mining. Following removal of the final lignite seam, the mine pit would be filled with overburden spoil from the adjacent active mine pit. Spoil would be regraded to approximate the original contours and drainage patterns. A topsoil substitute consisting of selected, oxidized overburden materials would then be spread over the graded mine spoil. Soil amendments would be added as necessary. A cover crop would be planted or mulch spread over the area being reclaimed. The plant species used in establishing the permanent vegetative cover would vary with the postmining land use, which would be dependent on premining land use and surface landowner preferences. Most of the mined areas would likely be reclaimed as commercial forest planted with loblolly pine.

Two potential routes for the transmission line connecting the generation facility to the TVA power distribution system were evaluated, Corridor A and Corridor B. Corridor A

is 10.3 miles long. About 5.4 miles of Corridor A would parallel an existing transmission line; the remainder would be on new right-of-way. Corridor B is 10.9 miles long and all on new right-of-way. The cleared right-of-way for each corridor would vary from 100 to 175 ft wide. The transmission line would be a double-circuit, 161-kV line using steel double pole structures with horizontal cross arms. TVA would also expand the switchyard facilities at its Sturgis substation to accommodate the new line.

Choctaw County and the state of Mississippi plan to develop the Red Hills EcoPlex industrial park near the generation facility. Targeted industries would use steam and other generation facility byproducts. Initial EcoPlex development would occupy about 500 acres and, when fully occupied, about 1,000 acres would be developed. The Final EIS describes cumulative impacts of EcoPlex development and operation, which are not TVA actions.

Decision

TVA has decided to purchase the electricity generated by the RHPP, and to construct the associated transmission line within Corridor A. Purchasing power from the RHPP will help TVA meet the demand for electricity in its service area and maintain reliable service to its customers. TVA's actions were identified as both the Action Alternative and the Preferred Alternative in the Final EIS.

Environmentally Preferable Alternative

Because the No Action Alternative would make the construction and operation of the generation facility, lignite mine, and transmission line less likely, it could be characterized as the environmentally preferable alternative. It would not, however, accomplish TVA's goal of securing additional electrical generation capacity, and would not provide the significant local socioeconomic benefits forecast under the Action Alternative. TVA would have to choose another source of electrical generation capacity. Other potential sources, described in "Energy Vision 2020," would result in their own impacts which would likely be equal to or less than those resulting from the Action Alternative. However, none of these other generation alternatives would produce the local socioeconomic benefits that would result from the RHPP.

Environmental Consequences and Commitments

TVA, Choctaw Generation Limited Partnership, and Mississippi Lignite

Mining Company have adopted many mitigation measures to avoid or minimize environmental harm. TVA has adopted the following mitigation measures pertaining to its construction and operation of the transmission line:

- All construction and maintenance activities will utilize applicable Best Management Practices. Construction activities will also adhere to the Right-of-Way Clearing Specifications and Environmental Quality Protection Specifications for Transmission Line Construction listed in Appendix B-2 of the Final EIS. These list requirements for protecting sensitive areas, water and air quality, reducing noise, and disposing of wastes.

- Wetlands will be avoided to the extent practicable. Identified wetlands, streams, and drainage ways will not be modified so as to alter their natural hydrological patterns during transmission line clearing, construction, and maintenance. Hydric soils will not be disturbed or modified in any way that would alter their hydrological properties.

- Initial right-of-way clearing within forested wetlands will be accomplished using accepted silvicultural practices for timber/vegetation harvesting within wetlands.

- Within streams, riparian zones, and wetlands, trees will be above ground level and stumps will not be uprooted or removed.

- Transmission line maintenance using mechanical means in areas surrounding or adjacent to identified wetlands will only be conducted during seasonal dry periods, usually late summer or early fall, and will be accomplished without the use of heavy equipment.

- Potential impacts to the two historic properties will be minimized by maintaining existing trees between the churches and the transmission line, and by placing transmission line poles in locations where they will not be visible from the properties.

- Any herbicide applications would be by licensed personnel and use EPA-registered herbicides.

Many mitigation measures are required as conditions of permits issued by the Mississippi Department of Environmental Quality (MDEQ) and the U.S. Army Corps of Engineers. These include the following:

- Air emissions will comply with limits set in the PSD permit to be issued by MDEQ.

- During all construction activities and mine operations, open burning will only be conducted in accordance with applicable regulations and Mississippi Forestry Commission guidelines.

Fugitive dust will also be controlled as necessary.

- Best Management Practices for silt control will be utilized during all construction activities and during mine operations. These practices include use of filter fabric fences, hay bale dikes, sedimentation ponds and revegetation.

- Discharges to surface waters will comply with limits set in NPDES permits to be issued by MDEQ. Stormwater will be managed in accordance with Storm Water Pollution Prevention plans and accidental spills will be managed in accordance with Spill Prevention Control and Countermeasure plans.

- Well operations will comply with MDEQ water supply permit limitations. Alternative water supplies will be provided to residents whose supplies are disrupted by project operations.

- Streams impacted by mining will be restored to their premining locations and approximate drainage patterns. Streambanks will be revegetated and approximate premining drainage patterns will be restored.

- Special handling techniques will be used for unoxidized mine overburden containing acid- or toxic-forming materials. Anoxic limestone drains or other techniques will be used to neutralize acidic seeps if they appear following mine reclamation.

- Liquid fuels, oils, and other chemicals will be stored in curbed or diked areas. Pollution Prevention Plans will be implemented.

- The generation facility and mine will register with EPA as Conditionally Exempt Small Quantity Generators or Small Quantity Generators. Hazardous wastes will be managed in accordance with applicable RCRA regulations.

- The ash management facility will be built and operated in accordance with conditions of the MDEQ Special/Industrial Solid Waste Permit.

- Wetlands eliminated by mining activities will be mitigated to a minimum mitigation ratio of 2:1 in compliance with U.S. Corps of Engineers permit requirements. Wetland mitigation for the generation facility will consist of creation of 8.8 acres of wetlands and purchase and preservation of 19 acres of forested wetlands, which also meets Corps requirements. All wetland mitigation for mining activities will occur on the mine site or elsewhere in affected watersheds. Only native plant species will be used in creating or restoring wetlands. All wetland mitigation projects will include multi-year monitoring plans and success determination criteria.

- Backfilling and grading of mined areas will be contemporaneous with mining.
 - Mined areas will be reclaimed to have a soil productivity at least as high as existed before mining.
 - Native plant species, in combination with approved introduced species, will be used in establishing permanent vegetative cover during mine reclamation. The survival of permanent plantings will be monitored for at least five years and additional plantings made as necessary to meet reclamation requirements.
 - Hardwood trees will be planted in buffer strips at least 50 feet wide on each side of reclaimed streams. Mast and fruit-bearing trees and shrubs will be planted in clumps throughout the reclaimed mine area.
 - Except for the populations of swamp hickory and pin oak, the populations of state-listed plants within the mine area will be either avoided or transplanted to protected areas.
 - The cactus community and spring-head seepage area located near the northwest corner of the mine will either be avoided or mitigated by transplantation or other means.
 - Mining impacts to historic and archaeological resources will be mitigated in accordance with the June, 1998 Memorandum of Understanding among the Mississippi Lignite Mining Company, MDEQ, Mississippi State Historic Preservation Officer, and the Advisory Council on Historic Preservation. No mining will occur within 100 feet of the Tullos Cemetery.
 - Road closure and relocation plans will be approved by the Choctaw County Board of Supervisors. All public roads will be rebuilt to meet or exceed existing standards in their original locations or more suitable, approved locations. Access by surface landowners to lands not being mined will be maintained throughout mine operations.
- Following are additional mitigation measures which Choctaw Generation Limited Partnership and Mississippi Lignite Mining Company have committed to carrying out, as described in an agreement with TVA:
- No mining construction activities, such as construction of sedimentation ponds, will occur within 500 feet of National Park Service lands, and no lignite removal will occur within 2,000 feet of the Natchez Trace Parkway centerline or within 1,000 feet of the property line around the Little Mountain Overlook.
 - Tree buffers will be maintained or planted around the edge of the generation facility site.

- Lighting techniques designed to reduce impacts to the darkness of the night sky will be used by the generation facility and mine. Replacement "dark sky" lighting equipment will be provided by the generation facility for existing commercial facilities at the entrance to the Jeff Busby developed area.
- Choctaw Generation Limited Partnership and Mississippi Lignite Mining Company will instruct their vendors that the vendors' trucks are not to use the Natchez Trace Parkway when delivering materials and supplies to the RHPP. Employees will be discouraged from commuting on the Parkway.
- Project facilities and operations will be designed to minimize noise levels. Mississippi Lignite Mining Company and the National Park Service will cooperatively monitor noise at Little Mountain Overlook using the L₉₀ noise metric.
- Generation facility and mine employees will receive fire and safety training. Mine employees will receive emergency medical training. Emergency services will be coordinated with local providers.

Dated: August 10, 1998.

William J. Museler,

*Executive Vice President, Transmission/
Power Supply Group.*

[FR Doc. 98-22471 Filed 8-20-98; 8:45 am]

BILLING CODE 8120-08-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

RTCA Special Committee 186/Eurocae Working Group 51; Automatic Dependent Surveillance—Broadcast (ADS-B)

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for Special Committee (SC)-186/EUROCAE Working Group (WG)-51 joint meeting to be held September 1-3, 1998, starting at 1:00 p.m. on Tuesday, September 1. The meeting will be held at the Grand Hotel Saltsjobaden in Stockholm, Sweden.

The agenda will include: September 1 (SC-186 Meeting Separately): (1) Chairman's Introductory Remarks/Review of Meeting Agenda; (2) Review and Approval of Minutes of the Previous SC-186 Meeting; (3) Review of the SC-186 Work Plan, Organization, and Objectives. September 2-3 (SC-186 Meeting Jointly with EUROCAE WG-51): (1) Approval of the Agenda; (2) Review and Approval of the Minutes of the Previous Joint SC-186/WG-51

Meeting; (3) WG-51 Activities Report: a. Subgroup-1 Status Report (Minimum Aviation System Performance Standards, Minimum Operational Performance Standards (MOPS) 1090); b. Subgroup-2 Status Report (VHF MOPS); (4) RTCA SC-186 Organization; (5) RTCA SC-186 Activities Report: a. WG-1 (Operations and Implementation); b. WG-2 (Separation Assurance); c. WG-3 (1090 MHz MOPS); d. WG-4 (Application Technical Requirements); (6) Clarification of Operational/Technical Rationales behind ADS-B System Requirements; (7) Rationale for UAT MOPS; (8) U.S. ADS-B Programs/Trials; (9) Procedures for Possible SC-186/WG-51 Joint Work; (10) Eurocontrol ADS Program: a. Results from EMERALD Study; b. Update on VDL 4 Program Including a Demonstration; (11) New Business; (12) Date and Place of Next Meeting.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, NW., Suite 1020, Washington, DC, 20036; (202) 833-9339 (phone); (202) 833-9434 (fax); or <http://www.rtca.org> (web site). Members of the public may present a written statement to the committee at any time.

Issued in Washington, DC, on August 14, 1998.

Janice L. Peters,

Designated Official.

[FR Doc. 98-22492 Filed 8-20-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Monterey County, California

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a supplement to a final environmental impact statement will be prepared for a proposed highway project in Monterey County, California.

FOR FURTHER INFORMATION CONTACT: John R. Schultz, Chief, District Operations North, Federal Highway Administration, 980 Ninth Street, Suite 400, Sacramento, California, 95814-2724; telephone: (916) 498-5041.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation (Caltrans), will prepare a supplement to the final Environmental Impact Statement-Report (EIS/R) on a proposal to improve State Route (SR) 1 in Monterey County, California. The original final EIS/R for the improvements (FHWA-CA-EIS-86-05-F) was approved on October 2, 1991. The project study limits of alternatives considered in the final EIS/R extended from 0.28 miles south of the Carmel River to 0.1 mile south of the Route 1/68 interchange, a distance of 3.1 miles.

The preferred alternative, identified in the final EIS/R and selected in the Record of Decision signed on November 14, 1991, is known as Alternative 1C Modified. Alternative 1C Modified provides a four-lane divided freeway on a new alignment through Hatton Canyon from Carmel Valley Road to the existing freeway interchange at Carmel Hill (State Route 1/68). A two-lane conventional highway will cross the Carmel River on a new 57-foot wide bridge and transition into the new freeway near Carmel Valley Road. The existing Carmel River Bridge and the roadway between Oliver Road and the southern limits of the new alignment would be removed. A new connection between the existing highway at Oliver Road and the new alignment would be constructed with an at-grade intersection on the new alignment between Rio Road and the Carmel River Bridge. Interchanges on the new freeway will be constructed at Carmel Valley Road and at Carpenter Street. A grade separation will be constructed at Rio Road. Carmel Valley Road will be widened from two to four lanes between the existing highway and Carmel Rancho Boulevard.

Litigation regarding this project commenced in January 1992 (*City of Carmel-by-the-Sea, et al. v. United States Department of Transportation, et al.*, Civ. No. 92-20002 SW), when plaintiffs City of Carmel-by-the-Sea, Sierra Club, Hatton Canyon Coalition and the Monterey Peninsula Regional Park District filed an action alleging that the United States Department of Transportation (and several individual Federal officials) and the State of California Department of Transportation (and several individual State officials) failed to comply with the National Environmental Policy Act, 42 USC Section 4321 et seq (NEPA), and the California Environmental Quality Act, Cal. Pub. Res. Code Section 21000 et seq (CEQA), as well as Executive Orders 11988 (floodplain management) and 11990 (protection of wetlands) in

preparing an EIS/R and making findings for the project. The plaintiffs specifically alleged that the analysis in the EIS/R was deficient with respect to its analysis of wetlands impacts, analysis of Monterey Pine impacts, consideration of a reasonable range of alternatives, analysis of cumulative impacts, and analysis of growth-inducing impacts.

In August of 1997, the United States Court of Appeals for the Ninth Circuit found that the EIS/R was adequate under both NEPA and CEQA with respect to its analysis of wetlands impacts, analysis of Monterey Pine impacts, consideration of a reasonable range of alternatives and analysis of growth-inducing impacts. The Court of Appeals also found that the findings made pursuant to Executive Orders 11988 and 11990 were proper. The Court of Appeals remanded the issue of the adequacy of the EIS/R with respect to its analysis of cumulative impacts to the United States District Court for the Northern District of California for further consideration. In July 1998, the District Court found that the EIS/R was inadequate with respect to its analysis of cumulative impacts, and enjoined construction of the project until such time as full compliance with NEPA and CEQA is established.

The purpose of this supplemental EIS/R is to comply with the decision of the District Court. The supplement will address the deficiencies in the final EIS/R as determined in the litigation and make any necessary additional revisions to the final EIS/R.

A public hearing will be held on the draft supplemental EIS/R. Public notice will be given of the time and place of the hearing. The draft supplemental EIS/R will be available for public and agency review and comment prior to the public hearing.

Comments or questions concerning this proposed action and the supplemental EIS/R should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

Issued on August 14, 1998.

G.P. Bill Wong,

Senior Transportation Engineer, Sacramento, California.

[FR Doc. 98-22541 Filed 8-20-98; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF THE TREASURY

Senior Executive Service; Combined Performance Review Board (PRB)

AGENCY: Treasury Department.

ACTION: Notice of Members of Combined Performance Review Board (PRB).

SUMMARY: Pursuant to 5 U.S.C. 4314(c)(4), this notice announces the appointment of members of the Combined PRB for the Bureau of Engraving and Printing, the Financial Management Service, the U.S. Mint and the Bureau of the Public Debt. The Board reviews the performance appraisals of career senior executives below the level of bureau head and principal deputy in the four bureaus, except for executives below the Assistant Commissioner level in the Financial Management Service. The Board makes recommendations regarding proposed performance appraisals, ratings, bonuses and other appropriate personnel actions.

Composition of Combined PRB

The Board shall consist of at least three voting members. In case of an appraisal of a career appointee, more than half of the members shall consist of career appointees. The names and titles of the Combined PRB members are as follows:

Primary Members

Gregory D. Carper, Associate Director (Chief Financial Officer), E&P
 Constance E. Craig, Assistant Commissioner, Information Resources, FMS
 Andrew Cosgarea, Jr., Associate Director for Operations, Mint
 Thomas W. Harrison, Assistant Commissioner (Administration), PD

Alternate Members

Carla F. Kidwell, Associate Director (Chief Operating Officer), E&P
 Larry D. Stout, Assistant Commissioner, Federal Finance, FMS
 Jay M. Weinstein, Associate Director for Policy and Management & CFO, Mint
 Theodore P. Langlois, Deputy Executive Director (Marketing and Sales), PD

DATES: Membership is effective on August 21, 1998.

FOR FURTHER INFORMATION CONTACT:

Thomas W. Harrison, Bureau of the Public Debt, Assistant Commissioner (Administration), Room 302, 200 3rd Street, Parkersburg, WV 26101, (304) 480-6514.

This notice does not meet the Department's criteria for significant regulations.

Dated: August 13, 1998.

Thomas W. Harrison,

*Assistant Commissioner (Administration),
Bureau of the Public Debt.*

[FR Doc. 98-22469 Filed 8-20-98; 8:45 am]

BILLING CODE 4840-01-M

DEPARTMENT OF THE TREASURY

Customs Service

Revision and Expansion of National Customs Automation Program Test of Account-Based Declaration Prototype

AGENCY: U.S. Customs Service,
Department of the Treasury.

ACTION: General notice.

SUMMARY: This document is a replacement of a notice published in the *Federal Register* on March 27, 1997, which announced Customs' plan to conduct an account-based prototype (NCAP/P) under the National Customs Automation Program (NCAP). This notice broadens the eligibility requirements for participation in the NCAP/P, incorporates enhancements to reconciliation (based on the February 6, 1998 announcement of the ACS Reconciliation Prototype) and clarifies the statement process. This notice also outlines the development and evaluation methodology to be used in the test and invites public comment on any aspect of the planned test.

With this notice, Customs is also inviting additional importers to apply to participate in the NCAP/P in accordance with the eligibility requirements specified in this notice. Applicants that have already been accepted as participants in the NCAP/P based on the 3/27/97 NCAP/P notice need not re-apply. All participants in the NCAP/P, including previously accepted applicants, are required to follow all the operational procedures described in this notice, e.g., procedures on the account-based import declaration process, reconciliation, remote location filing, and maintenance of account information, and are bound by the terms and conditions of this notice.

The NCAP/P will become operational under a staged implementation program. Implementation of the NCAP/P will be as follows: (1) Cargo release, (2) Cargo release with examination, (3) Entry summary acceptance and processing, and periodic statement processing, and (4) Reconciliation.

DATES: The cargo release stage of the NCAP/P commenced on April 27, 1998. The NCAP/P will be operational for up to three years, with evaluations of the prototype occurring periodically.

Applications to participate in the test may be submitted throughout the duration of the prototype. Priority review will be given to applications received on or before September 18, 1998. Public comments on any aspect of the planned test must be received on or before September 25, 1998. All comments received will be part of the public record and made available to third parties upon request.

ADDRESSES: Applications and comments should be addressed or faxed to Don Luther, U. S. Customs Service, 1300 Pennsylvania Avenue NW, Room 5.2A, Washington, DC 20229, fax number (202) 927-1096.

FOR FURTHER INFORMATION CONTACT: For inquiries regarding eligibility of specific importers contact: Margaret Fearon at (202) 927-1413. For questions on reconciliation contact: Don Luther at (202) 927-0915. For questions on statement processing: contact Tim Raeck at (317) 298-1520, extension 1445. For questions on violation billing: contact Jim Gleason at (202) 927-2995. For questions on other aspects of the Account-Based Declaration Prototype contact: Daniel Buchanan at (617) 565-6236.

SUPPLEMENTARY INFORMATION:

Background

Title VI of the North American Free Trade Agreement Implementation Act (the Act), Public Law 103-182, 107 Stat. 2057 (December 8, 1993), contains provisions pertaining to Customs Modernization (the Mod Act). Subtitle B of title VI establishes the National Customs Automation Program (NCAP)—an automated and electronic system for the processing of commercial importations. Section 631 of the Act creates sections 411 through 414 of the Tariff Act of 1930 (19 U.S.C. 1411-1414), which define and list the existing and planned components of the NCAP (section 411), establish program goals (section 412), provide for the implementation and evaluation of the program (section 413), and provide for remote location filing (section 414). Section 637 of the Act amends Section 484 of the Tariff Act of 1930 to establish a new subsection (b), entitled "Reconciliation" (19 U.S.C. 1484(b)). Section 101.9(b) of the Customs Regulations (19 CFR 101.9(b)), provides for the testing of NCAP components. See, T.D. 95-21 (60 FR 14211, March 16, 1995). This test is established pursuant to that regulation.

A key element of Customs efforts to re-engineer its Trade Compliance process is a shift in emphasis from the traditional transaction-based approach

of ensuring compliance with import laws and regulations to an account-based approach, which addresses an importer's overall compliance through account management, process reviews, and audits. One feature of this approach is a new account-based declaration process. Customs is also developing a new commercial processing system, the Automated Commercial Environment (ACE), which is designed to support the new Trade Compliance processes. The account-based declaration prototype (NCAP/P) is being developed to provide the first operational demonstration of ACE capabilities for processing imports, integrating the new account-based import declaration process with other aspects of the Trade Compliance process and with selected features of NCAP elements of the Mod Act.

I. Development Methodology

The NCAP/P will be monitored by a Joint Prototype Team consisting of trade participants, Customs personnel, and other interested government agencies. This team will meet regularly throughout the prototype period at appropriate locations to set development milestones, monitor progress, resolve issues and evaluate program effectiveness. The development effort will be coordinated with other ongoing NCAP prototype programs such as Remote Location Filing and Reconciliation, and will be as consistent as possible with the overall direction of ACE development.

Potential participants should recognize that this is a prototype test of new processes. Data definitions and values and formats for electronic transmission of manifest, entry and commercial data will differ from those currently used in the Automated Commercial System (ACS). It is also important to note that development efforts undertaken for the NCAP/P may not meet the eventual requirements for programs as they are finally implemented in ACE.

The public is invited to comment on any aspect of the NCAP/P as described by this notice. All comments received will be part of the public record and made available to third parties upon request.

II. Eligibility Requirements

In order to be eligible for participation in the NCAP/P, an importer must:

A. Be participating or approved for participation in the Importer Compliance Monitoring Program (63 FR 20442) or be scheduled for, participating in, or, in the application, agree to undergo and cooperate fully with a Customs Compliance Assessment. At

the time the application is filed, if a Customs Compliance Assessment or other type of Customs audit is in progress, the importer must be fully cooperating and provide timely and accurate information and the resources necessary for Customs to conduct the Compliance Assessment or audit. If the importer is subject to a compliance improvement plan, the importer must be abiding by the terms and conditions of the plan;

B. For Southern border NCAP/P shipments, use carriers who participate in the Land Border Carrier Initiative Program (LBCIP). No importer may enter Southern border cargo transported by non-participant carriers;

C. Commit in the application to file or maintain a continuous bond with sufficient liability coverage which will be obligated upon release of each NCAP/P shipment. Participants who elect to reconcile entry summaries must have on file a rider along with the continuous bond, which will be obligated on the underlying entries and used to cover the Reconciliation. (See Section VIII below);

D. Be capable of and/or commit to arranging for timely and accurate electronic transmission to Customs of all data required in the NCAP/P declaration process, including data required to pre-identify parties and commodities involved in NCAP/P transactions, manifest and pre-release shipment data, additional data required to support physical examinations of cargo, entry summary data, detailed commercial data when requested, and reconciliation data. If an importer does not transmit electronic data for a particular shipment, Customs may exclude that shipment from NCAP/P processing; and

E. Be capable of and/or commit to arranging for timely electronic payment of applicable duties, taxes, fees, and interest.

Applications will be accepted from all volunteers; however, priority consideration will be given to:

F. Companies within the top 379 importers ranked by entered value (the top 379 represent approximately 50 percent of all imports by value);

G. Companies within the top 250 importers within any of Customs' Primary Focus Industry (PFI) categories, which are as follows:

1. Agriculture
2. Automotive
3. Communications—
Telecommunications, Advanced Displays, Board Level Products
4. Critical Components—Bearings, Fasteners

5. Footwear
6. Production Equipment
7. Steel
8. Textiles—Textile Products, Wearing Apparel; and

H. Companies that do not represent an unacceptable compliance risk.

III. General Requirements

For the NCAP/P, the following restrictions will be placed upon importers:

A. Importers must enter merchandise identified in the application as being from their typical commodities in their established lines of business and coming from pre-identified sellers and shippers;

B. Importers must enter only the merchandise identified in the application as being within a range of pre-identified commodities (classified at the 6-digit Harmonized Tariff Schedule (HTS) level);

C. Importers must only enter merchandise conveyed on trucks operated by carriers pre-identified by participants in the application;

D. Importers must enter merchandise for release into the commerce under a consumption entry at the port of arrival, and may not enter NCAP/P merchandise into a warehouse or Foreign Trade Zone, or as an in-bond entry;

E. Importers must enter merchandise at the ports of Laredo, Texas (Colombia Bridge only), or at Detroit or Port Huron, Michigan;

F. Importers may not enter merchandise in the NCAP/P if it is subject to antidumping or countervailing duty, quota, trade preference level or visa requirements, or pre-release reporting requirements imposed by other federal agencies;

G. No prohibited or embargoed merchandise will be permitted in prototype shipments; and

H. Importers are responsible for ensuring that ineligible merchandise is not included in NCAP/P shipments, and that all shipments aboard a conveyance are eligible for NCAP/P processing. Customs will exclude ineligible shipments from NCAP/P processing.

IV. Application

NCAP/P participants previously selected need not re-apply under this notice. Importers who wish to participate in the NCAP/P and have not yet been accepted must submit a written application that contains the following information:

A. Importer name, address and IRS employer identification number;

B. Names and addresses of all shippers for the NCAP/P;

C. Names and addresses of all sellers/vendors for the NCAP/P, and, for each

seller/vendor identified, a listing of all the 6-digit HTS numbers in which the commodities to be imported are classified;

D. The surety and surety code and the number of the continuous surety bond which will cover all cargo processed under NCAP/P procedures. If the applicant plans to reconcile their NCAP/P entry summaries, a commitment to file the bond rider prior to flagging underlying entry summaries for reconciliation, along with identification of the port in which the continuous bond and rider are filed must be included;

E. Names, addresses and Standard Carrier Alpha Codes of truck carriers who will be transporting NCAP/P shipments across the international borders. For Southern border carriers, the Carrier Initiative Program number must also be provided;

F. Names, addresses and filer codes of any customs brokers who will be filing data;

G. The approximate total number of entries per month expected to be processed at each of the following locations: Colombia Bridge, Laredo; Ambassador Bridge, Detroit; Windsor Tunnel, Detroit; and Blue Water Bridge, Port Huron;

H. Detailed description of anticipated issues (from the eligible issues listed in Section VIII of this Notice) and commodities for which the participant anticipates electing reconciliation; and

I. For applicants not participating in or approved for participation in the Importer Compliance Monitoring Program or not already scheduled for or participating in a Customs Compliance Assessment, a statement in which the applicant commits to undergo and cooperate fully with a Customs Compliance Assessment.

Customs will make admissibility determinations on NCAP/P shipments based on cargo examinations and the information supplied with the application, which shall serve as a pre-filed entry for NCAP/P purposes.

Importers who submit applications to participate in the NCAP/P will be notified in writing of their acceptance or rejection. If an applicant is selected for NCAP/P participation, Customs will assign the importer an NCAP/P Authorization Code. If an applicant is denied participation, the notification letter will include the reasons for that denial. Eligible importers whose initial applications are rejected may re-apply upon correction of the situation which led to the denial.

Preference in accepting applicants will be given to those who indicate that they plan to maintain an average of at

least 25 entries per month throughout the prototype period.

V. Maintenance of Account Information

Each entry filer participating in the NCAP/P must provide Customs with a range of entry numbers to be reserved for assignment by Customs to NCAP/P shipments. Entry filers may not assign these numbers to transactions, either for NCAP/P or for non-prototype entries.

Throughout the prototype period, participating importers must provide Customs with advance notification of any proposed changes in the information provided in the application. This notification will be considered an amendment to the application. Amendments must be submitted at least seven days prior to the arrival of any cargo that reflects the proposed changes. Participants must not enter any cargo referenced in an amendment before Customs has approved the amendment. By notification to the participating importer, Customs may reject any proposed change, e.g., use of a particular carrier, shipper, or seller, entry of particular merchandise under this prototype, etc. Customs will notify participants of the decision regarding proposed changes to the applications. If a participant's proposed changes are rejected, Customs will specify the reason for the rejection. The importer may re-submit proposed changes upon correction of the situation which led to the denial.

VI. Account-Based Declaration Process

The account-based declaration process is a fully electronic process that will base cargo examination decisions primarily on pre-filed account/entry information; thereby, minimizing the transaction data that needs to be transmitted to Customs prior to the release of cargo. Cargo examinations will also be performed on the basis of selectivity criteria and random compliance measurement sampling. This process will also permit reporting of detailed entry summary data on a monthly cycle, provide for payment of duties, taxes, and fees on a periodic statement cycle employing semi-monthly estimated payments and allow for reconciliation of summary data.

Cargo will be released and duties, taxes, and fees assessed on the basis of data transmitted to the NCAP/P system. For shipments processed in the NCAP/P, participants will not be required to provide parallel filing of ACS data or paper documents.

While various automatic notifications and back-up procedures will also be supported, the basic declaration flow

when the NCAP/P is fully implemented will be as follows:

A. The application, including any amendments, will serve as a pre-filed entry for NCAP/P purposes. A participating importer or authorized broker will electronically transmit data to Customs to provide timely and accurate identification of any proposed changes to the original application, e.g., changes in a participant's NCAP/P business partners or merchandise imported under the prototype. These changes must be provided at least seven days prior to the arrival of the referenced cargo.

B. Prior to arrival of cargo at the border, the carrier issuing the manifest or an authorized agent will electronically transmit to Customs basic manifest data: coded identification of the carrier; trip details; identification of drivers, the conveyance and other equipment; and an identifying number and the laden quantity for each shipment on the conveyance.

C. Also prior to arrival of the cargo at the border, data pertaining to each individual shipment must be electronically transmitted to Customs. This shipment data will include information generally found on freight bills, plus the NCAP/P Authorization Code assigned to the participating importer by Customs, and identification of the entry filer and the seller and buyer of the merchandise. This shipment data may be transmitted by the carrier issuing the manifest, an authorized agent acting on behalf of the carrier issuing the manifest, or the entry filer (i.e., either the importer of record or the importer of record's customs broker.)

D. Customs will assign an entry number to each shipment from the range of entry numbers provided in advance by each participating entry filer for that purpose. When a truck arrives at the border, shipments for which no physical examination of cargo is required will be released without additional data or documentation. For any shipment aboard that truck selected by Customs for physical examination of cargo, Customs will issue to the entry filer designated in the shipment data an electronic request for additional information. This request may be satisfied by transmission of either partial or complete entry summary and commercial data, as requested by Customs, plus packing data. The commercial data required for cargo examination, whether partial or complete, will be at the detailed line item level. Cargo will not be examined until this data is received by Customs.

E. The date of entry will be the date on which merchandise is released by Customs. The release will obligate the continuous bond identified in the prototype application of the importer whose NCAP/P Authorization Code is present in the shipment data.

F. If the participant uses a blanket flag to notify Customs of entry summaries subject to reconciliation, the flag must be received by Customs no later than seven working days prior to transmission of the first entry summary being flagged under the blanket.

G. For each shipment released during a calendar month, the entry filer must electronically transmit complete entry summary data to Customs on or before the filing deadline for that month. The filing deadline for each month will be the 10th calendar day of the following month, or, if the 10th falls on a weekend or holiday, the next business day. Entry summary data transmitted prior to this deadline will be considered provisional and may be replaced by the entry filer anytime before the deadline. All summaries filed on or before the deadline will be considered as filed on the deadline date. If the participant uses individual entry flags to notify Customs of entry summaries subject to reconciliation, such flags must be included in the transmission of the final entry summary data.

H. For any entry summary selected by Customs for data review, Customs will issue to the entry filer an electronic request for complete commercial data, unless such data was previously transmitted to support a cargo examination. This request must be satisfied by electronic transmission of a complete set of commercial data, as requested by Customs, plus packing data if specifically requested.

I. By virtue of 19 CFR 101.9, Customs may impose requirements different than those specified in the Customs Regulations; but only to the extent that such different requirements do not affect the collection of revenue. Consequently, in order to permit a different procedure to test the periodic deposit of estimated duties without adversely affecting the collection of revenue, participants must abide by the following procedures. Each participating importer will make semi-monthly preliminary estimated payments through an electronic medium. Preliminary estimated payments will be initiated electronically using Automated Clearinghouse (ACH) credit on the 15th and the last day of the month. If the 15th or the last day of the month falls on a weekend or holiday, the payment must be initiated the next business day. Under the prototype,

special electronic payment procedures will be utilized. The preliminary estimated payments will be based upon the following percentages: (a) the payment initiated on the 15th will be 75% of the estimated revenue due to Customs as a result of entry activity for the 1-15th of the month, (b) the payment initiated on the last day of the month will be 57% of the estimated revenue due to Customs as a result of entry activity from the 16th to the last day of the month. These percentages will be reviewed and may have to be adjusted to maintain revenue neutrality. Payment for the remaining balance will be initiated electronically on the 15th of the following month, and it is this date which will serve as the date of actual deposit of estimated duties and fees for purposes of assessing interest under 19 U.S.C. 1505. Customs will create two types of statements each month, one before and one after the monthly filing deadline. Each statement will list each importer's revenue NCAP/P activity at all locations for the reporting month, and will list entry summary revenue data that has been filed and amounts due.

J. Within the period of time prescribed for each issue, the entry filer must transmit an electronic Reconciliation to resolve each issue identified for reconciliation in the Notice of Intent. (See Section VIII below.)

VII. Remote Location Filing

Remote location filing allows participants to electronically file data for the entry of merchandise with Customs from any location in the United States regardless of the port designated in the entry for examination or the port of entry.

An NCAP/P participant will be voluntarily utilizing remote location filing if the electronic transmission of an entry, entry summary, commercial data (when required by Customs) and payment of duties, taxes, and fees is received from a participant not located in the port of arrival, which for purposes of this prototype will also be the port of entry and examination.

The designation of alternative locations for cargo examination will not be supported in the NCAP/P. All cargo examinations will be conducted at the port where the cargo first arrives in the United States.

VIII. Reconciliation

A. The Concept of Reconciliation

When certain information (other than that related to the admissibility of merchandise) is not determinable at the

time of entry summary, an importer may later provide Customs with that information on a Reconciliation. A Reconciliation is treated as an entry for purposes of liquidation, reliquidation, and protest. Upon liquidation of any underlying entry summary, any decision by Customs entering into that liquidation, e.g., classification, may be protested pursuant to 19 U.S.C. 1514. When the outstanding issue, e.g., value as determined by the actual costs, is later furnished in the Reconciliation, the Reconciliation will be liquidated. The liquidation of the Reconciliation will be posted to the Bulletin Notice of Liquidation, and may be protested pursuant to 19 U.S.C. 1514, but the protest may only pertain to the issue(s) flagged for reconciliation (i.e., the protest may not re-visit issues previously liquidated on the underlying entry summary).

Importers must be aware of the distinction between prior disclosure and reconciliation. A prior disclosure exists when a person concerned discloses the circumstances of a violation pursuant to the Customs Regulations. The person disclosing this information must do so before, or without knowledge of, the commencement of a formal investigation of that violation. Reconciliation is the process by which an importer notifies Customs of undeterminable information, and by which the outstanding information is provided to Customs at a later date. Under reconciliation, the importer is not disclosing a violation, but rather identifying information which is undeterminable and will be provided at a later time.

B. Definitions

1. *Reconciliation*: The process which allows an importer to identify undeterminable information (other than that affecting admissibility) to Customs, and provide the outstanding information at a later date. The term "reconciliation" also describes the entry used to submit the outstanding information.

2. *Underlying entry summary*: A consumption entry summary flagged for reconciliation.

3. *Flagging an entry summary for reconciliation*: Providing Customs with a notice of intention to file a Reconciliation ("Notice of Intent"). The Notice of Intent will identify to Customs that an entry summary is subject to reconciliation for a defined issue(s). There are two ways an importer can flag an entry summary for reconciliation:

a. *Individual entry flagging*: At time of summary filing, the importer electronically inputs an indicator on

any entry summary which is subject to reconciliation. This indicator identifies the issue(s) subject to reconciliation.

b. *Blanket flag*: Prior to filing entry summaries subject to reconciliation, the importer notifies Customs of the importer of record number, the time period in which entry summaries are subject to reconciliation, and the issue(s) subject to reconciliation. Customs will input an electronic indicator on ALL entry summaries within the defined scope, which will identify them as being subject to reconciliation for the issue(s) indicated. Please note: Customs will determine at a later date if the blanket flag can include more specific parameters, e.g., HTS number, country of origin, etc.

4. *Entry-By-Entry Reconciliation*: A Reconciliation in which the revenue adjustment is specifically provided for each affected entry summary.

5. *Aggregate Reconciliation*: A Reconciliation filed with summarized data showing reconciled adjustments at an aggregate level. A list of the affected entry summaries is required, but the revenue change need not be broken out according to individual underlying entries. Aggregate Reconciliations may be used only where all adjustments covered by the Reconciliation result in absolute increases in duties, taxes, and fees. Drawback is not available and may not be requested on the increased/reconciled adjustment.

6. *Absolute increase*: Each underlying entry summary covered by the Reconciliation results in an increase or no change in duties, taxes, and fees. Only absolute increases are eligible for Aggregate Reconciliations.

Examples: Where entry summaries A and B are both covered by a Reconciliation, the Reconciliation would have an Absolute Increase if the changes to both entry summaries would be increases or no changes. If A increased and B decreased, even if A's increase is greater than B's decrease, this is NOT an Absolute Increase. See Netting, below.

Note: This principle applies at the entry level rather than at the line level. That is, regardless of decreases on individual lines on entry A, as long as the total change for entry A resulted in an increase in duties, taxes, and fees, it could be considered part of an Absolute Increase.

7. *Netting*: Situations in which increases AND decreases resulted at the end of the reconciliation period. In any netting situation, the importer has the following options:

a. File an Entry-By-Entry Reconciliation to account for both the increases and decreases, or

b. File two Reconciliations: An Aggregate Reconciliation for all the increases and an Entry-By-Entry Reconciliation for all the decreases.

C. Description of the NCAP/P Reconciliation Component

1. Exclusive Means

Operating concurrent with the reconciliation component of the NCAP/P is a reconciliation prototype in ACS (see 63 FR 6257, dated February 6, 1998). Any party who elects to reconcile entries pursuant to 19 U.S.C. 1484(b) may only do so through the reconciliation component of the NCAP/P or the ACS Reconciliation Prototype. These prototypes will serve as the exclusive means to reconcile entries for (1) value, (2) classification on a limited basis, (3) merchandise entered under Harmonized Tariff Schedule of the United States (HTSUS) heading 9802, and/or (4) merchandise entered under the North American Free Trade Agreement (NAFTA). Outside of reconciliation, the only alternative post-entry, pre-liquidation adjustment will be to file a Supplemental Information Letter for each affected entry summary, with appropriate corrective data and duty tenders. (For information on the Supplemental Information Letter, see Automated Broker Interface (ABI) administrative message #97-0727, posted on 8/4/97, entitled "314 Day Liq Cycle—Trade Notice".) As always, importers retain the right to request extension of liquidation of entry summaries, as described in 19 CFR 159.12(a)(ii).

2. Notice of Intent

A notice of intention to file a Reconciliation ("Notice of Intent") identifies an undeterminable issue, transfers liability for that issue to a Reconciliation and permits the liquidation of the underlying entry summary as to all issues other than those which are transferred to the Reconciliation. By providing a Notice of Intent, an importer is requesting that a certain issue or group of issues be separated from the entry summary. The importer voluntarily requests and accepts that the issue(s) identified in the Notice of Intent remain open and outstanding. The importer remains responsible for filing a Reconciliation, and liable for any duties, taxes, and fees resulting from the filing and/or liquidation of the Reconciliation. The Notice of Intent creates an obligation on the importer to file the Reconciliation. Importers participating in this prototype will recognize that the liquidation of the underlying entry summaries pertains

only to those issues not identified by the importer on the Notice of Intent.

Only consumption entries may be filed in the NCAP/P system, and therefore, only consumption entries via the NCAP/P may be flagged for reconciliation under this prototype. The underlying entry summaries flagged for a Reconciliation may be filed at any port within the NCAP/P, including any combination of ports.

a. *Option: Individual Entry Flag.* During this prototype, the importer may "flag" the underlying entry summaries at time of summary filing via an electronic indicator, which will serve as the Notice of Intent.

b. *Option: Blanket Flag.* Importers may provide their Notice of Intent by filing a "blanket flag" in lieu of individual entry flags. The blanket flag will identify the Importer of Record number, range of dates in which the underlying entry summaries will be subject to reconciliation, and the issue(s) subject to reconciliation. (Customs will determine at a later date if additional parameters, such as HTS number, may be specified in the blanket flag.) This notification must be received by Customs no later than seven working days prior to transmission of the first entry summary being flagged under the blanket. Upon receipt of the blanket flag, Customs will automatically apply the above-mentioned electronic indicator to the entry summaries within the identified scope.

c. *Option: Retroactive Flag.* Customs is exploring the implementation of an option to retroactively flag entry summaries for reconciliation. A retroactive flag, if implemented, would enable the importer to request a Notice of Intent after filing and prior to liquidation of the entry summary. Retroactive flags would be requested on an individual entry basis, and would require approval by Customs. Customs will notify participants if this option is implemented.

3. Issues To Be Reconciled

The NCAP/P reconciliation component will allow the following issues to be flagged for reconciliation: value, HTSUS heading 9802, NAFTA, and classification on a limited basis.

a. *Value*—The reconciliation component of the NCAP/P is open to reconciliation of all value issues.

b. *HTSUS heading 9802*—The issue of 9802 includes the value aspect involved with this HTSUS provision, e.g., reconciling the estimated to actual costs.

c. *NAFTA*—Reconciliation may be used as a vehicle to file post-importation refund claims under 19 U.S.C. 1520(d). NAFTA Reconciliations

are subject to the obligations of 19 CFR Part 181, subpart D. The importer must possess a valid Certificate of Origin at the time of making a NAFTA claim. Presentation of the NAFTA Certificate of Origin to Customs is waived for the purposes of this prototype, but the filer must retain this document, which shall be provided to Customs upon request. The Certificate of Origin is part of the (a)(1)(A) list (19 U.S.C. 1508(a)(1)(A)), and covered by the recordkeeping provisions of the Customs laws and regulations. Filers are reminded that interest shall accrue from the date on which the claim for NAFTA eligibility is made (the date of the NAFTA Reconciliation) to the date of liquidation or reliquidation of the Reconciliation. The obligation to file a Reconciliation opened by the Notice of Intent applies to all Reconciliations, including NAFTA, even if the participant finally concludes it cannot file a valid 520(d) claim, in which instance the NAFTA Reconciliation would be filed with no change.

d. *Classification*—Classification issues will be eligible for reconciliation as long as the reconciled HTS classification falls within the pre-identified 6-digit HTS provisions provided on the participant's application. Generally, the exercise of reasonable care should ensure that Reconciliations do not result in a tariff shift outside the pre-identified HTS provisions. However, at the time such a tariff shift has been identified, the participant must immediately refrain from entering the merchandise classified outside the pre-identified HTS provisions in any future NCAP/P shipments. A participant may include this merchandise in future NCAP/P shipments only after submitting an application amendment with the proposed changes to HTS provisions and obtaining Customs approval of this amendment. The failure to identify merchandise not included in the original application or filed in amended applications in a timely manner may result in penalties, administrative sanctions and/or suspension from the prototype.

4. Filing of the Reconciliation

The continuous bond on the underlying entry summaries flagged for reconciliation will be used to cover the Reconciliation. Customs will accept no drawback claims on the underlying entry summaries until the Reconciliation is filed with duties, taxes, and fees deposited.

The following choices are for the type of Reconciliation filed. They are not conditioned on the method of flagging used. In other words, an importer can

flag entry summaries either individually or via a blanket application, and reconcile those entry summaries via an Entry-By-Entry or Aggregate Reconciliation.

a. Entry-by-Entry Reconciliation.

(1) This option can be used for all reconciliation adjustments, including refunds of duties, taxes, and fees.

(2) The revenue adjustment will be broken down to entry-by-entry detail for all underlying entry summaries.

(3) After the Reconciliation has been filed, drawback may be claimed against the underlying entry summaries and, if appropriate, the reconciled increase.

b. Aggregate Reconciliation.

(1) This option applies only to those situations which involve an absolute increase, i.e., each entry covered by the Reconciliation results in an increase or no change in duties, taxes, and fees. If netting is involved to reach a net increase, this option does not apply. (See Definitions section above for more details.) For example, entry 123 covers product A. Entry 234 covers product B. An assist was provided for product A, which resulted in an increase in duty. The value of product B was affected by currency fluctuations, which resulted in a decrease in duty. An Aggregate Reconciliation cannot be filed to cover both entry 123 and entry 234.

Remember, this restriction against netting applies only to netting between different entries. If entry 456 covers both products A and B, as long as entry 456 as a whole had an increase in duties, taxes, and fees, it may be included in an Aggregate Reconciliation.

(2) After the Reconciliation has been filed, drawback may be claimed against the underlying entry summaries, but may NOT be claimed against the reconciled increase. Furthermore, participants should be aware that duties, taxes, and fees paid on an Aggregate Reconciliation may only be refunded through adjustments to that Reconciliation on which the duties, taxes, and fees were paid, i.e., not through drawback or any other claims on the underlying entry summaries or a related Reconciliation (when two Reconciliations are filed on one entry summary.)

Example: The duty paid on the underlying entry summary is \$1,000, and the amount of the Aggregate Reconciliation adjustment is \$10,000. The \$1,000 paid at entry summary is eligible for a drawback refund. The \$10,000 reconciliation adjustment is not eligible for a drawback refund. By opting to file an Aggregate Reconciliation, all participants understand that they waive their ability

to claim drawback or transfer drawback rights for the amount of the reconciled increase.

(3) The Reconciliation will include a list of all underlying entry summaries, but will not require the revenue adjustment to be broken down by entry.

5. Filing of the Reconciliation—Grouping, Timeliness, and Location

Reconciliation is to be used to group entries together for a common, outstanding issue. Entry summaries flagged for reconciliation which have the same outstanding information should all be grouped on one Reconciliation, e.g., entry summaries flagged for reconciliation awaiting finalization of assist information should be grouped on one Reconciliation where the assist information is provided.

A Reconciliation of value, HTSUS heading 9802 and/or classification shall be filed within 15 months of the date of the oldest entry summary flagged for and grouped on that Reconciliation. A Reconciliation may cover any combination of value, HTSUS heading 9802 and classification issues. Should the issues of value, HTSUS heading 9802 and/or classification on one entry summary be flagged for reconciliation, the participant shall address all those issues on the same Reconciliation.

A NAFTA Reconciliation must be filed within 12 months of the date of importation of the oldest entry summary flagged for and grouped on that Reconciliation. NAFTA Reconciliations may not be combined with other issues, because of NAFTA's unique nature and different due dates, and so that Customs may expedite the processing of such refunds.

One underlying entry summary may have up to two Reconciliations, one for any combination of classification, HTSUS heading 9802 and/or value, and one for NAFTA. A Reconciliation which is not filed by the appropriate deadline will be handled as a liquidated damages claim for failure to file.

6. Effect of Reconciliation on Drawback

Inherent in the concept of reconciliation is the fact that, because certain issues are kept open pending filing of the Reconciliation, the information regarding these issues and the resulting liability for the duties, taxes, and fees previously asserted by the importer may change when the Reconciliation is filed. Customs will therefore not accept drawback claims or certificates on underlying entry summaries flagged for reconciliation until the Reconciliation is filed with all duties, taxes, and fees deposited. In the case of a drawback claim and a

reconciliation refund against the same underlying entry summaries, the importer is responsible for ensuring that a claim for a refund in excess of the duties paid is not filed with Customs and for substantiating how the drawback and reconciliation refund requests apply to different merchandise.

Since drawback is paid on a per-entry basis, reconciled adjustments filed with aggregate data are not eligible for drawback. As the adjustment made pursuant to an Aggregate Reconciliation is not connected to specific entry summaries, it would be impossible for Customs to ensure that those duties were indeed entitled to drawback, and/or that the duty for which the drawback was claimed had not been previously refunded on the underlying entry summary(ies).

7. Filing of Reconciliation—Bond Issues

Entry summaries flagged for reconciliation will require a continuous bond, which must be accompanied by a rider. The rider shall read as follows:

By this rider to the Customs Form 301 No. _____, executed on _____, by _____ as principal(s), importer no(s). _____, and _____, as surety, code no. _____, which is effective on _____, the principal(s) and surety agree that this bond covers all Reconciliations pursuant to 19 U.S.C. 1484(b) that are elected on any entries secured by this bond, and that all conditions set out in Section 113.62, Customs Regulations, are applicable thereto. The principal(s) and surety also agree that, when an Aggregate Reconciliation under this rider lists entries occurring in more than one bond period, any liabilities to Customs reflected in that Aggregate Reconciliation shall be attributable (up to the full available bond amount) to any or all of those bond periods.

The continuous bond obligated on the underlying entries, along with the rider, will be used to cover the Reconciliation. Adequate bond coverage must exist for the Reconciliation.

All underlying entry summaries subject to one Reconciliation must be covered by one surety and one continuous bond. Each Reconciliation must be covered by one surety. Termination of the continuous bond, either by the bond principal or surety, will require that a Reconciliation be filed for the entries covered by the terminated bond, and a separate Reconciliation be filed for the entries covered by the new bond (within the designated time frames).

Termination of the Reconciliation Bond Rider by either the principal or the surety may be affected in accordance

with procedures set forth in part 113.27, Customs Regulations. Termination of the Reconciliation Bond Rider will not serve to terminate the underlying bond. Moreover, it should be noted that Customs will not terminate bonds or riders filed pursuant to this prototype.

8. Reconciliation Component of the NCAP/P—Chain of Events

a. Entry summaries flagged for reconciliation—

(1) An electronic indicator, or “flag”, signifying that underlying entry summaries are to be reconciled, will be applied at the header level. The flag designates that the indicated issue(s) for the entire entry summary (not just a specific line) is subject to reconciliation.

(2) As mentioned above, there is also a “blanket application” option, in which ACE will automatically set the flag for all of an importer’s entry summaries for a given period for a given issue(s).

(3) For purposes of this prototype, the “flag” (set either by the filer or by Customs in accordance with a blanket application) serves as the importer’s Notice of Intent to file a Reconciliation. The flag may be transmitted at the time of summary filing, or after summary filing in the case of a retroactive flag.

(4) The importer must use reasonable care in filing the entry summary, including but not limited to declaring the proper value, classification, and rate of duty on the underlying entry summary, regardless of whether a particular issue has been flagged for reconciliation. For example, if the entry summary is subject to value reconciliation, the importer must still use reasonable care in providing a good faith value estimate, and deposit the appropriate duties, taxes, and fees at time of entry summary.

(5) Entry summaries may be flagged for reconciliation until the close of the test period.

b. Liquidation of underlying entry summaries—Liquidation of the underlying entry summary will occur as with any entry summary and will be posted to the Bulletin Notice of Liquidation. Importers who participate in this prototype will recognize that the liquidation of the underlying entry summary pertains only to those issues not identified by the importer as subject to reconciliation. Upon liquidation of the underlying entry summaries, any Customs decisions entering into that liquidation can be protested pursuant to 19 U.S.C. 1514. It should be noted that liquidation of the underlying entry summaries may, but does not necessarily, precede the filing of the Reconciliation.

c. Importer Electronically Transmits the Reconciliation—

(1) When the importer has finalized the outstanding information, and has the answer to the issue in question, the filer, using reasonable care, will electronically transmit the Reconciliation to Customs.

(2) Transmission of a Reconciliation for value, HTSUS heading 9802, and/or classification must occur within 15 months of the date of the oldest entry summary flagged for and grouped on that Reconciliation. Transmission of a NAFTA Reconciliation must occur within 12 months of the date of importation of the oldest entry summary flagged for and grouped on that Reconciliation.

(3) Each Reconciliation will be limited to one importer of record and one surety, i.e., the underlying entry summaries and the Reconciliation must have the same importer of record and the same surety.

(4) This prototype will allow up to 9,999 underlying entry summaries per Reconciliation.

(5) The importer must clearly document how the information in the Reconciliation was derived. The importer must maintain all supporting documentation required to substantiate the declaration made via the Reconciliation, and provide this information to Customs or Census upon request. Supporting documents may include, but are not limited to:

- (a) CF 247—Cost Submission;
- (b) Detailed line-level spreadsheets;
- (c) Landed cost analysis sheets;
- (d) Invoices, purchase orders, and contracts; and

(e) Documents supporting apportionment of assists in accordance with 19 CFR 152.103(e).

(f) Documents supporting a post-importation NAFTA claim in accordance with 19 CFR 181.32.

The recordkeeping provisions of the Customs laws and regulations apply to the Reconciliation and all supporting documentation as described above.

(6) While underlying entry summaries may be flagged until the close of the test period, Reconciliations may be filed and liquidated after the closing date of the test.

(7) Structure—For both the entry-by-entry and aggregate methods of reconciliation, the structure of the Reconciliation will include a header, association file, and line item data. The header record will contain basic summary data for the Reconciliation. The association file will contain the list of entry summaries being reconciled, and for Entry-by-Entry Reconciliations, the revenue adjustment per entry

summary. Under the line item data, each reconciliation line will be consolidated for all of the underlying entry summaries listed in the association file. Each combination of HTSUS, country of origin, Special Program Indicator (SPI) and calendar year of release will require a separate line. Upon request, Customs will provide applicants and other interested parties with sample Reconciliations of each type.

d. Payment—Payments of duties, taxes, fees, and interest due from the participant as a result of the Reconciliation will be reflected on the participant’s periodic statement and are due on the statement pay date. (See Section IX below). Refunds will be paid individually at the time of liquidation. Interest on increases due Customs must be deposited when the Reconciliation is filed, and will be calculated pursuant to 19 U.S.C. 1505.

e. Taxes and fees—For entry-by-entry Reconciliations, all taxes and fees on each entry summary must be adjusted to show the correct amount appropriate to that entry summary had the complete information for the transaction been known at the time of entry summary filing. On Aggregate Reconciliations, since monetary changes to individual entry summaries are not reported, adjustments to taxes and fees will be reported as follows:

(1) Taxes and Fees applied to individual commodities, such as Cotton Fee, Beef Fee and the like, will be adjusted by multiplying any increase in dutiable value by the rate associated with the tariff number for the product in question.

(2) For Harbor Maintenance Tax (HMT), the importer is responsible for determining and declaring the amount owed, based on any increase in dutiable value, for those products which had been subject to HMT at the time of original entry summary.

(3) Merchandise Processing Fee (MPF) will be determined and declared in a similar fashion. The importer is responsible for determining and declaring the proper amount of MPF due based on any increase in dutiable value, at the MPF rate applied to the product at time of filing the underlying entry summary. Because there is a maximum assessment of MPF for entry summaries, Customs will use the following formula to set the maximum MPF to be paid on an Aggregate Reconciliation: $[(\$485 \times \text{number of entries covered by the Reconciliation which were subject to MPF}), \text{less the amount of MPF already paid on those same entries.}]$

f. Liquidation of Reconciliation—

(1) The Reconciliation will be reviewed and liquidated, and the liquidation of the Reconciliation will be posted to the Bulletin Notice of Liquidation. One bill or refund will be issued if a revenue change is appropriate. Revenue changes determined at liquidation will not be included on the periodic statement. Participants should recognize that there may be instances where no bill or refund is necessary. Interest will be calculated in accordance with 19 U.S.C. 1505. Please note: Customs is in the process of analyzing options for interest calculation which are revenue-neutral and do not link to every underlying entry summary. A subsequent **Federal Register** notice will be published with any options for interest calculation. Until such further notice, interest must be calculated in accordance with 19 U.S.C. 1505.

(2) On a matter of dispute, the importer may follow normal protest procedures (pursuant to 19 U.S.C. 1514) with regard to any decision pertaining to the liquidation of the Reconciliation.

D. Reasonable Care and Recordkeeping

Under the statutory mandate of 19 U.S.C. 1484, the importer is responsible for using reasonable care in declaring at entry, among other things, the proper value, classification and rate of duty applicable to imported merchandise. The public is reminded that the obligation to use reasonable care applies to all aspects of reconciliation, including the filing and flagging of the underlying entry summaries and the filing of the Reconciliation.

Auditable and verifiable financial records must be the basis for any Reconciliation. Accordingly, the importer is required to maintain all records to support the Reconciliation, whether an Entry-By-Entry or Aggregate Reconciliation, pursuant to Customs recordkeeping laws and regulations, and maintain a system of records providing an audit trail between the data provided in the Reconciliation and the importer's books and records.

Upon request by Customs and/or Census, further information in support of the Reconciliation must be provided by the importer. For example, Customs may, for verification purposes, request that the importer break down a certain [HTSUS/country of origin] line by part number, contract number, etc., and provide the documentation to support the change made at that level. The importer will have to track the adjustment to entry if requested by Customs. Census may in certain circumstances request that the yearly change for a given [HTSUS/country of

origin/SPI] be broken down to quarterly adjustments, in order to capture seasonal fluctuations.

IX. Statement Processing

In order to permit a different procedure to test the periodic deposit of estimated duties without adversely affecting the collection of revenue, participants must abide by the following procedures.

A. Periodic Statements

Customs will electronically produce two types of statements each month, one before (preliminary) and one after (final) the filing deadline. The preliminary statement will be available anytime from the 1st of the month following the release period (calendar month) until the 10th of the month following the release period. The preliminary statement must be requested by the participant; it will not be issued automatically. It will then be produced as part of a scheduled periodic automated routine. The preliminary statement is for information purposes only.

The final statement will be produced immediately after the 10th of the month following the release period (filing deadline). The final statement will show amounts due to, or payable by, Customs. Any amounts due shall be initiated via ACH credit by the 15th of the month following the release period. Only NCAP/P entry release transactions will be included on the statement.

1. Entries Released During the Release Period

All entries, with revenue due, released during the release period, will be listed on the final statement. This will include Reconciliations filed during the release period. The statement will show the amount due and the amount of the preliminary estimated payments (described below) applied to each entry. The statement will normally contain a balance due, but if the preliminary estimated payments exceed the total estimated duties, taxes, and fees due, there would be an amount payable by Customs.

2. Prior Statement Items

Any estimated duties, taxes, and fees that have appeared on a previous statement that have an open balance, payable to Customs, will be listed on the final statement. This will consist of any NCAP/P entry transactions where the participant still owes Customs estimated duties, taxes, and fees.

3. Violation Bills

Any violation bills that are open at the time the final statement is produced will be listed on the statement for informational purposes only. The violation bills will be shown separately and the amounts will not be consolidated with entry related transactions. Customs will only apply funds to violation bills if specifically designated by the participant. (See Section X below.)

B. Payment Process

The participant will make three types of payments to Customs via ACH credit. The three types include preliminary estimated payments, final statement payments, and specific payments.

1. Preliminary Estimated Payments

The preliminary estimated payments shall be initiated by the 15th and last day of the month of the release period. If the 15th or the last of the month falls on a weekend or holiday, the payment shall be initiated by the next business day. These estimated payments are to ensure revenue neutrality.

a. All payments shall be made via ACH credit and initiated no later than the 15th or the end of the month.

b. The first preliminary estimated payment will be 75% of the estimated revenue due to Customs as a result of entry activity for the first 15 days of the calendar month.

c. The second preliminary estimated payment will be 57% of the estimated revenue due to Customs as a result of entry activity from the 16th to the end of the month.

These percentages will be reviewed and may have to be adjusted to maintain revenue neutrality. The participant will be required to identify the applicable release period for the payment. This identification will be done as part of the ACH transaction. The preliminary estimated payment will always be applied against the entries released during the period identified by the participant. If there is an amount remaining after this application, that is, if the estimated payments exceed the total duties, taxes, and fees due for the period, it will be held by Customs and applied to the next statement, unless the participant requests a refund within 10 calendar days.

2. Final Statement Payment

This payment shall be initiated by the 15th of the month following the release period, and should include:

- a. Any prior period estimated duties, taxes, and fees, payable to Customs; and
- b. The difference between the total amount of revenue due on entry

summaries filed during the release period and the preliminary estimated payments.

The final statement payment shall be initiated, through ACH, on the 15th of the month following the release period. The settlement date of this transaction is the date which will serve as the date of actual deposit of estimated duties and fees for purposes of assessing interest under 19 U.S.C. 1505. The final statement payment received by Customs will be applied against any estimated duties, taxes, and fees payable to Customs listed on the statement. If there is an amount remaining after this application, that is, if the final statement payment exceeds the final statement amount due, it will be held by Customs and applied to the next statement, unless the participant requests a refund within 10 calendar days.

3. Specific Payment

This is a payment that explicitly identifies the item to be paid. This identification is done as part of the ACH payment transaction. A specific payment will be applied against the specifically identified item. If there is an amount remaining after this application, that is, if the payment exceeded the amount due for the specific item, it will be held by Customs and applied to the next statement, unless the participant requests a refund within 10 calendar days. If the specific item identified by the participant is not found, the payment will be held in suspense until further instructions are provided by the participant. The participant may notify Customs of any individual amounts due to which they do not want Customs to apply funds. Customs will not apply any funds to these items until explicitly informed to do so by the participant.

X. Misconduct Under Prototype

All participants in the NCA/P, whether accepted under the prior notice or this notice, are required to abide by the terms and conditions of this notice. Customs may employ the violation billing process for certain instances of misconduct. In those instances where a bond breach has occurred, the facts are known, and the harm to the government is quantifiable, Customs may issue a violation bill to the participant. The participant may choose to pay the violation bill, in which case, liquidated damages will not be issued and the matter will be closed. Should the participant wish to contest or fail to pay the violation bill, liquidated damages will be issued and the administrative procedures of Part 172 of the Customs Regulations will be invoked.

If a participant is removed from or voluntarily discontinues participation in the Importer Compliance Monitoring Program; if a participant fails to cooperate fully in a Compliance Assessment or audit, provide timely and accurate data and adequate resources in support of a Customs Compliance Assessment or audit; if a participant fails to abide by the terms and conditions of a compliance improvement plan; if a participant enters or attempts to enter goods conveyed by non-LBCIP carriers on the southern border; enters or attempts to enter goods from shippers or sellers/vendors or conveyed by carriers not approved by Customs; enters or attempts to enter goods classified in commodity ranges not approved by Customs; files non-consumption entries; enters or attempts to enter or submit data relating to prohibited merchandise, merchandise subject to quota or antidumping or countervailing duties, or other non-eligible merchandise; fails to maintain sufficient continuous bond coverage; files erroneous or untimely data; makes late or inadequate payments; misuses reconciliation by using it when the reconciliation issue is not truly undeterminable at the time of entry summary; fails to supply Customs with requested invoice data or sufficient supporting documentation for a Reconciliation; fails to maintain a sufficient level of compliance; fails to exercise reasonable care in the execution of participant obligations; or otherwise fails to follow the procedures outlined herein, and applicable laws and regulations, then the participant may be suspended from the prototype, subject to liquidated damages, penalties, and/or other administrative sanctions, and/or prevented from participation in future prototypes. Customs has the discretion to suspend a prototype participant based on the determination that an unacceptable compliance risk exists. This suspension may be invoked at any time after acceptance in the prototype.

Any decision proposing suspension of a participant may be appealed in writing to the Director, Trade Compliance, within 15 days of the decision date. Such proposed suspension will apprise the participant of the facts or conduct warranting suspension. Should the participant appeal the notice of proposed suspension, the participant should address the facts or conduct charges contained in the notice and state how he does or will achieve compliance. However, in the case of willfulness or where public health interests or safety are concerned, the

suspension may be effective immediately.

XI. Regulatory Provisions Suspended

Certain provisions of Parts 24, 111, 113, 141, 142, 143, 159 and 181 of the Customs Regulations (19 CFR Parts 24, 111, 113, 141, 142, 143, 159 and 181) will be suspended during this prototype test to allow for monthly filing of entry summary data, periodic payment of duties, taxes, and fees, reconciliation for NAFTA, classification, value and 9802 issues, liquidation, billing and remote filing by Customs brokers in ports where they currently do not hold permits.

Absent any specified alternate procedure, the current regulations apply.

XII. Prototype Evaluation

Once the importers are selected for the NCA/P, the Joint Prototype Team will, during the initial six months of the test period, evaluate the effectiveness of the automation involved. Subsequent reviews will additionally consist of evaluating the data received from the importers, along with the internal and external process operations of the NCA/P.

Additional importers may become eligible during the prototype period, using the eligibility requirements cited above, thereby increasing the number of companies involved in the NCA/P. The evaluation of the prototype as it pertains to these importers may occur separately from that which is done on the original participants. Regardless, the intention of the evaluations is to enhance operational procedures and to develop the detailed data requirements that are needed for the NCA/P.

Note that the fact of participation in the NCA/P is not confidential information. Lists of participants will be made available to the public by means of the Customs Electronic Bulletin Board and the Customs Administrative Message System, and upon written request. We stress that all interested parties are invited to comment on the design, conduct, and evaluation of the NCA/P at any time during prototype.

Upon conclusion of the prototype the final results will be published in the **Federal Register** and the Customs Bulletin as required by § 101.9(b), Customs Regulations, and reported to Congress.

Dated: August 17, 1998.

Robert S. Trotter,

Assistant Commissioner, Office of Field Operations.

[FR Doc. 98-22480 Filed 8-20-98; 8:45 am]

BILLING CODE 4820-02-P

**UNITED STATES INFORMATION
AGENCY**

**Culturally Significant Objects Imported
for Exhibition Determinations: "Royal
Persian Paintings: The Qajar Epoch
1785-1925"**

AGENCY: United States Information
Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), and Delegation Order No. 85-5 of June 27, 1985 (50 FR 27393, July 2, 1985). I hereby determine that the objects on the list specified below, to be included in the exhibit, "Royal Persian Paintings: The Qajar Epoch 1785-1925," imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the exhibition or display of the listed exhibit objects at the Brooklyn Museum of Art, in New York, New York, from on or about October 23, 1998, to on or about January 24, 1999, and at the Armand Hammer Museum of Art and Cultural Center, Los Angeles, California,

from on or about February 24, 1999, to on or about May 9, 1999, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Jacqueline Caldwell, Assistant General Counsel, Office of the General Counsel, 202/619-6982, and the address is room 700, U.S. Information Agency, 301 4th Street, SW, Washington, DC 20547-0001.

Dated: August 18, 1998.

Les Jin,

General Counsel.

[FR Doc. 98-22519 Filed 8-20-98; 8:45 am]

BILLING CODE 8230-01-M

**UNITED STATES INFORMATION
AGENCY**

**Culturally Significant Objects Imported
for Exhibition Determinations: "UFA
Film Posters, 1918-1943"**

AGENCY: United States Information
Agency.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978),

and Delegation Order No. 85-5 of June 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the objects on the list specified below, to be included in the exhibit, "UFA Film Posters, 1918-1943," imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the exhibition or display of the listed exhibit objects at the Museum of Modern Art, New York, New York, from on or about September 17, 1998, to on or about January 5, 1999, and at the Academy of Motion Picture Arts and Sciences, Beverly Hills, California, from on or about February 5, 1999, to on or about April 25, 1999, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Lorie J. Nierenberg, Assistant General Counsel, Office of the General Counsel, at 202/619-6084. The address is Room 700, U.S. Information Agency, 301-4th Street, SW, Washington, DC 20547-0001.

Dated: August 18, 1998.

Les Jin,

General Counsel.

[FR Doc. 98-22518 Filed 8-20-98; 8:45 am]

BILLING CODE 8230-01-M

Corrections

Federal Register

Vol. 63, No. 162

Friday, August 21, 1998

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 072998B]

Marine Mammals; File Nos. 77#3-54 and 881-1443

Correction

In notice document 98-21068 appearing on page 42010 in the issue of Thursday, August 6, 1998, in the first column, in the **DATES:** section, in the second and third lines, "October 5, 1998" should read "September 8, 1998".

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

Bureau of Labor Statistics

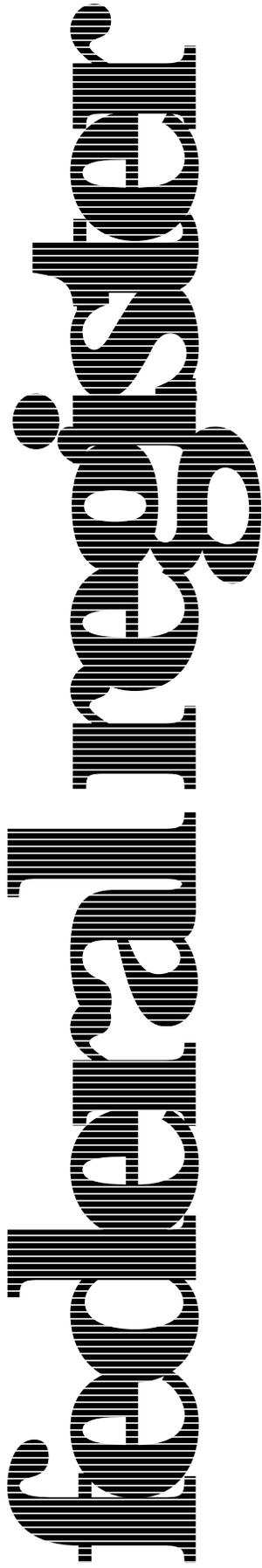
Proposed Information Collection Request Submitted for Public Comment and Recommendations; Census of Fatal Occupational Injuries

Correction

In notice document 98-19112 beginning on page 38676 in the issue of Friday, July 17, 1998, make the following correction:

On page 38676, in the second column, under **ADDRESSES**, in the seventh line "202-605-7628" should read "202-606-7628".

BILLING CODE 1505-01-D



Friday
August 21, 1998

Part II

**Environmental
Protection Agency**

**Final National Pollutant Discharge
Elimination System General Permit and
Reporting Requirements for the Final
Beneficial Reuse or Disposal of Municipal
Sewage Sludge (LAG650000); Notice**

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6148-8]

Final National Pollutant Discharge Elimination System General Permit and Reporting Requirements for the Final Beneficial Reuse or Disposal of Municipal Sewage Sludge (LAG650000)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 305(f)(1) of the CWA provides that all permits issued under section 402 to a POTW or any other TWTDS must include requirements for the use and disposal of sludge that implement the regulations established pursuant to section 405(d) of the CWA (see 40 CFR part 503 and 40 CFR part 258).

The State of Louisiana was authorized to implement the National Pollutant Discharge Elimination System (NPDES) program on August 27, 1996. It did not apply for authorization to implement the sewage sludge program at that time. The Louisiana Pollutant Discharge Elimination System permits issued to wastewater treatment facilities will not provide permit coverage for disposal of sewage sludge. EPA is issuing this permit to assure sewage sludge is beneficially reused or disposed in accordance with regulations to protect human health and the environment. The 40 CFR part 503 Standards consist of general requirements, pollutant limits, management practices, and operational standards, for the final use or disposal of sewage sludge generated during the treatment of domestic sewage in a treatment works. Reuse or disposal methods addressed in the general permit include sewage sludge applied to the land, placed on a surface disposal site, and disposed in a municipal solid waste landfill.

ADDRESSES: The public record is located at EPA Region 6, and is available upon written request. Requests for copies of the public record including a complete copy of the response to comments and the general permit should be addressed to Wilma Turner, Administrative Team of the Water Quality Protection Division (6WQ-CA), U.S. Environmental Protection Agency Region 6, 1445 Ross Ave. Suite 1200, Dallas, Texas 75202 (214) 665-7516. at the address above. A reasonable fee may be charged for copying.

DATES: The permit will become effective September 21, 1998. The expiration date is September 22, 2003.

FOR FURTHER INFORMATION CONTACT: For further information on the general permit contact Stephanie Kordzi, Oversight Team, of the Water Quality Protection Division (6WQ-PO), U.S. Environmental Protection Agency Region 6, 1445 Ross Ave., Suite 1200, Dallas, Texas 75202, (214) 665-7520.

SUPPLEMENTARY INFORMATION:

I. Framework of Permitting System

Regulated entities include:

Category	Examples of regulated entities
Treatment Works Treating Domestic Sewage.	Publicly Owned Treatment Works (Municipalities).
Treatment Works Treating Domestic Sewage.	Sewage Sludge Treatment Devices (Including Blenders of Sewage Sludge).
Treatment Works Treating Domestic Sewage.	Wastewater Treatment Devices.
Treatment Works Treating Domestic Sewage.	Federal Facilities Treating Domestic Sewage.
Treatment Works Treating Domestic Sewage.	Owners of Land Dedicated to the Disposal of Sewage Sludge.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether your operation is regulated by this action, you should carefully examine the applicability criteria found in 40 CFR 122.21(c)(2) of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding **FOR FURTHER INFORMATION CONTACT** section.

II. Permitting

A. Application of General Permit

This public notice specifies that official notification is required for coverage under this general permit pursuant to 40 CFR 122.28(b)(2). Notifying EPA under a general permit is a mechanism which can be used to establish an accounting of the number of permittees covered by the general permit, the nature of operations at the facility generating the sewage sludge, and the identity and location of sludge disposal sites. This type of information is appropriate since the sewage sludge is being monitored and tracked. This permit will apply to all TWTDS

(including POTWs) covered by permitting requirements under 40 CFR part 503 and 40 CFR part 258.

B. Deadlines for Notification

1. **Existing Facility.** Individuals who intend to obtain coverage for an existing TWTDS where sludge is generated, treated, land applied for beneficial reuse, surface disposed or disposed in a municipal solid waste landfill under this general permit shall submit notification to the EPA in accordance with the requirements of this part on or before 90 days after the effective date of the permit. The effective date of the permit is 30 days following publication of the permit in the **Federal Register**;

2. **New Facility.** Operators of facilities that begin operations after 90 days after permit finalization shall submit a notification to the EPA in accordance with the requirements of this part at least 2 days prior to the commencement of the industrial activity at the facility.

3. **New Operator.** Where the operator of a facility that is covered by this permit changes, the new operator of the facility must submit a notification to the EPA in accordance with the requirements of this part at least 2 days prior to the change.

4. **Late Notification.** An operator associated with sewage sludge generation, treatment, final reuse or disposal is not precluded from submitting a notification to the EPA in accordance with the requirements of this part after the dates provided in Parts II.B.1., 2., or 3. (above) of this permit.

5. Owners or operators of facilities authorized by this permit shall notify the Louisiana Department of Environmental Quality (LDEQ) that they are covered by this permit. State notification must be made within 30 days of issuance of this permit or upon completion of a new facility.

C. Contents of Notice of Intent

Notifications to the EPA shall be signed in accordance with the Signatory Requirements of the general permit and shall include the following information:

1. The operator's name, address, telephone number, and status as Federal, State, private, public, or other entity.

2. An indication of whether the TWTDS (including the land application and disposal sites) are located on Federal Indian Reservations.

3. The permit number(s) of additional permit(s) (Federal, State, and local) authorizing activities associated with the generation, treatment, land application for beneficial reuse, surface disposal or disposal of sludge in a

municipal solid waste landfill currently authorized by other permits.

4. Description of the permittee's sludge use and disposal practices.

5. *Presence of Endangered Species.* Based on the instructions in Addendum A, no species identified in Addendum A are in proximity to the sites where sewage sludge is generated, treated, land applied for beneficial reuse, surface disposed, or disposed in a municipal solid waste landfill.

6. *National Historic Preservation Act Compliance.* A yes or no response to the following statement: Applicant has obtained and is in compliance with Historic Preservation Agreement.

7. *Eligibility Certification.* The following certifications shall be signed in accordance with Part VI.

"I certify under penalty of law that I have read and understand the Part IV.B. eligibility requirements for coverage under the sewage sludge general permit including those requirements relating to the protection of species identified in Addendum A."

"To the best of my knowledge the sludge generation, sludge treatment processes, land application for beneficial reuse, surface disposal, and disposal in a municipal solid waste landfill covered under this permit, are not likely and will not likely, adversely affect any species identified in Addendum A of this permit, or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act."

"To the best of my knowledge, I further certify that such activities, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act."

"I understand that continued coverage under the sewage sludge general permit is contingent upon maintaining eligibility as provided for in Part IV.B."

C. Where To Submit

Facilities that generate, treat, land apply for beneficial reuse, surface dispose, or dispose of sludge in a municipal solid waste landfill must notify the EPA at the following address. The notification must be signed in accordance with the Signatory Requirements of the general permit. The notification is to be submitted to the Chief of the Water Enforcement Branch (6EN-W) at the following address: Sewage Sludge Notice of Intent, Water Enforcement Branch (6EN-W), Region 6, U.S. Environmental Protection Agency, P.O. Box 50625, Dallas, Texas 75270.

III. Compliance With Other Federal Regulations

A. National Environmental Policy Act

CWA section 511(c)(1) excludes this action from the National Environmental Policy Act of 1969.

B. Endangered Species Act

The Endangered Species Act (ESA) of 1973 requires Federal Agencies such as EPA to ensure, in consultation with the U.S. Fish and Wildlife Service (Service) that any actions authorized, funded, or carried out by the Agency (e.g., EPA issued sewage sludge permits requiring compliance with the conditions in the part 503 regulations) are not likely to adversely affect the continued existence of any federally-listed endangered or threatened species or adversely modify or destroy critical habitat of such species (see 16 U.S.C. 1536(a)(2), 50 CFR part 402 and 40 CFR 122.49(c)).

Accordingly, sewage sludge final reuse and disposal activities that are likely to adversely affect species are not eligible for permit coverage under this sewage sludge general permit.

To be eligible for coverage under the sewage sludge general permit, applicants are required to review the list of species and their locations and which are described in the instructions for completing the application requirements under this permit. If an applicant determines that none of the species identified are found in the county in which the TWTDS, surface disposal site, land application site or MSWLF is located, then there is no likelihood of an adverse effect and they are eligible for permit coverage. Applicants must then certify that their operation is not likely to adversely affect species and will be granted sewage sludge general permit coverage 48 hours after the date of the postmark on the envelope used to mail in the notification.

If species are found to be located in the same county as the TWTDS, surface disposal site, land application site, or MSWLF then the applicant next must determine whether the species are in proximity to the sites. A species is in proximity if it is located in the area of the site where sewage sludge will be generated, treated, reused or final disposed. If an applicant determines there are no species in proximity to the potential sites, then there is no likelihood of adversely affecting the species and the applicant is eligible for permit coverage.

If species are in proximity to the sites, as long as they have been considered as part of a previous ESA authorization of the applicant's activity, and the

environmental baseline established in that authorization is unchanged, the applicant may be covered under the permit. For example, an applicant's activity may have been authorized as part of a section 7 consultation under ESA, covered under a section 10 permit, or have received a clearance letter. The environmental baseline generally includes the past and present impacts of all federal, state and private actions that were contemporaneous to an ESA authorization. Therefore, if a permit applicant has received previous authorization and nothing has changed or been added to the environmental baseline established in the previous authorization, then coverage under this permit will be provided.

In the absence of such previous authorization, if species are in proximity to the sites, then the applicant must determine whether there is any likely adverse effect upon the species. This is done by the applicant conducting a further examination or investigation which includes contacting the Services for a determination on potential adverse effects of endangered species. If the applicant determines that there likely is, or will likely be an adverse effect, then the applicant is not eligible for general permit coverage.

All TWTDS applying for coverage under this permit must provide in the notification to EPA the following information: (1) a determination as to whether there are any species in proximity to the sites, and (2) a certification that their sewage sludge treatment, reuse, or disposal are not likely to adversely affect species or are otherwise eligible for coverage due to a previous authorization under the ESA. Coverage is contingent upon the applicant's providing truthful information concerning certification and abiding by any conditions imposed by the permit.

TWTDS who are not able to determine that there will be no likely adverse effect to species or habitats and cannot sign the certification to gain coverage under this sewage sludge general permit, must apply to EPA for an individual sludge only permit. As appropriate, EPA will conduct ESA § 7 consultation when issuing such individual permits.

Regardless of the above conditions, EPA may require that a permittee apply for an individual sewage sludge permit on the basis of possible adverse effects on species or critical habitats. Where there are concerns that coverage for a particular discharger is not sufficiently protective of listed species, the Service (as well as any other interested parties) may petition EPA to require that the

discharger obtain an individual NPDES permit and conduct an individual section 7 consultation as appropriate.

In addition, the Service may petition EPA to require that a permittee obtain an individual sewage sludge permit. The permittee is also required to make the record keeping information required by the 40 CFR part 503 regulations and the permit available upon request to the U.S. Fisheries and Wildlife Service Regional Director, or his/her authorized representative.

These mechanisms allow for the broadest and most efficient coverage for the permittee while still providing for the most efficient protection of endangered species. It significantly reduces the number of TWTDS that must be considered individually and therefore allows the Agency and the Services to focus their resources on those discharges that are indeed likely to adversely affect water-dependent listed species. Straightforward mechanisms such as these allow applicants with expedient permit coverage, and eliminates "permit limbo" for the greatest number of permitted discharges. At the same time it is more protective of endangered species because it allows both agencies to focus on the real problems, and thus, provide endangered species protection in a more expeditious manner. Prior to the publication of the public notice of this draft permit in the **Federal Register**, the Service concurred that the draft permit would not adversely affect listed species. No comments were submitted during the public notice period regarding compliance with the ESA.

C. National Historic Preservation Act

The National Historic Preservation Act (NHPA) prohibits Federal actions that would affect a property that either is listed on, or is eligible for listing, on the National Historic Register. EPA therefore cannot issue permits to treatment works treating domestic sewage (including publicly owned treatment works (POTWs) affecting historic properties unless measures will be taken such as under a written agreement between the applicant and the State Historic Preservation Officer (SHPO) outlining all measures to be undertaken by the applicant to mitigate or prevent adverse effects to the historic property. Therefore, under today's permit land applying, surface disposing, or disposing of sewage sludge in a municipal solid waste landfill may be covered only if the action will not affect a historic property that is listed or is eligible to be listed in the National Historic Register, or the operator has obtained and is in compliance with a

written agreement signed by the State Historic Preservation Officer (SHPO) that outlines measures to be taken to mitigate or prevent adverse effects to the historic site. Prior to the publication of the public notice of the draft permit in the **Federal Register**, the Arkansas State Historic Preservation Program determined it had no objections to the general permit based on the NHPA. No comments were submitted during the public notice period regarding compliance with the NHPA.

D. Executive Order 12866

Under Executive Order 12866, (58 FR 51735 October 4, 1993) the Agency must determine whether the regulatory action is "significant" and therefore subject to OMB review and the requirements of the Executive Order. The Order defines "significant regulatory action" as one that is likely to result in a rule that may have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order. It has been determined that this general permit is not a "significant regulatory action" under the terms of Executive Order 12866.

E. Paperwork Reduction Act

The information collection required by this permit has been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, in submission made for the NPDES permit program and assigned OMB control number 2040-0004 for the discharge monitoring reports. Permit application and Notice of Intent information has been assigned the OMB control number 2040-0086.

F. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601 *et seq.*, a Federal agency must prepare an initial regulatory flexibility analysis "for any proposed rule" for which the agency "is required by section 553 of (the Administrative Procedure Act (APA)), or any other law, to publish general notice of proposed rulemaking." The RFA exempts from this requirement any

rule that the issuing agency certifies "will not, if promulgated, have a significant economic impact on a substantial number of small entities."

EPA did not prepare a regulatory flexibility analysis (IRFA) for the proposed permit. EPA views issuance of a "sewage sludge only" general permit to not be subject to rulemaking requirements, including the requirement for a general notice of proposed rulemaking, under APA section 553 or any other law, and is thus not subject to the RFA requirement to prepare an IRFA. The EPA concluded that the permit, if issued as drafted, would not have a significant impact on a substantial number of small entities. NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the Clean Water Act (CWA). While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide "an opportunity for a hearing."

G. Unfunded Mandates Reform Act

Section 201 of the Unfunded Mandates Reform Act (UMRA), Pub. L. 104-4, generally requires Federal agencies to assess the effects of their "regulatory actions" on State, local, and tribal governments and the private sector. UMRA uses the term "regulatory actions" to refer to regulations. (See, e.g., UMRA section 201, "Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)" (emphasis added)). UMRA section 102 defines "regulation" and "rule" by reference to section 658 of Title 2 of the U.S. Code, which in turn defines "regulation" and "rule" by reference to section 601(2) of the RFA. That section of the RFA defines "rule" as "any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of the Administrative Procedure Act (APA), or any other law. * * *"

NPDES general permits are not "rules" under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the Clean Water Act (CWA). While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide "an opportunity for a hearing." Thus, NPDES general permits are not "rules"

for UMRA purposes but are treated with rule-like procedures.

IV. Final General Permit for Final Beneficial Reuse and Disposal of Municipal Sewage Sludge

A. Today's Document

Today's document discusses the issuance of a general permit to regulate the final beneficial reuse and disposal of municipal sewage sludge in Louisiana. The permit was proposed and published in the **Federal Register** on November 15, 1996, found in 58 FR 58550, 58554. The following portion of the notice describes conditions of certification under section 401 of the CWA submitted by the LDEQ on the proposed general Sewage Sludge permit. Only the LDEQ submitted comments during the public notice period.

1. The final permit was revised to contain a provision that sewage sludge with a concentration of PCB's equal to or greater than 10 mg/kg be incorporated into the soil. The condition of certification made by LDEQ is based on Federal regulations 40 CFR 257.3-5 (Interim Final), which states that solid waste, containing concentrations of PCB's equal to or greater than 10 mg/kg (dry weight) must be incorporated into the soil.

2. In addition, the LDEQ required, as a condition of certification, that a recommendation be included in the permit requiring exceptional quality sludge be land applied at agronomic rates. The final permit was revised to include the recommendation. In addition, the permit was revised to clarify that applying sewage sludge at an agronomic rate applies to both nitrogen and phosphorous for all sewage sludge

beneficially reused. Nitrogen shall be considered the limiting pollutant in unimpaired watershed areas. Phosphorous shall be considered the limiting pollutant when the sewage sludge is land applied in an impaired watershed area. Impaired watershed areas are defined in the *1998 Louisiana Water Quality Limited Waterbodies—303(d) list*. A copy of the 303(d) list can be obtained from Barbara Romanowsky, Louisiana Department of Environmental Quality, P.O. Box 82215, Baton Rouge, Louisiana 70884-2215.

3. The LDEQ required, as a condition of certification, that the land application restrictions included in the permit also include restrictions with regards to slope. The following table was included in the final permit and is based on proposed changes to the state of Louisiana sewage requirements:

Slope percent	Application restriction
0-3	None, except drainage to prevent standing water shall be provided. Liquid or solid material may be applied.
3-6	Application of liquid or solid material may be made. A 100 foot vegetated runoff area should be provided at the downslope end of the application area if a liquid is applied. Measures should be taken to prevent erosion.
6-12	Liquid material must be injected into the soil. Solid material must be incorporated into the soil if the site is not covered with vegetation. A 100 foot vegetated runoff area is required at the downslope end of the application area for all applications. Measures must be taken to prevent erosion.
>12	Unsuitable for application unless a 200 foot vegetated buffer area with a slope of less than 3% is provided at the downslope edge of the application area and the material is incorporated (solid material) and injected (liquid material) into the soil. Measures must be taken to prevent erosion.

4. The definition of "contaminate an aquifer" was revised in the final permit to reference a revised regulatory citation 40 CFR Subpart 141.62(b).

5. A provision in the permit was revised to only allow vector attraction reduction alternatives 1-5 be used either prior to or at the same time pathogen reduction is met.

Effective Date of Requirements

This permit shall become effective 30 days from the publication date in the **Federal Register**. The effective date has been revised from the defined date in the proposed permit.

NPDES General Permit for Final Reuse and Disposal of Sewage Sludge

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- Part I. Coverage Under this Permit
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- Part VIII. Monitoring
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- Part XII. Instructions to Permittees
- Part XIII. Body of Permit

Addenda

- Addendum A Endangered Species Guidance
- Addendum B National Historic Preservation Act Guidance

Part I. Coverage Under This Permit

A. Permit Area

The permit covers all areas administered by Region 6 in the State of Louisiana.

B. Coverage and Eligibility

Unless excluded from coverage in accordance with Part I, paragraph C or D below, treatment works treating domestic sewage (TWTDS) that are defined in 40 CFR 122.2 and are subject to the requirements of 40 CFR part 503 and 40 CFR part 258 are authorized under the terms and conditions of this permit.

1. Permittees must retain on site a copy of the permit.
2. TWTDS With Expired Permits or Pending Applications. All facilities which have expired permits and have reapplied in accordance with 40 CFR 122.21(d); and all facilities which have submitted applications in accordance with 40 CFR 122.21(a) are automatically covered by the terms of this permit. A

permittee may request to be excluded from coverage by this permit by applying for an individual permit in accordance with 40 CFR 122.28(b)(2)(iii).

C. Limitations on Coverage

The following activities are not covered by this permit; TWTDS that the Director has determined to be or may reasonably be expected to pose a potential threat to human health and the environment due to toxic pollutants or, which have been notified by the Director to file for an individual or alternative general permit in accordance with Part I, D. (below) of this permit.

D. Requiring an Individual Permit or an Alternative General Permit

1. The Director may require any person authorized by this permit to apply for and obtain either an individual sewage sludge permit or an alternative sewage sludge general permit as provided in 40 CFR 122.28(b) (2) or (3). The Director will notify the owner or operator in writing that a permit application is required. If an owner or operator fails to submit an individual permit application in a timely manner required under this paragraph by the

Director, then the applicability of this general permit to the individual permittee is automatically terminated at the end of the day specified for application submittal.

2. Any owner or operator authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit as provided in 40 CFR 122.28(b)(2)(iii). The owner or operator shall submit application information as required by 40 CFR 122.21(c)(2) to the Director with reasons supporting the request.

3. When an individual permit is issued to an owner or operator otherwise subject to this permit, or the owner or operator is approved for coverage under an alternative general permit, the applicability of this permit to the facility is automatically terminated on the effective date of the individual permit or on the date of approval for coverage under the alternative general permit. When an individual permit is denied to an owner or operator otherwise subject to this permit, or the owner or operator is denied for coverage under an alternative general permit, the permittee is automatically reinstated under this permit on the date of such denial unless otherwise specified by the Director.

E. Permit Expiration

Coverage under this permit will expire five (5) years from the date of issuance. The conditions of an expired permit continue in force until the effective date of a new permit (40 CFR 122.6).

F. Endangered Species Protection

Permit Coverage Restrictions: In order to be eligible for coverage under this permit, the applicant must comply with the Endangered Species Act. Land application, surface disposal, or disposal of sludge in a municipal solid waste landfill may be covered under this permit only if either:

1. Sewage sludge activities are not likely to adversely affect species identified in Addendum A of this permit; or
2. The applicant's activity has received previous authorization under the Endangered Species Act and established an environmental baseline that is unchanged; or,
3. The applicant is implementing appropriate measures as required by the Director to address adverse affects. All TWTDS applying for coverage under this sewage sludge general permit must certify that their activities regarding the generation, treatment, land application for beneficial reuse, surface disposal, or

disposal of sludge in a municipal solid waste landfill are not likely to adversely affect species identified in Addendum A of this permit.

G. National Historic Preservation Act

In order to be eligible for coverage under this permit, the applicant must be in compliance with the National Historic Preservation Act. Activities associated with the generation, treatment, land application for beneficial reuse, surface disposal, or disposal of sludge in a municipal solid waste landfill may be covered under this permit only if:

1. Operations do not affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior; or,
2. The applicant has obtained and is in compliance with a written agreement between the applicant and the State Historic Preservation Officer (SHPO) that outlines all measures to be undertaken by the applicant to mitigate or prevent adverse effects to the historic property.

Part II. General Permit Conditions

A. The permittee shall comply with all conditions in this permit. Failure to comply with this permit constitutes a violation of the Clean Water Act (CWA) and is grounds for an enforcement action or for modification, revocation and reissuance, or termination of the permit.

B. The permittee shall take all reasonable steps to minimize or prevent any sludge use or disposal practice which violates this permit and which also has a reasonable likelihood of adversely affecting human health or the environment.

C. Violation of a permit condition may result in imposition of a civil penalty of up to \$25,000 per day for each violation. Alternatively, violation of a permit condition may result in imposition of administrative penalty assessed by the U.S. Environmental Protection Agency.

D. Negligent violation of a permit condition may result in imposition of a fine ranging from \$2,500 to \$25,000 per day for each violation; or imprisonment for up to one year; or both a fine and imprisonment.

E. Knowing violation of a permit condition may result in imposition of a fine ranging from \$5,000 to \$50,000 per day for each violation; or imprisonment for up to three years; or both a fine and imprisonment.

F. If the only means whereby the permittee can maintain compliance with the conditions of this permit is to halt

or reduce the permitted activity, then the permittee's failure to do so shall not constitute a defense in an enforcement action against the permittee.

G. The permittee shall properly operate and maintain all facilities and systems of treatment and control, with all related appurtenances, including adequate laboratory controls and appropriate quality assurance procedures, which have been installed or used by the permittee for the purpose of achieving compliance with the conditions of this permit. The permittee shall also properly operate and maintain backup or auxiliary facilities or similar systems when their operation is necessary to achieve compliance with the conditions of this permit.

Part III. Inspections and Information

A. The permittee shall furnish to the permitting authority, within a reasonable time, any information requested for the purposes of determining compliance with the permit or determining whether cause exists for modifying, revoking and reissuing, or terminating this permit. The permittee shall also furnish, upon request of the permitting authority, copies of any records required to be kept under the conditions of this permit.

B. The permittee shall allow a properly credentialed representative of the permitting authority to perform the following functions: (1) Enter the permittee's premises where a regulated facility is located, where a regulated activity is being conducted, or where records are required to be kept under the conditions of this permit. (2) At reasonable times, have access to and copy any records required to be kept under the conditions of this permit. (3) At reasonable times, inspect any facilities, equipment (including monitoring and control equipment), practices, or operations either regulated or required under this permit. (4) At reasonable times, sample and monitor any substances, parameters or practices at any location, either for the purposes of assuring permit compliance or as otherwise authorized by the CWA.

Part IV. Notification Requirements

A. Deadlines for Notification

1. *Existing Facility.* Except as provided in paragraphs IV.A.3. (New Operator), and IV.A.4. (Late Notification) of this Part, individuals who intend to obtain coverage for an existing TWTDS where sludge is generated, treated, land applied for beneficial reuse, surface disposed or disposed in a municipal solid waste landfill under this general permit shall

submit notification to the EPA in accordance with the requirements of this part on or before 90 days after permit finalization.

2. *New Facility.* Except as provided in paragraphs, IV.A.3. (New Operator), and IV.A.4. (Late Notification) of this part, operators of facilities that begin operations after 90 days after permit finalization shall submit a notification to the EPA in accordance with the requirements of this part at least 2 days prior to the commencement of the industrial activity at the facility.

3. *New Operator.* Where the operator of a facility that is covered by this permit changes, the new operator of the facility must submit a notification to the EPA in accordance with the requirements of this part at least 2 days prior to the change.

4. *Late Notification.* An operator associated with sewage sludge generation, treatment, final reuse or disposal is not precluded from submitting a notification to the EPA in accordance with the requirements of this part after the dates provided in Parts IV.A.1., 2., or 3. (above) of this permit.

5. Owners or operators of facilities authorized by this permit shall notify the Louisiana Department of Environmental Quality (LDEQ) that they are covered by this permit. State notification must be made within 30 days of issuance of this permit or upon completion of a new facility.

B. Contents of Notice of Intent

Notifications to the EPA shall be signed in accordance with Part VI. (Signatory Requirements) of this permit and shall include the following information:

1. The operator's name, address, telephone number, and status as Federal, State, private, public, or other entity;

2. An indication of whether the TWTDS (including the land application and disposal sites) are located on Federal Indian Reservations;

3. The permit number(s) of additional permit(s) (Federal, State, and local) authorizing activities associated with the generation, treatment, land application for beneficial reuse, surface disposal or disposal of sludge in a municipal solid waste landfill currently authorized by other permits;

4. Description of the permittee's sludge use and disposal practices.

5. *Presence of Endangered Species.* Based on the instructions in Addendum A, no species identified in Addendum A are in proximity to the sites where sewage sludge is generated, treated, land applied for beneficial reuse, surface

disposed, or disposed in a municipal solid waste landfill.

6. *Historic Preservation Act Compliance.* A yes or no response to the following statement: Applicant has obtained and is in compliance with Historic Preservation Agreement.

7. *Eligibility Certification.* The following certifications shall be signed in accordance with Part VI.

"I certify under penalty of law that I have read and understand the Part IV.B. eligibility requirements for coverage under the sewage sludge general permit including those requirements relating to the protection of species identified in Addendum A."

"To the best of my knowledge the sludge generation, sludge treatment processes, land application for beneficial reuse, surface disposal, and disposal in a municipal solid waste landfill covered under this permit, are not likely and will not likely, adversely affect any species identified in Addendum A of this permit, or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act."

"To the best of my knowledge, I further certify that such activities, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act."

"I understand that continued coverage under the sewage sludge general permit is contingent upon maintaining eligibility as provided for in Part IV.B."

C. Where To Submit

Facilities that generate, treat, land apply for beneficial reuse, surface dispose, or dispose of sludge in a municipal solid waste landfill must notify the EPA at the following address. The notification must be signed in accordance with Part VI. (Signatory Requirements) of this permit. The notification is to be submitted to the Chief of the Water Enforcement Branch (6EN-W) at the following address: Sewage Sludge Notice of Intent, Water Enforcement Branch (6EN-W), Region 6, U.S. Environmental Protection Agency, P.O. Box 50625, Dallas, Texas 75270.

D. Additional Notification

1. The permittee shall notify the permitting authority 30 days prior to any planned alteration or addition to the permitted facility which results in a significant change in the permittee's sludge use or disposal practices, where such alteration, addition or change may justify different or additional permit conditions. The permittee shall also notify the permitting authority 30 days prior to any additional use or disposal sites not previously reported during the permit application process or not reported pursuant to an approved land application site.

2. The permittee shall notify the permitting authority 30 days prior to any planned changes in the permitted facility or activity which may result in the permittee's failure to comply with permit requirements.

3. The permittee shall promptly submit to the permitting authority any relevant facts or information where the permittee becomes aware of its failure to have previously submitted such information or to have previously submitted incorrect information in a permit application or in any report.

E. Non-Compliance Notification

1. The permittee shall report to the permitting authority all instances of its failure to comply with the conditions of this permit. Reports of the permittee's failure to comply shall be submitted with the permittee's next self-monitoring report or earlier, if requested by the permitting authority or if required by an applicable sludge use or disposal standard or permit conditions.

Part V. Permit Actions

A. This permit may be modified, revoked and reissued, or terminated for cause.

B. This permit may be modified or revoked and reissued to conform to any applicable sludge use or disposal standard, promulgated under Section 405(d) of the CWA, which is more stringent than any limitation on the affected sludge pollutant or acceptable management practices authorized in this permit, or which controls a pollutant or practice not limited in this permit.

C. This permit may be modified or revoked and reissued where there are material and substantial alterations or additions to the permitted facility or activity, including a change in the permittee's sludge use or disposal practices, and which justify different or additional permit conditions.

D. This permit may be revoked and reissued due to changes in the permitted facility or activity, planned by the permittee, which may result in the failure to comply with permit requirements.

E. The permittee may transfer this permit to a new owner or operator if the permit has been either modified or revoked and reissued to identify the new permittee and to incorporate such other requirements as may be necessary to assure compliance with the CWA.

F. The permittee, upon prior authorization of the permitting authority, may automatically transfer this permit to a new permittee if the following conditions have been met: (1) The permittee notifies the permitting authority of the proposed transfer date

at least thirty (30) days in advance; (2) The notice includes a written agreement between the permittee and the proposed new permittee(s) which contains a date for transfer of permit responsibility, coverage, and liability; and (3) The permittee does not receive notification from the permitting authority that it will exercise its discretion to modify or revoke and reissue the permit. Under this circumstance, the permit transfer is effective on the date specified in the written agreement.

G. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, does not justify the failure to comply with any permit condition.

H. The filing by the permittee of a notification of planned changes or of anticipated noncompliance does not justify the failure to comply with any permit condition.

I. Prior to the expiration date of this permit, the permittee must apply for and obtain a new permit in order to continue an activity regulated hereunder.

J. The permittee shall apply for a new permit within one hundred eighty (180) days of promulgation of an applicable standard for sludge use or disposal, or when its next permit renewal is due, whichever occurs first.

K. The permittee shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Director. In no case may permission be granted to submit a new application later than the expiration date of the existing permit.

Part VI. Signatory Requirements

A. Reports

All notifications of intent, notices of termination, reports, certifications or information either submitted to the Director, or that this permit requires be maintained by the permittee, shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been

assigned or delegated to the manager in accordance with corporate procedures;

2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

3. For a municipality, State, Federal, or other public facility: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

B. Authorized Representative

All reports required by the permit and other information requested by the Director shall be signed by a person described in Section VI. above or be signed by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to the Director.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).

3. Changes to Authorization. If an authorization under paragraph VI.B.1. or 2. is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new notification satisfying the requirements of Part IV.B. (Contents of NOI) must be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.

C. Certification

Any person signing documents under this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or

those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Part VII. Termination of Coverage

A. Notice of Termination

Where all activities associated with the TWTDS including the generation, treatment, land application for beneficial reuse, surface disposal, or disposal of sludge in a municipal solid waste landfill are authorized by this permit are eliminated, the operator of the TWTDS shall notify the EPA within 60 days. The notification shall be signed in accordance with Part VI (Signatory Requirements) of this permit. The Notice of Termination shall include the following information:

1. *Facility Information.* Name, mailing address, and location of the TWTDS for which the notification is submitted. Describe the physical location of the site in terms of the latitude and longitude, or the section, township and range to the nearest quarter section;

2. *Operator Information.* The name, address, and telephone number of the operator addressed by the notification;

3. *Permit Number.* The permit number for the TWTDS associated with sewage sludge generation, treatment, land application, surface disposal, or disposal in a municipal solid waste landfill identified by the Notice of Termination;

4. *Reason for Termination.* An indication of whether the activities associated with sewage sludge have been eliminated or the operator of the TWTDS has changed; and

5. *Certification.* The following certification signed in accordance with Part VI. (Signatory Requirements) of this permit:

"I certify under penalty of law that the activities associated with sewage sludge from the TWTDS that are regulated by a general permit have been eliminated or that I am no longer the operator of the TWTDS. I understand that by submitting this notice of termination, that I can no longer generate, treat (change the quality of), land apply, surface dispose, or dispose of sewage sludge in a municipal solid waste landfill under this general permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

B. Addresses

All Notices of Termination are to be sent, to the following address: Sewage

Sludge Notice of Termination, Water Enforcement Branch (6EN-W), United States Environmental Protection Agency, P.O. Box 50625, Dallas, Texas 75270.

Part VIII. Monitoring

A. The permittee shall monitor the quality of sewage sludge at a frequency dependent on the amount of sewage sludge reused or disposed, as required by Part XIII, Element 1, Section 1.C., Part XIII, Element 2, Section 1.D., and Part XIII, Element 3.F., as applicable. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

B. The permittee shall report results of monitoring of sludge use or disposal practices on a Discharge Monitoring Report (DMR) as provided or specified by the permitting authority for that purpose.

C. The permittee shall maintain records of monitoring information which shall include the following: (1) date, exact location, and time of sampling or measurements; (2) names of individuals performing the sampling and measurements; (3) dates the analyses were performed; (4) names of individuals performing the analyses; (5) analytical methods or techniques used in performing the analyses; and (6) results of the analyses.

D. The permittee shall conduct monitoring in accordance with those methods referenced in 40 CFR 503.8.

E. If the permittee monitors any pollutant, in accordance with applicable test procedures specified in this permit, more frequently than required by the permit, then the results of this monitoring shall be reported with the data submitted in the DMR as specified by the permitting authority.

F. Any person who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this permit shall be subject to the imposition of a fine of up to \$10,000 per day for each violation, or fine and imprisonment. Upon subsequent convictions for the same violation, punishment shall be by a fine of not more than \$20,000 per day for each violation, or by imprisonment for up to four years, or by both a fine and imprisonment.

G. The sludge DMRs shall be due by February 19th of each year and shall cover the previous January through December time period for those publicly owned treatment works (POTWs) with a design flow rate equal to or greater than one million gallons per day (mgd), and POTWs that serve 10,000 people or more, or any POTW required to have an

approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. Submittal of DMR's is not required from POTWs with a design flow rate of less than 1 mgd or other TWTDS (including sludge only facilities).

Part IX. Records

A. The permittee shall retain records of all data used to complete the application for this permit for a period of at least five years, unless required by 40 CFR part 503 to be retained for a longer period.

B. The permittee shall retain all records of monitoring information required by this permit, related to the permittee's sludge generation, treatment, use and disposal activities, for a period of at least five years from the date of the sample or measurement, unless required by 40 CFR part 503 to be retained for a longer period.

C. The permittee shall retain copies of all reports required by this permit for a period of at least five years from the date of the report, unless required by 40 CFR part 503 to be retained for a longer period.

D. At any time upon the request of the permitting authority, the period required for retention of records and reports may be extended.

E. All reports and information submitted to the permitting authority shall be signed and certified by the following individual, as appropriate; by a responsible corporate officer; by a general partner or the proprietor; by the principle executive officer or ranking public official of a municipality, State, federal or other public agency; or by a duly authorized representative.

F. Any person who knowingly makes a false statement, representation or certification in any record or other document submitted or required to be maintained under this permit shall be subject to imposition of a fine of up to \$10,000 for each violation, or imprisonment for up to two years for each violation, or both a fine and imprisonment. Upon subsequent convictions for the same offense, such persons shall be subject to the imposition of a fine of up to \$20,000 per day for each violation, or imprisonment for up to four years, or both a fine and imprisonment.

Part X. Definitions

A. *Active sewage sludge unit* is a sewage sludge unit that has not closed.

B. *Agricultural land* is land on which a food crop, a feed crop, or a fiber crop is grown. This includes range land and land used as pasture.

C. *Agronomic Rate* is the whole sludge application rate (dry weight basis) designed: (1) To provide the amount of nitrogen needed by the food crop, feed crop, fiber crop, cover crop, or vegetation grown on the land; and (2) to minimize the amount of nitrogen in the sewage sludge that passes below the root zone of the crop or vegetation grown on the land to the ground water.

D. *Annual pollutant loading rate* is the maximum amount of a pollutant that can be applied to a unit area of land during a 365 day period.

E. *Annual whole sludge application rate* is the maximum amount of sewage sludge (dry weight basis) that can be applied to a unit area of land during a 365 day period.

F. *Apply sewage sludge or sewage sludge applied to the land* means land application of sewage sludge.

G. *Aquifer* is a geologic formation, group of geologic formations, or a portion of a geologic formation capable of yielding ground water to wells or springs.

H. *Base flood* is a flood that has a one percent chance of occurring in any given year (i.e., a flood with a magnitude equalled once in 100 years).

I. *Bulk sewage sludge* is sewage sludge that is not sold or given away in a bag or other container for application to the land.

J. *Contaminate an aquifer* means to introduce a substance that causes the maximum contaminant level for nitrate in 40 CFR 141.62(b) to be exceeded in ground water or that causes the existing concentration of nitrate in ground water to increase when the existing concentration of nitrate in the ground water exceeds the maximum contamination level for nitrate in 40 CFR 141.62(b).

K. *Cover* is soil or other material used to cover sewage sludge placed on an active sewage sludge unit.

L. *Cumulative pollutant loading rate* is the maximum amount of an inorganic pollutant that can be applied to an area of land.

M. *CWA* means the Clean Water Act (formerly referred to as either the Federal Water Pollution Act or the Federal Water Pollution Control Act Amendments of 1972), Public Law 92-500, as amended by Public Law 95-217, Public Law 95-576, Public Law 96-483, Public Law 97-117, and Public Law 100-

N. *Domestic sewage* is waste and wastewater from humans or household operations that is discharged to or otherwise enters a treatment works.

O. *Displacement* is the relative movement of any two sides of a fault measured in any direction.

P. *Dry weight basis* means calculated on the basis of having been dried at 105 degrees Celsius until reaching a constant mass (i.e., essentially 100 percent solids content).

Q. *EPA* means the United States Environmental Protection Agency.

R. *Fault* is a fracture or zone of fractures in any materials along which strata on one side are displaced with respect to strata on the other side.

S. *Feed crops* are crops produced primarily for consumption by animals.

T. *Fiber crops* are crops such as flax and cotton.

U. *Final cover* is the last layer of soil or other material placed on a sewage sludge unit at closure.

V. *Food crops* are crops consumed by humans. These include, but are not limited to, fruits vegetables, and tobacco.

W. *Forest* is a tract of land thick with trees and underbrush.

X. *Ground water* is water below the land surface in the saturated zone.

Y. *Holocene time* is the most recent epoch of the Quaternary period, extending from the end of the Pleistocene epoch to the present.

Z. *Industrial wastewater* is wastewater generated in a commercial or industrial process.

AA. *Land application* is the spraying or spreading of sewage sludge onto the land surface; the injection of sewage sludge below the land surface; or the incorporation of sewage sludge into the soil so that the sewage sludge can either condition the soil or fertilize crops or vegetation grown in the soil.

BB. *Leachate collection system* is a system or device installed immediately above a liner that is designed, constructed, maintained, and operated to collect and remove leachate from a sewage sludge unit.

CC. *Liner* is soil or synthetic material that has a hydraulic conductivity of 1×10^{-7} centimeters per second or less.

DD. *Lower explosive limit for methane gas* is the lowest percentage of methane gas in air, by volume, that propagates a flame at 25 degrees Celsius and atmospheric pressure.

EE. *Monthly average* is the arithmetic mean of all measurements taken during the month.

FF. *Municipality* means a city, town, borough, county, parish, district, association, or other public body (including an intermunicipal Agency of two or more of the foregoing entities) created by or under State law; an Indian tribe or an authorized Indian tribal organization having jurisdiction over sewage sludge management; or a designated and approved management Agency under section 208 of the CWA,

as amended. The definition includes a special district created under State law, such as a water district, sewer district, sanitary district, utility district, drainage district, or similar entity, or an integrated waste management facility as defined in section 201(3) of the CWA, as amended, that has as one of its principal responsibilities the treatment, transport, use, or disposal of sewage sludge.

GG. *Other container* is either an open or closed receptacle. This includes, but is not limited to, a bucket, a box, a carton, and a vehicle or trailer with a load capacity of one metric ton or less.

HH. *Pasture* is land on which animals feed directly on feed crops such as legumes, grasses, grain stubble, or stover.

II. *Permitting authority* is either EPA or a State with an EPA-approved sludge management program.

JJ. *Person* is an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

KK. *Person who prepares sewage sludge* is either the person who generates sewage sludge during treatment of domestic sewage in a treatment works or the person who derives a material from sewage sludge.

LL. *Place sewage sludge or sewage sludge placed* means disposal of sewage sludge on a surface disposal site.

MM. *Pollutant* is an organic substance, an inorganic substance, a combination of organic and inorganic substances, or a pathogenic organism that, after discharge and upon exposure, ingestion, inhalation, or assimilation into an organism either directly from the environment or indirectly by ingestion through the food chain, could, on the basis of information available to the Administrator of EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunction in reproduction), or physical deformations in either organisms or offspring of the organisms.

NN. *Pollutant limit* is a numerical value that describes the amount of a pollutant allowed per unit amount of sewage sludge (e.g., milligrams per kilogram of total solids); the amount of a pollutant that can be applied to a unit area of land (e.g., kilograms per hectare); or the volume of a material that can be applied to a unit area of land (e.g., gallons per acre).

OO. *Public contact site* is land with a high potential for contact by the public. This includes, but is not limited to, public parks, ball fields, cemeteries, plant nurseries, turf farms, and golf courses.

PP. *Qualified ground water scientist* is an individual with a baccalaureate or post-graduate degree in the natural sciences or engineering who has sufficient training and experience in ground water hydrology and related fields, as may be demonstrated by State registration, professional certification, or completion of accredited university programs, to make sound professional judgements regarding ground water monitoring, pollutant fate and transport, and corrective action.

QQ. *Range land* is open land with indigenous vegetation.

RR. *Reclamation site* is drastically disturbed land that is reclaimed using sewage sludge. This includes, but is not limited to, strip mines and construction sites.

SS. *Runoff* is rainwater, leachate, or other liquid that drains overland on any part of a land surface and runs off of the land surface.

TT. *Seismic impact zone* is an area that has a 10 percent or greater probability that the horizontal ground level acceleration of the rock in the area exceeds 0.10 gravity once in 250 years.

UU. *Sewage sludge* is solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment processes; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works.

VV. *Sewage sludge unit* is land on which only sewage sludge is placed for final disposal. This does not include land on which sewage sludge is either stored or treated. Land does not include waters of the United States, as defined in 40 CFR Subpart 122.2.

WW. *Sewage sludge unit boundary* is the outermost perimeter of an active sewage sludge unit.

XX. *Store or storage of sewage sludge* is the placement of sewage sludge on land on which the sewage sludge remains for two years or less. This does not include the placement of sewage sludge on land for treatment.

YY. *Surface disposal site* is an area of land that contains one or more active sewage sludge units.

ZZ. *Treat or treatment of sewage sludge* is the preparation of sewage sludge for final use or disposal. This includes, but is not limited to, thickening, stabilization, and

dewatering of sewage sludge. This does not include storage of sewage sludge.

aa. *Treatment works (TWTDS)* is either a federally owned, publicly owned, or privately owned device or system used to treat (including recycle and reclaim) either domestic sewage or a combination of domestic sewage and industrial waste of a liquid nature. EPA may designate any person a TWTDS where the designation is necessary to ensure compliance with the 40 CFR Part 503 regulations.

bb. *Unstable area* is land subject to natural or human-induced forces that may damage the structural components of an active sewage sludge unit. This includes, but is not limited to, land on which the soils are subject to mass movement.

cc. *Wetlands* means those areas that are inundated or saturated by surface water or ground water at a frequency and duration to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Part XI. Outline of Permit

Element 1. Land Application

Section I. Requirements Applying to All Sewage Sludge Land Application

- A. General Requirements
- B. Testing Requirements
- C. Monitoring Requirements

Section II. Requirements Specific to Bulk Sewage Sludge for Application to the Land Meeting Class A or B Pathogen Reduction and the Cumulative Loading Rates in Table 2, or Class B Pathogen Reduction and the Pollutant Concentrations in Table 3.

- A. Pollutant Limits
- B. Pathogen Control
- C. Management Practices
- D. Notification Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements

Section III. Requirements Specific to Bulk Sewage Sludge Meeting Pollutant Concentrations in Table 3 and Class A Pathogen Reduction Requirements.

- A. Pollutant Limits
- B. Pathogen Control
- C. Management Practices
- D. Notification Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements

Section IV. Requirements Specific to Sludge Sold or Given Away in a Bag or Other Container for Application to the Land that does not Meet the Pollutant Concentrations in Table 3.

- A. Pollutant Limits
- B. Pathogen Control
- C. Management Practices
- D. Notification Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements

Element 2. Surface Disposal

Section I. Requirements Applying to All Sewage Sludge Surface Disposal

- A. General Requirements
- B. Management Practices
- C. Testing Requirements
- D. Monitoring Requirements

Section II. Requirements Specific to Surface Disposal Sites Without a Liner and Leachate Collection System

- A. Pollutant Limits
- B. Management Practices
- C. Notification Requirements
- D. Recordkeeping Requirements
- E. Reporting Requirements

Section III. Requirements Specific to Surface Disposal Sites With a Liner and Leachate Collection System

- A. Pollutant Limits
- B. Management Practices
- C. Notification Requirements
- D. Recordkeeping Requirements
- E. Reporting Requirements

Element 3. Municipal Solid Waste Landfill Disposal

Section I. Requirements Applying to All Municipal Solid Waste Landfill Disposal Activities

Part XII. Instructions to Permittees

Select only those Elements and Sections which apply to your sludge reuse or disposal practice.

If your facility utilizes more than one type of disposal or reuse method (for example, Element I *and* Element II apply) or the quality of your sludge varies (for example, Section II *and* Section III of Element I apply) use a separate Discharge Monitoring Report (DMR) for each Section that is applicable.

The sludge DMRs shall be due by February 19th of each year and shall cover the previous January through December time period for those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one million gallons per day (mgd), and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR Subpart 403.8(a) for each final sewage sludge reuse or disposal practice. Submittal of DMR's is not required from POTWs with a design flow rate of less than 1 mgd or other TWTDS (including sludge only facilities).

The sludge conditions *do not apply* to wastewater treatment lagoons where sludge is not wasted for final reuse/disposal. If the sludge is not removed, the permittee shall indicate on the DMR "No Discharge".

Element 1—Land Application

Section I: Requirements Applying to All Sewage Sludge Land Application

Section II: Requirements Specific to Bulk Sewage Sludge for Application to the Land Meeting Class A or B Pathogen Reduction and the Cumulative Loading Rates in Table 2, or Class B Pathogen Reduction and the Pollutant Concentrations in Table 3

Section III: Requirements Specific to Bulk Sewage Sludge Meeting Pollutant Concentrations in Table 3 and Class A Pathogen Reduction Requirements

Section IV: Requirements Specific to Sludge Sold or Given Away in a Bag or Other Container for Application to the Land that does not Meet the Pollutant Concentrations in Table 3

Element 2—Surface Disposal

Section I: Requirements Applying to All Sewage Sludge Surface Disposal

Section II: Requirements Specific to Surface Disposal Sites *Without* a Liner and Leachate Collection System

Section III: Requirements Specific to Surface Disposal Sites *With* a Liner and Leachate Collection System

Element 3—Municipal Solid Waste Landfill Disposal

Section I: Requirements Applying to All Municipal Solid Waste Landfill Disposal Activities

Part XIII. Body of Permit

Element 1—Land Application

Section I. Requirements Applying to All Sewage Sludge Land Application

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge in accordance with section 405 of the Clean Water Act and all other applicable Federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants which may be present in the sludge.

2. If requirements for sludge management practices or pollutant criteria become more stringent than the sludge pollutant limits or acceptable management practices in this permit, or control a pollutant not listed in this permit, this permit may be modified or revoked and reissued to conform to the requirements promulgated at section 405(d)(2) of the Clean Water Act (CWA).

3. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person for land application use or to the

owner or lease holder of the land, the permit holder shall provide necessary information to the parties who receive the sludge to assure compliance with these regulations.

4. The permittee shall give prior notice to EPA (Chief, NPDES Permits Branch, Water Quality Protection Division, Mail Code 6WQ-P, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202) of any planned changes in the sewage sludge disposal practice, in accordance with 40 CFR 122.41(l)(1)(iii). These changes may justify the application of permit conditions that are different from or absent in the existing permit. Change in the sludge use or disposal practice may be cause for revoking and reissuing the permit in accordance with 40 CFR 122.62(a)(1).

5. The permittee shall complete the following evaluation of the sewage sludge generated by the facility. The permittee shall retain this information on site and it shall be made available for inspection purposes within three years of the effective date of the permit.

a. An annual quantitative tabulation of the ultimate disposition of all sewage sludge (including, but not limited to, the amount beneficially reused, landfilled, surface disposed, and incinerated).

b. An assessment of technological processes and an economic analysis evaluating the potential for beneficial reuse of all sewage sludge not currently beneficially reused, including a listing of any steps which would be required to achieve the sludge quality necessary to beneficially reuse the sludge.

c. A description of, including the expected results and the anticipated timing for, all projects in process, in planning and/or being considered which are directed towards additional beneficial reuse of sewage sludge.

d. A listing of the specific steps (controls/changes) which would be necessary to achieve and sustain the quality of the sludge so that the pollutant concentrations in the sludge fall below the pollutant concentration criteria listed in Part XIII, Element I, Section III, Table 3 of the permit.

e. A listing of, and the anticipated timing for, all projects in process, in planning, and/or being considered which are directed towards meeting the sludge quality referenced in (d) above.

f. In accordance with 40 CFR 503.13(a)(3), if bulk sewage sludge is applied to a lawn or home garden, the concentration of each pollutant in the sewage sludge shall not exceed the concentration of pollutants in Table 3, Element I, Section III.

6. Coverage under this permit does not relieve the permittee from complying with state regulations

applicable to sewage sludge use and disposal.

B. Testing Requirements

1. Sewage sludge shall be tested once during the life of the permit within one year from the effective date of the permit in accordance with the method specified at 40 CFR part 268, appendix I (Toxicity Characteristic Leaching Procedure (TCLP)) or other approved methods on those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one million gallons per day (mgd), and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. This provision does not apply to those POTWs with a design flow of less than 1 mgd or other TWTDS (sludge only facilities). Sludge shall be tested after final treatment prior to leaving the POTW site. Sewage sludge determined to be a hazardous waste in accordance with 40 CFR part 261, shall be handled according to RCRA standards for the disposal of hazardous waste in accordance with 40 CFR part 262. The disposal of sewage sludge determined to be a hazardous waste, in other than a certified hazardous waste disposal facility shall be prohibited. The Information Management Section, telephone no. (214) 665-6750, and the appropriate state agency shall be notified of test failure within 24 hours. A written report shall be provided to this office within 7 days after failing the TCLP. The report will contain test results, certification that unauthorized disposal has not occurred and a summary of alternative disposal plans that comply with RCRA standards for the disposal of hazardous waste. The report shall be addressed to: Director, Multimedia Planning and Permitting Division, EPA Region 6, Mail Code 6PD, 1445 Ross Avenue, Dallas, Texas 75202. A copy of this report shall be sent to the Chief, Water Enforcement Branch, Compliance Assurance and Enforcement Division, Mail Code 6EN-W, at the same street address.

2. Sewage sludge shall not be applied to the land if the concentration of any of the pollutants exceed the pollutant concentration criteria in Table 1. Testing for PCBs is only required by those POTWs with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under

40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. If the concentration of PCB's in sewage sludge exceeds 10 mg/kg and the sludge is applied to food chain crops, then the sludge must be incorporated into the soil.

The frequency of testing for pollutants in Table 1 is found in Element 1, Section I.C.

TABLE 1

Pollutant	Ceiling Concentrations (milligrams per kilogram)
Arsenic	75
Cadmium	85
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500
PCB's	49*

¹ Dry weight basis.

3. Pathogen Control. All sewage sludge that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by either the Class A or Class B pathogen requirements. Sewage sludge that is applied to a lawn or home garden shall be treated by the Class A pathogen requirements. Sewage sludge that is sold or given away in a bag shall be treated by Class A pathogen requirements.

a. Six alternatives are available to demonstrate compliance with Class A sewage sludge. All 6 options require either the density of fecal coliform in the sewage sludge be less than 1000 Most Probable Number (MPN) per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge be less than three MPN per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land. Below are the *additional* requirements necessary to meet the definition of a Class A sludge. For any Class A sludge, when vector attraction reduction Alternatives 1-5 are used, pathogen reduction must be met either prior to or at the same time.

Alternative 1—The temperature of the sewage sludge that is used or disposed shall be maintained at a specific value for a period of time. See 40 CFR 503.32(a)(3)(ii) for specific information. This alternative is not applicable to composting.

Alternative 2—The pH of the sewage sludge that is used or disposed shall be raised to above 12 and shall remain above 12 for 72 hours. pH shall be defined as the logarithm of the reciprocal of the hydrogen ion concentration measured at 25°C or measured at another temperature and then converted to an equivalent value at 25°C.

The temperature of the sewage sludge shall be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12.

At the end of the 72 hour period during which the pH of the sewage sludge is above 12, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50 percent.

Alternative 3—The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 40 CFR 503.32(a)(5)(ii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 40 CFR 503.32(a)(5)(iii) for specific information.

Alternative 4—The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed or at the time the sludge is prepared for sale or given away in a bag or other container for application to the land.

The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed or at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land.

Alternative 5—Sewage sludge shall be treated by one of the Processes to Further Reduce Pathogens (PFRP) described in 40 CFR part 503, appendix B. PFRPs include composting, heat drying, heat treatment, and thermophilic aerobic digestion.

Alternative 6—Sewage sludge shall be treated by a process that is equivalent to a Process to Further Reduce Pathogens, if individually approved by the Pathogen Equivalency Committee representing the EPA.

b. Three alternatives are available to demonstrate compliance with Class B sewage sludge.

Alternative 1—(i) Seven representative samples of the sewage sludge that is used shall be collected for one monitoring episode at the time the sewage sludge is used or disposed.

(ii) The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 MPN per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2—Sewage sludge shall be treated in one of the Processes to Significantly Reduce Pathogens (PSRP) described in 40 CFR part 503, appendix B.

Alternative 3—Sewage sludge shall be treated in a process that is equivalent to a PSRP, if individually approved by the Pathogen Equivalency Committee representing the EPA.

In addition, the following site restrictions must be met if Class B sludge is land applied.

i. Food crops with harvested parts that touch the sewage sludge/soil mixture and are totally above the land surface shall not be harvested for 14 months after application of sewage sludge.

ii. Food crops with harvested parts below the surface of the land shall not be harvested for 20 months after application of sewage sludge when the sewage sludge remains on the land surface for 4 months or longer prior to incorporation into the soil.

iii. Food crops with harvested parts below the surface of the land shall not be harvested for 38 months after application of sewage sludge when the sewage sludge remains on the land surface for less than 4 months prior to incorporation into the soil.

iv. Food crops, feed crops, and fiber crops shall not be harvested for 30 days after application of sewage sludge.

v. Animals shall not be grazed on the land for 30 days after application of sewage sludge.

vi. Turf grown on land where sewage sludge is applied shall not be harvested for 1 year after application of the sewage sludge when the harvested turf is placed on either land with a high potential for public exposure or a lawn, unless otherwise specified by the permitting authority.

vii. Public access to land with a high potential for public exposure shall be restricted for 1 year after application of sewage sludge.

viii. Public access to land with a low potential for public exposure shall be restricted for 30 days after application of sewage sludge.

4. Vector Attraction Reduction Requirements. All bulk sewage sludge

that is applied to agricultural land, forest, a public contact site, or a reclamation site shall be treated by one of the following alternatives 1 through 10 for Vector Attraction Reduction. All bagged sewage sludge shall be treated by one of Alternatives 1–8 *only*. If bulk sewage sludge is applied to a home garden or lawn, or bagged sewage sludge is applied to the land, only alternative 1 through alternative 8 shall be used.

Alternative 1—The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.

Alternative 2—If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. Volatile solids must be reduced by less than 17 percent to demonstrate compliance.

Alternative 3—If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with a percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. Volatile solids must be reduced by less than 15 percent to demonstrate compliance.

Alternative 4—The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

Alternative 5—Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of the sewage sludge shall be higher than 45 degrees Celsius.

Alternative 6—The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then at 11.5 or higher for an additional 22 hours at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or given away in a bag or other container.

Alternative 7—The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials. Unstabilized solids are

defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 8—The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials at the time the sludge is used. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or anaerobic treatment process.

Alternative 9—(i) Sewage sludge shall be injected below the surface of the land.

(ii) No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

(iii) When sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, the sewage sludge shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10—(i) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

(ii) When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

C. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test—Once/Permit Life, performed within one year from the effective date of the permit (For publicly owned treatment works (POTWs) with a design flow of 1.0 mgd or greater)

PCBs—Once/Year

All other pollutants shall be monitored at the frequency shown below:

Amount of sewage sludge ¹ (metric tons/365 day period)	Frequency
0 ≤ Sludge ≤ 290	Once/Year.
290 ≤ Sludge ≤ 1,500	Once/Quarter.

Slope percent	Application restriction
0–3	None, except drainage to prevent standing water shall be provided. Liquid or solid material may be applied.
3–6	Application of liquid or solid material may be made. A 100 foot vegetated runoff area should be provided at the downslope end of the application area if a liquid is applied. Measures should be taken to prevent erosion.

Amount of sewage sludge ¹ (metric tons/365 day period)	Frequency
1,500 ≤ Sludge ≤ 15,000	Once/Two Months.
15,000 ≤ Sludge	Once/Month.

¹ Either the amount of bulk sewage sludge applied to the land or the amount of sewage sludge received by a person who prepares sewage sludge that is sold or given away in a bag or other container for application to the land (dry weight basis).

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 40 CFR 503.8(b).

Section II. Requirements Specific to Bulk Sewage Sludge for Application to the Land Meeting Class A or B Pathogen Reduction and the Cumulative Loading Rates in Table 2, or Class B Pathogen Reduction and the Pollutant Concentrations in Table 3

For those permittees meeting Class A or B pathogen reduction requirements and that meet the cumulative loading rates in Table 2 below, or the Class B pathogen reduction requirements and contain concentrations of pollutants below those listed in Table 3 found in Element I, Section III, the following conditions apply:

A. Pollutant Limits

TABLE 2

Pollutant	Cumulative pollutant loading rate (kilograms per hectare)
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Molybdenum	(¹)
Nickel	420
Selenium	100
Zinc	2800

¹ Monitor.

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, or lawn or home garden shall be treated by either Class A or Class B pathogen reduction requirements as defined above in Element 1, Section I.B.3.

C. Management Practices

1. Bulk sewage sludge shall not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other waters of the U.S., as defined in 40 CFR 122.2, except as provided in a permit issued pursuant to section 402 or 404 of the CWA.

2. Bulk sewage sludge shall not be applied within 10 meters of a water of the U.S.

3. Bulk sewage sludge shall be applied at or below the agronomic rate (phosphorous and nitrogen) in accordance with recommendations from the following references: Nitrogen shall be considered the limiting pollutant in unimpaired watersheds. Phosphorous shall be considered the limiting pollutant in impaired watersheds.

a. STANDARDS 1992, Standards, Engineering Practices and Data, 39th Edition (1992) American Society of Agricultural Engineers, 2950 Niles Road, St. Joseph, MI 49085–9659;

b. National Engineering Handbook Part 651, Agricultural Waste Management Field Handbook (1992), P.O. Box 2890, Washington, D.C. 20013;

c. Recommendations of local extension services or Soil Conservation Services; and

d. Recommendations of a major University's Agronomic Department.

4. An information sheet shall be provided to the person who receives bulk sewage sludge sold or given away. The information sheet shall contain the following information:

a. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land;

b. A statement that application of the sewage sludge to the land is prohibited except in accordance with the instructions on the label or information sheet; and

c. The annual whole sludge application rate for the sewage sludge that does not cause any of the cumulative pollutant loading rates in Table 2 above to be exceeded, unless the pollutant concentrations in Table 3 found in Element I, Section III below are met.

5. Sewage sludge shall be land applied in accordance with the following restrictions with regard to slope.

Slope percent	Application restriction
6-12	Liquid material must be injected into the soil. Solid material must be incorporated into the soil if the site is not covered with vegetation. A 100 foot vegetated runoff area is required at the downslope end of the application area for all applications. Measures must be taken to prevent erosion.
<12	Unsuitable for application unless a 200 foot vegetated buffer area with a slope of less than 3% is provided at the downslope edge of the application area and the material is incorporated (solid material) and injected (liquid material) into the soil. Measures must be taken to prevent erosion.

6. If bulk sewage sludge is applied to a lawn or home garden, the concentration of pollutants in the sludge shall not exceed the criteria in Table 3 of the permit.

D. Notification Requirements (Other Than Those Listed in Part IV of the Permit)

1. If bulk sewage sludge is applied to land in a State other than the State in which the sludge is prepared, written notice shall be provided prior to the initial land application to the permitting authority for the State in which the bulk sewage sludge is proposed to be applied. The notice shall include:

- a. The location, by either street address or latitude and longitude, of each land application site;
- b. The approximate time period bulk sewage sludge will be applied to the site;
- c. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who prepares the bulk sewage sludge; and
- d. The name, address, telephone number, and National Pollutant Discharge Elimination System permit number (if appropriate) for the person who will apply the bulk sewage sludge.

2. The permittee shall give 60 days prior notice to the Director of any change planned in the sewage sludge practice. Any change shall include any planned physical alterations or additions to the permitted treatment works, changes in the permittee's sludge use or disposal practice, and also alterations, additions, or deletions of disposal sites. These changes may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional disposal sites not reported during the permit application process or absent in the existing permit. Change in the sludge use or disposal practice may be cause for revoke and reissue of the permit in accordance with 40 CFR 122.62(b).

3. The permittee shall provide the location of all existing sludge disposal/ use sites to the State Historical Commission within 90 days of the effective date of this permit. In addition,

the permittee shall provide the location of any new disposal/use site to the State Historical Commission prior to use of the site. The permittee shall within 30 days after notification by the State Historical Commission that a specific sludge disposal/use area will adversely affect a National Historic Site, cease use of such area.

E. Recordkeeping Requirements

The sludge documents will be retained on site at the same location as other NPDES records.

The person who prepares bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information for five years. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for recordkeeping found in 40 CFR 503.17 for persons who land apply.

1. The concentration (mg/Kg) in the sludge of each pollutant listed in Table 3 found in Element I, Section III and the applicable pollutant concentration criteria (mg/Kg), or the applicable cumulative pollutant loading rate and the applicable cumulative pollutant loading rate limit (kg/ha) listed in Table 2 above;

2. A description of how the pathogen reduction requirements are met (including site restrictions for Class B sludge, if applicable);

3. A description of how the vector attraction reduction requirements are met;

4. A description of how the management practices listed above in Section II.C. are being met;

5. The recommended agronomic loading rate from the references listed in Section II.C.3. above, as well as the actual agronomic loading rate shall be retained;

6. A description of how the site restrictions in 40 CFR 503.32(b)(5) are met for each site on which Class B bulk sewage sludge is applied;

7. The following certification statement: "I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in 40 CFR 503.14 have been met for each site on which

bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment.";

8. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 40 CFR 503.17(a)(4)(i)(B) or 503.17(a)(5)(i)(B) as applicable to the permittees sludge treatment activities;

9. The permittee shall maintain information that describes future geographical areas where sludge may be land applied;

10. The permittee shall maintain information identifying site selection criteria regarding land application sites not identified at the time of permit application submission; and

11. The permittee shall maintain information regarding how future land application sites will be managed.

The person who prepares bulk sewage sludge or a sewage sludge material shall develop the following information and shall retain the information *indefinitely*. If the permittee supplies the sludge to another person who land applies the sludge, the permittee shall notify the land applier of the requirements for recordkeeping found in 40 CFR 503.17 for persons who land apply.

1. The location, by either street address or latitude and longitude, of each site on which sludge is applied;

2. The number of hectares in each site on which bulk sludge is applied;

3. The date and time sludge is applied to each site;

4. The cumulative amount of each pollutant in kilograms/hectare listed in Table 2 applied to each site. If sewage sludge has been applied to a particular site since July 20, 1993, the permittee is also required to keep records demonstrating that every attempt possible was made to gather cumulative

loading rate information from other land applicators at the site, if applicable;

5. The total amount of sludge applied to each site in metric tons;

6. The following certification statement: "I certify, under penalty of law, that the information that will be used to determine compliance with the requirements to obtain information in 40 CFR 503.12(e)(2) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."; and

7. A description of how the requirements to obtain information in 40 CFR 503.12(e)(2) are met.

F. Reporting Requirements

Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are not required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. *Pollutant Table (2 or 3)* appropriate for permittee's land application practices;

2. The frequency of monitoring listed in Element 1, Section I.C. which applies to the permittee;

3. Toxicity Characteristic Leaching Procedure (TCLP) results, if applicable (Pass/Fail);

4. The concentration (mg/Kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) as well as the applicable pollutant concentration criteria (mg/Kg) listed in Table 3 found in Element 1, Section III, or the applicable pollutant loading rate limit (kg/ha) listed in Table 2 above if it exceeds 90% of the limit;

5. Level of pathogen reduction achieved (Class A or Class B);

6. Alternative used as listed in Section I.B.3. (a. or b.). Alternatives describe how the pathogen reduction requirements are met. If Class B sludge, include information on how site

restrictions were met in the DMR comment section or attach a separate sheet to the DMR;

7. Vector attraction reduction alternative used as listed in Section I.B.4;

8. Annual sludge production in dry metric tons/year;

9. Amount of sludge land applied in dry metric tons/year;

10. Amount of sludge transported interstate in dry metric tons/year;

11. The certification statement listed in 40 CFR 503.17(a)(4)(i)(B) or 503.17(a)(5)(i)(B) whichever applies to the permittees sludge treatment activities shall be attached to the DMR;

12. When the amount of any pollutant applied to the land exceeds 90% of the cumulative pollutant loading rate for that pollutant, as described in Table 2, the permittee shall report the following information as an attachment to the DMR:

- a. The location, by either street address or latitude and longitude;
- b. The number of hectares in each site on which bulk sewage sludge is applied;
- c. The date and time bulk sewage sludge is applied to each site;
- d. The cumulative amount of each pollutant (i.e., kilograms/hectare) listed in Table 2 in the bulk sewage sludge applied to each site;
- e. The amount of sewage sludge (i.e., metric tons) applied to each site;
- f. The following certification statement:

"I certify, under penalty of law, that the information that will be used to determine compliance with the requirements to obtain information in 40 CFR 503.12(e)(2) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment."; and

g. A description of how the requirements to obtain information in 40 CFR 503.12(e)(2) are met.

Section III. Requirements Specific to Bulk or Bagged Sewage Sludge Meeting Pollutant Concentrations in Table 3 and Class A Pathogen Reduction Requirements

For those permittees with sludge that contains concentrations of pollutants below those pollutant limits listed in Table 3 for bulk or bagged (containerized) sewage sludge, meets

the Class A pathogen reduction requirements, and meets vector attraction reduction alternatives 1-8 only, the following conditions apply.

Note: All bagged sewage sludge *must* be treated by Class A pathogen reduction requirements and meet vector attraction reduction Alternatives 1-8 *only*.

A. Pollutant Limits

The concentration of the pollutants in the municipal sewage sludge is at or below the values listed.

TABLE 3

Pollutant	Pollutant concentrations (milligrams per kilogram ¹)
Arsenic	41
Cadmium	39
Copper	1500
Lead	300
Mercury	17
Molybdenum	(²)
Nickel	420
Selenium	100
Zinc	2800

¹ Dry weight basis.

² Monitor.

B. Pathogen Control

All bulk sewage sludge that is applied to agricultural land, forest, a public contact site, a reclamation site, or lawn or home garden shall be treated by the Class A pathogen reduction requirements as defined above in Element I, Section I.B.3. All bagged sewage sludge *must* be treated by Class A pathogen reduction requirements.

C. Management Practices

None. However, it is strongly recommended that the sewage sludge be land applied at an agronomic rate (nitrogen and phosphorous) in accordance with recommendations from the following references. Nitrogen shall be considered the limiting pollutant in unimpaired watershed areas. Phosphorous shall be considered the limiting pollutant in impaired watershed areas.

1. *STANDARDS 1992, Standards, Engineering Practices and Data*, 39th Edition (1992) American Society of Agricultural Engineers, 2950 Niles Road, St. Joseph, MI 49085-9659;

2. *National Engineering Handbook* Part 651, Agricultural Waste Management Field Handbook (1992), P.O. Box 2890, Washington, D.C. 20013;

3. Recommendations of local extension services or Soil Conservation Services; and

4. Recommendations of a major University's Agronomic Department.

D. Notification Requirements

None (Other than those listed in Part IV of the permit).

E. Recordkeeping Requirements

The permittee shall develop the following information and shall retain the information for five years. The sludge documents will be retained on site at the same location as other NPDES records.

1. The concentration (mg/Kg) in the sludge of each pollutant listed in Table 3 and the applicable pollutant concentration criteria listed in Table 3;

2. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 40 CFR 503.17(a)(1)(ii);

3. A description of how the Class A pathogen reduction requirements are met; and

4. A description of how the vector attraction reduction requirements are met.

F. Reporting Requirements

Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are *not* required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. *Pollutant Table 3* appropriate for permittee's land application practices;

2. The frequency of monitoring listed in Element 1, Section I.C. which applies to the permittee;

3. Toxicity Characteristic Leaching Procedure (TCLP) results, if applicable (Pass/Fail);

4. The concentration (mg/Kg) in the sludge of each pollutant listed in Table 1 (defined as a monthly average) found in Element 1, Section I. In addition, the applicable pollutant concentration criteria listed in Table 3 should be included on the DMR;

5. Pathogen reduction Alternative used for Class A bagged or bulk sludge as listed in Section I.B.3.a;

6. Vector attraction reduction Alternative used (Alternatives 1–8 *only*), as listed in Section I.B.4;

7. Annual sludge production in dry metric tons/year;

8. Amount of sludge land applied in dry metric tons/year;

9. Amount of sludge transported interstate in dry metric tons/year; and

10. The certification statement listed in 40 CFR 503.17(a)(1)(ii) or 503.17(a)(3)(i)(B), whichever applies to the permittees sludge treatment activities, shall be attached to the DMR.

Section IV. Requirements Specific to Sludge Sold or Given Away in a Bag or Other Container for Application to the Land That Does Not Meet the Minimum Pollutant Concentrations in Table 3

A. Pollutant Limits

The product of the concentration of each pollutant in the sewage sludge and the annual whole sludge application rate (AWSAR) for the sewage sludge shall not cause the annual pollutant loading rate (APLA) in Table 4 to be exceeded. The procedures used to determine the AWSAR are presented in appendix A to 40 CFR part 503.

TABLE 4

Pollutant	Annual pollutant loading rate (kg per hectare/365 day period)
Arsenic	2.0
Cadmium	1.9
Copper	75
Lead	15
Mercury	0.85
Molybdenum	(¹)
Nickel	21
Selenium	5.0
Zinc	140

¹ Monitor.

B. Pathogen Control

All sewage sludge that is sold or given away in a bag or other container for application to the land shall be treated by the Class A pathogen requirements as defined in Section I.B.3.a. All sewage sludge that is sold or given away in a bag or other container for application to the land shall meet vector attraction reduction Alternatives 1–8 *only*.

C. Management Practices

Either a label shall be affixed to the bag or other container in which sewage sludge that is sold or given away for application to the land, or an information sheet shall be provided to the person who receives sewage sludge sold or given away in another container for application to the land. The label or information sheet shall contain the following information:

1. The name and address of the person who prepared the sewage sludge that is sold or given away in a bag or other container for application to the land;

2. A statement that application of the sewage sludge to the land is prohibited except in accordance with the instructions on the label or information sheet; and

3. The annual whole sludge application rate for the sewage sludge that will not cause any of the annual pollutant loading rates in Table 4 above to be exceeded.

D. Notification Requirements

None, (other than those listed in Part IV of the permit).

E. Recordkeeping Requirements

The sludge documents will be retained on site at the same location as other NPDES records.

The person who prepares sewage sludge or a sewage sludge material shall develop the following information and shall retain the information for five years.

1. The concentration in the sludge of each pollutant listed above is found in Element I, Section I, Table 1;

2. The following certification statement found in 40 CFR 503.17(a)(6)(iii):

“I certify, under penalty of law, that the information that will be used to determine compliance with the management practices in 40 CFR 503.14(e), the Class A pathogen requirement in 40 CFR 503.32(a), and the vector attraction reduction requirement in (insert vector attraction reduction option) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices, pathogen requirements, and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment”;

3. A description of how the Class A pathogen reduction requirements are met;

4. A description of how the vector attraction reduction requirements are met; and

5. The annual whole sludge application rate for the sewage sludge that does not cause the annual pollutant loading rates in Table 4 to be exceeded. See appendix A to 40 CFR part 503— Procedure to Determine the Annual

Whole Sludge Application Rate for a Sewage Sludge.

F. Reporting Requirements

Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are *not* required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. List *Pollutant Table 4* appropriate for permittee's land application practices;
2. The frequency of monitoring listed in Element 1, Section I.C. which applies to the permittee;
3. Toxicity Characteristic Leaching Procedure (TCLP) results, if applicable (Pass/Fail);
4. The concentration (mg/Kg) in the sludge of each pollutant listed above in Table 1 (defined as a monthly average) found in Element 1, Section I;
5. Class A pathogen reduction Alternative used as listed in Section I.B.3.a. Alternatives describe how the pathogen reduction requirements are met;
6. Vector attraction reduction Alternative used as listed in Section I.B.4;
7. Annual sludge production in dry metric tons/year;
8. Amount of sludge land applied in dry metric tons/year;
9. Amount of sludge transported interstate in dry metric tons/year; and
10. The following certification statement found in 40 CFR 503.17(a)(6)(iii) shall be attached to the DMR.

"I certify, under penalty of law, that the information that will be used to determine compliance with the management practice in 40 CFR 503.14(e), the Class A pathogen requirement in 40 CFR 503.32(a), and the vector attraction reduction requirement (insert appropriate option) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel gather and evaluate the information used to determine that the management practice, pathogen requirements, and vector attraction reduction requirements have been met.

I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."

Element 2—Surface Disposal

Section I. Requirements Applying to All Sewage Sludge Surface Disposal

A. General Requirements

1. The permittee shall handle and dispose of sewage sludge in accordance with section 405 of the Clean Water Act and all other applicable Federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants which may be present in the sludge.

2. If requirements for sludge management practices or pollutant criteria become more stringent than the sludge pollutant limits or acceptable management practices in this permit, or control a pollutant not listed in this permit, this permit may be modified or revoked and reissued to conform to the requirements promulgated at section 405(d)(2) of the Clean Water Act.

3. In all cases, if the person (permit holder) who prepares the sewage sludge supplies the sewage sludge to another person (owner or operator of a sewage sludge unit) for disposal in a surface disposal site, the permit holder shall provide all necessary information to the parties who receive the sludge to assure compliance with these regulations.

4. The permittee shall give prior notice to EPA (Chief, Permits Branch, Water Quality Management Division, Mail Code 6WQ-P, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202) of any planned changes in the sewage sludge disposal practice, in accordance with 40 CFR 122.41(l)(1)(iii). These changes may justify the application of permit conditions that are different from or absent in the existing permit. Change in the sludge use or disposal practice may be cause for modification of the permit in accordance with 40 CFR 122.62(a)(1).

5. The permittee shall complete the following evaluation of the sewage sludge generated by the facility. The permittee shall retain this information on site and it shall be made available for inspection purposes within three years of the effective date of the permit.

a. An annual quantitative tabulation of the ultimate disposition of all sewage sludge (including, but not limited to, the amount beneficially reused, landfilled, surface disposed, and incinerated).

b. An assessment of technological processes and an economic analysis evaluating the potential for beneficial reuse of all sewage sludge not currently

beneficially reused, including a listing of any steps which would be required to achieve the sludge quality necessary to beneficially reuse the sludge.

c. A description of, including the expected results and the anticipated timing for, all projects in process, in planning and/or being considered which are directed towards additional beneficial reuse of sewage sludge.

d. A listing of the specific steps (controls/changes) which would be necessary to achieve and sustain the quality of the sludge so that the pollutant concentrations in the sludge fall below the pollutant concentration criteria listed in Part IV, Element I, Section III, Table 3 of the permit.

e. A listing of, and the anticipated timing for, all projects in process, in planning, and/or being considered which are directed towards meeting the sludge quality referenced in (d) above.

6. Storage of sewage sludge at a particular site shall be limited to 2 years. If sewage sludge is stored, the permittee shall develop a site management plan outlining standard operating procedures for storage of sewage sludge to prevent potential contamination of the environment (including contamination of ground and surface water). The plan shall be kept on site. Development of a site management plan is not necessary for temporary storage needed for treatment works upgrade, repair, or maintenance or for agricultural purposes.

7. The permittee or owner/operator shall submit a written closure and post closure plan to the permitting authority 180 days prior to the closure date. The plan shall include the following information:

(a) A discussion of how the leachate collection system will be operated and maintained for three years after the surface disposal site closes if it has a liner and leachate collection system;

(b) A description of the system used to monitor continuously for methane gas in the air in any structures within the surface disposal site. The methane gas concentration shall not exceed 25% of the lower explosive limit for methane gas for three years after the sewage sludge unit closes. A description of the system used to monitor for methane gas in the air at the property line of the site shall be included. The methane gas concentration at the surface disposal site property line shall not exceed the lower explosive limit for methane gas for three years after the sewage sludge unit closes; and

(c) A discussion of how public access to the surface disposal site will be restricted for three years after it closes.

8. Coverage under this permit does not relieve the permittee from complying with state regulations applicable to sewage sludge use and disposal.

B. Management Practices

1. An active sewage sludge unit located within 60 meters of a fault that has displacement in Holocene time shall close by March 22, 1994.

2. An active sewage sludge unit located in an unstable area shall close by March 22, 1994.

3. An active sewage sludge unit located in a wetland, except as provided in a permit issued pursuant to section 402 of the CWA, shall close by March 22, 1994.

4. Surface disposal shall not restrict the flow of the 100 year base flood.

5. The run-off collection system for an active sewage sludge unit shall have the capacity to handle run-off from a 25-year, 24-hour storm event. The run-off from an active sewage sludge unit shall be collected and shall be disposed in accordance with NPDES permit requirements and any other applicable requirements.

6. A food crop, feed crop, or a fiber crop shall not be grown on a surface disposal site.

7. Animals shall not be grazed on a surface disposal site.

8. Public access shall be restricted on the active surface disposal site and for three years after the site closes.

9. Placement of sewage sludge shall not contaminate an aquifer. This shall be demonstrated through one of the following:

(a) Results of a ground-water monitoring program developed by a qualified ground-water scientist; or

(b) A certification by a qualified ground-water scientist may be used to demonstrate that sewage sludge placed on an active sewage sludge unit does not contaminate an aquifer.

10. When a cover is placed on an active surface disposal site, the concentration of methane gas in air in any structure within the surface disposal site shall not exceed 25 percent of the lower explosive limit for methane gas during the period that the sewage sludge unit is active. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the lower explosive limit for methane gas during the period that the sewage sludge unit is active. Monitoring shall be continuous.

C. Testing Requirements

1. Sewage sludge shall be tested once during the life of the permit within one year from the effective date of the

permit in accordance with the method specified at 40 CFR part 268, appendix I (Toxicity Characteristic Leaching Procedure (TCLP)) or other approved methods on those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. Sludge shall be tested after final treatment prior to leaving the POTW site. Sewage sludge determined to be a hazardous waste in accordance with 40 CFR part 261, shall be handled according to RCRA standards for the disposal of hazardous waste in accordance with 40 CFR part 262. The disposal of sewage sludge determined to be a hazardous waste, in other than a certified hazardous waste disposal facility shall be prohibited. The Information Management Section, telephone no. (214) 665-6750, and the appropriate state agency shall be notified of test failure within 24 hours. A written report shall be provided to this office within 7 days after failing the TCLP. The report will contain test results, certification that unauthorized disposal has not occurred and a summary of alternative disposal plans that comply with RCRA standards for the disposal of hazardous waste. The report shall be addressed to: Director, Multimedia Planning and Permitting Division, EPA Region 6, Mail Code 6PD, 1445 Ross Avenue, Dallas, Texas 75202. A copy of this report shall be sent to the Chief, Water Enforcement Branch, Compliance Assurance and Enforcement Division, Mail Code 6EN-W, at the same street address.

2. Sewage sludge shall be tested at the frequency show below in Element 2, Section I.D. for PCBs on those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. Any sludge exceeding a concentration of 50 mg/Kg for PCBs shall not be surface disposed.

3. Pathogen Control. All sewage that is disposed of in a surface disposal site shall be treated by either the Class A or Class B pathogen requirements unless sewage sludge is placed on an active

surface disposal site and is covered with soil or other material at the end of each operating day. When reporting on the DMR, list pathogen reduction level attained as A, B, or C (daily cover). When reporting *how* compliance was met, list Alternative 1, 2, or 3 for Class A, or Alternative Number 1, 2, 3, 4, 5, or 6 for Class B, on DMR.

(a) Six alternatives are available to demonstrate compliance with Class A sewage sludge. All 6 alternatives require either the density of fecal coliform in the sewage sludge be less than 1000 MPN per gram of total solids (dry weight basis), or the density of *Salmonella* sp. bacteria in the sewage sludge be less than three Most Probable Number per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed; at the time the sewage sludge is prepared for sale or given away in a bag or other container for application to the land. Below are the *additional* requirements necessary to meet the definition of a Class A sludge.

Alternative 1—The temperature of the sewage sludge that is used or disposed shall be maintained at a specific value for a period of time. See 40 CFR 503.32(a)(3)(ii) for specific information. This alternative is not applicable to composting.

Alternative 2—The pH of the sewage sludge that is used or disposed shall be raised to above 12 and shall remain above 12 for 72 hours. The pH shall be defined as the logarithm of the reciprocal of the hydrogen ion concentration measured at 25° C or measured at another temperature and then converted to an equivalent value at 25° C.

The temperature of the sewage sludge shall be above 52 degrees Celsius for 12 hours or longer during the period that the pH of the sewage sludge is above 12.

At the end of the 72 hour period during which the pH of the sewage sludge is above 12, the sewage sludge shall be air dried to achieve a percent solids in the sewage sludge greater than 50 percent.

Alternative 3—The sewage sludge shall be analyzed for enteric viruses prior to pathogen treatment. The limit for enteric viruses is one Plaque-forming Unit per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 40 CFR 503.32(a)(5)(ii) for specific information. The sewage sludge shall be analyzed for viable helminth ova prior to pathogen treatment. The limit for viable helminth ova is less than one per four grams of total solids (dry weight basis) either before or following pathogen treatment. See 40 CFR 503.32(a)(5)(iii) for specific information.

Alternative 4—The density of enteric viruses in the sewage sludge shall be less than one Plaque-forming Unit per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed or at the time the sludge is prepared for sale or give away in a bag or other container for application to the land.

The density of viable helminth ova in the sewage sludge shall be less than one per four grams of total solids (dry weight basis) at the time the sewage sludge is used or disposed or at the time the sewage sludge is prepared for sale or give away in a bag or other container for application to the land.

Alternative 5—Sewage sludge shall be treated by one of the Processes to Further Reduce Pathogens (PFRP) described in 40 CFR 503, appendix B. PFRPs include composting, heat drying, heat treatment, and thermophilic aerobic digestion.

Alternative 6—Sewage sludge shall be treated by a process that is equivalent to a Process to Further Reduce Pathogens, if individually approved by the Pathogen Equivalency Committee representing the EPA.

(b) Three alternatives are available to demonstrate compliance with Class B sewage sludge.

Alternative 1—(i) Seven representative samples of the sewage sludge that is disposed shall be collected for one monitoring episode at the time the sewage sludge is used or disposed.

(ii) The geometric mean of the density of fecal coliform in the samples collected shall be less than either 2,000,000 Most Probable Number per gram of total solids (dry weight basis) or 2,000,000 Colony Forming Units per gram of total solids (dry weight basis).

Alternative 2—Sewage sludge shall be treated in one of the Processes to significantly Reduce Pathogens described in 40 CFR part 503, appendix B.

Alternative 3—Sewage sludge shall be treated in a process that is equivalent to a PSRP, if individually approved by the Pathogen Equivalency Committee representing the EPA.

Alternative 4—Sewage sludge placed on an active surface disposal site is covered with soil or other material at the end of each operating day.

4. Vector Attraction Reduction Requirements. All sewage sludge that is disposed of in a surface disposal site shall be treated by one of the following alternatives 1 through 11 for Vector Attraction Reduction.

Alternative 1—The mass of volatile solids in the sewage sludge shall be reduced by a minimum of 38 percent.

Alternative 2—If Alternative 1 cannot be met for an anaerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge anaerobically in the laboratory in a bench-scale unit for 40 additional days at a temperature between 30 and 37 degrees Celsius. Volatile solids must be reduced by less than 17 percent to demonstrate compliance.

Alternative 3—If Alternative 1 cannot be met for an aerobically digested sludge, demonstration can be made by digesting a portion of the previously digested sludge with a percent solids of two percent or less aerobically in the laboratory in a bench-scale unit for 30 additional days at 20 degrees Celsius. Volatile solids must be reduced by less than 15 percent to demonstrate compliance.

Alternative 4—The specific oxygen uptake rate (SOUR) for sewage sludge treated in an aerobic process shall be equal to or less than 1.5 milligrams of oxygen per hour per gram of total solids (dry weight basis) at a temperature of 20 degrees Celsius.

Alternative 5—Sewage sludge shall be treated in an aerobic process for 14 days or longer. During that time, the temperature of the sewage sludge shall be higher than 40 degrees Celsius and the average temperature of the sewage sludge shall be higher than 45 degrees Celsius.

Alternative 6—The pH of sewage sludge shall be raised to 12 or higher by alkali addition and, without the addition of more alkali shall remain at 12 or higher for two hours and then at 11.5 or higher for an additional 22 hours at the time the sludge is disposed.

Alternative 7—The percent solids of sewage sludge that does not contain unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 75 percent based on the moisture content and total solids prior to mixing with other materials at the time the sludge is disposed. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in either an aerobic or an anaerobic treatment process.

Alternative 8—The percent solids of sewage sludge that contains unstabilized solids generated in a primary wastewater treatment process shall be equal to or greater than 90 percent based on the moisture content and total solids prior to mixing with other materials at the time the sludge is disposed. Unstabilized solids are defined as organic materials in sewage sludge that have not been treated in

either an aerobic or an anaerobic treatment process.

Alternative 9—(i) Sewage sludge shall be injected below the surface of the land.

(ii) No significant amount of the sewage sludge shall be present on the land surface within one hour after the sewage sludge is injected.

(iii) When sewage sludge that is injected below the surface of the land is Class A with respect to pathogens, the sewage sludge shall be injected below the land surface within eight hours after being discharged from the pathogen treatment process.

Alternative 10—(i) Sewage sludge applied to the land surface or placed on a surface disposal site shall be incorporated into the soil within six hours after application to or placement on the land.

(ii) When sewage sludge that is incorporated into the soil is Class A with respect to pathogens, the sewage sludge shall be applied to or placed on the land within eight hours after being discharged from the pathogen treatment process.

Alternative 11—Sewage sludge placed on an active sewage sludge unit shall be covered with soil or other material at the end of each operating day.

5. Methane Gas Control Within a Structure On Site. When cover is placed on an active sewage sludge unit, located in a surface disposal site, the methane gas concentration in the air in any structure shall not exceed 25% of the lower explosive limit (LEL) for methane gas during the period that the disposal site is active.

6. Methane Gas Control at Property Line. The concentration of methane gas in air at the property line of the surface disposal site shall not exceed the LEL for methane gas during the period that the disposal site is active.

D. Monitoring Requirements

Toxicity Characteristic Leaching Procedure (TCLP) Test—Once/Life, performed within one year from the effective date of the permit (For POTWs with a design flow of 1.0 mgd or greater)

PCBs—Once/Year
Methane Gas in covered structures on site—Continuous
Methane Gas at property line—Continuous

All other pollutants shall be monitored at the frequency shown below:

Amount of sewage sludge ¹ (metric tons/365 day period)	Frequency
0 ≤ Sludge ≤ 290	Once/Year.

Amount of sewage sludge ¹ (metric tons/365 day period)	Frequency
290 ≤ Sludge ≤ 1,500	Once/Quarter.
1,500 ≤ Sludge ≤ 15,000 ..	Once/Two Months.
15,000 ≤ Sludge	Once/Month.

¹ Amount of sewage sludge placed on an active sewage sludge unit (dry weight basis).

Representative samples of sewage sludge shall be collected and analyzed in accordance with the methods referenced in 40 CFR 503.8(b).

Section II. Requirements Specific to Surface Disposal Sites Without a Liner and Leachate Collection System

A. Pollutant Limits

Sewage sludge shall not be applied to a surface disposal site if the concentration of the listed pollutants exceed the corresponding values based on the surface disposal site boundary to the property line distance:

TABLE 5

Unit boundary to property line—distance (meters)	Pollutant concentration ¹		
	Arsenic (mg/kg)	Chromium (mg/kg)	Nickel (mg/kg)
0 to less than 25	30	200	210
25 to less than 50	34	220	240
50 to less than 75	39	260	270
75 to less than 100	46	300	320
100 to less than 125	53	360	390
125 to less than 150	62	450	420
Equal to or greater than 150	73	600	420

¹Dry weight basis.

B. Management Practices

Listed in Section I.B. above.

C. Notification Requirements (Other Than Those Listed in Part IV of the Permit)

(a) The permittee shall assure that the owner of the surface disposal site provide written notification to the subsequent site owners that sewage sludge was placed on the land.

(b) The permittee shall provide the location of all existing sludge disposal/use sites to the State Historical Commission within 90 days of the effective date of this permit. In addition, the permittee shall provide the location of any new disposal/use site to the State Historical Commission prior to use of the site.

The permittee shall within 30 days after notification by the State Historical Commission that a specific sludge disposal/use area will adversely affect a National Historic Site, cease use of such area.

D. Recordkeeping Requirements

The permittee shall develop the following information and shall retain the information for five years. The sludge documents will be retained on site at the same location as other NPDES records.

1. The distance of the surface disposal site from the property line and the concentration (mg/Kg) in the sludge of each pollutant listed above in Table 5, as well as the applicable pollutant concentration criteria listed in Table 5;

2. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment. See 40 CFR 503.27(a)(1)(ii) or 503.27(a)(2)(ii) as applicable to the permittees sludge disposal activities;

3. A description of how either the Class A or Class B pathogen reduction requirements are met, or whether sewage sludge placed on a surface disposal site is covered with soil or other material at the end of each operating day;

4. A description of how the vector attraction reduction requirements are met; and

5. Results of a groundwater monitoring program developed by a qualified ground-water scientist, or a certification by a qualified groundwater scientist may be used to demonstrate that sewage sludge placed on an active sewage sludge unit does not contaminate an aquifer.

6. A description of how the management practices listed in I.B. above are met.

7. The site management plan discussed in Element 2, Section I.A.6. if sewage sludge is stored.

E. Reporting Requirements

Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a

municipality or State) with a design flow rate equal to or greater than one million gallons per day, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are *not* required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. Report *No* for no liner and leachate collection system at surface disposal site;

2. The frequency of monitoring listed in Element II, Section I.D. which applies to the permittee;

3. Toxicity Characteristic Leaching Procedure (TCLP) results, if applicable (Pass/Fail);

4. The concentration (mg/Kg) in the sludge of each pollutant listed in Table 5 as well as the applicable pollutant concentration criteria listed in Table 5;

5. The concentration (mg/Kg) of PCB's in the sludge;

6. The distance between the property line and the surface disposal site boundary;

7. Level of pathogen reduction achieved (Class A or Class B), unless Vector attraction reduction alternative no. 11 is utilized;

8. List Alternative used as listed in Section I.C.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met;

9. Vector attraction reduction Alternative used as listed in Section I.C.4;

10. Annual sludge production in dry metric tons/year;

11. Amount of sludge surface disposed in dry metric tons/year;

12. Amount of sludge transported interstate in dry metric tons/year;

13. A narrative description explaining how the management practices in 40 CFR 503.24 are met shall be attached to the DMR; and

14. The certification statement listed in 40 CFR 503.27(a)(1)(ii) or 503.27(a)(2)(ii) as applicable to the permittees sludge disposal activities, shall be attached to the DMR.

Section III. Requirements Specific to Surface Disposal Sites With a Liner and Leachate Collection System

A. Pollutant Limits

None.

B. Management Practices

Listed in Section I.B. above.

C. Notification Requirements (Other Than Those Listed in Part IV of the permit)

(a) The permittee shall assure that the owner of the surface disposal site provide written notification to the subsequent owner of the site that sewage sludge was placed on the land.

(b) The permittee shall provide the location of all existing sludge disposal/use sites to the State Historical Commission within 90 days of the effective date of this permit. In addition, the permittee shall provide the location of any new disposal/use site to the State Historical Commission prior to use of the site.

The permittee shall within 30 days after notification by the State Historical Commission that a specific sludge disposal/use area will adversely affect a National Historic Site, cease use of such area.

D. Recordkeeping Requirements

The permittee shall develop the following information to be retained on site at the same location as other NPDES records and shall retain the information for five years.

1. The following certification statement found in 40 CFR 503.27(a)(1)(ii):

"I certify, under penalty of law, that the information that will be used to determine compliance with the pathogen requirements (define option used) and the vector attraction reduction requirements (define option used) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and

evaluate the information used to determine the (pathogen requirements and vector attraction reduction requirements, if appropriate) have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment.";

2. A description of how either the Class A or Class B pathogen reduction requirements are met or whether sewage sludge placed on a surface disposal site is covered with soil or other material at the end of each operating day;

3. A description of how the vector attraction reduction requirements are met; and

4. Results of a ground-water monitoring program developed by a qualified ground-water scientist. A certification by a qualified ground-water scientist may be used to demonstrate that sewage sludge placed on an active sewage sludge unit does not contaminate an aquifer.

5. The site management plan discussed in Element 2, Section I.A.6. if sewage sludge is stored.

E. Reporting Requirements

Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are *not* required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. Report YES for liner and leachate collection system at surface disposal site;

2. The frequency of monitoring listed in Element 2, Section I.D. which applies to the permittee;

3. Toxicity Characteristic Leaching Procedure (TCLP) results, if applicable (Pass/Fail);

4. The concentration (mg/Kg) in the sludge of PCBs;

5. Level of pathogen reduction achieved (Class A or Class B), unless Vector attraction reduction alternative no. 11 is used;

6. List Alternative used as listed in Section I.C.3.(a. or b.). Alternatives describe how the pathogen reduction requirements are met;

7. Vector attraction reduction Alternative used as listed in Section I.B.4;

8. Annual sludge production in dry metric tons/year;

9. Amount of sludge surface disposed in dry metric tons/year;

10. Amount of sludge transported interstate in dry metric tons/year;

11. A narrative description explaining how the management practices in 40 CFR 503.24 are met shall be attached to the DMR; and

12. A certification statement that all applicable requirements (specifically listed) have been met, and that the permittee understands that there are significant penalties for false certification including fine and imprisonment (See 40 CFR 503.27(a)(1)(ii) or 503.27(a)(2)(ii) whichever applies to the permittees sludge disposal activities) shall be attached to the DMR.

Element 3—Municipal Solid Waste Landfill Disposal

Section I. Requirements Applying to All Sewage Sludge Disposed in a Municipal Solid Waste Landfill (MSWLF)

A. The permittee shall handle and dispose of sewage sludge in accordance with section 405 of the Clean Water Act and all other applicable Federal regulations to protect public health and the environment from any reasonably anticipated adverse effects due to any toxic pollutants that may be present in the sludge. The permittee shall ensure that the sewage sludge meets the requirements in 40 CFR part 258 concerning the quality of the sludge disposed in the municipal solid waste landfill unit.

B. If requirements for sludge management practices or pollutant criteria become more stringent than the sludge pollutant limits or acceptable management practices in this permit, or control a pollutant not listed in this permit, this permit may be modified or revoked and reissued to conform to the requirements promulgated at section 405(d)(2) of the Clean Water Act.

C. If the permittee generates sewage sludge and supplies that sewage sludge to the owner or operator of a MSWLF for disposal, the permittee shall provide to the owner or operator of the MSWLF appropriate information needed to be in compliance with the provisions of this permit.

D. The permittee shall give prior notice to EPA (Chief, Permits Branch, Water Quality Management Division, Mail Code 6WQ-P, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202) of any planned changes in the sewage sludge disposal practice, in accordance with 40 CFR 122.41(l)(1)(iii). These changes may justify the application of

permit conditions that are different from or absent in the existing permit. Change in the sludge use or disposal practice may be cause for modification of the permit in accordance with 40 CFR 122.62(a)(1).

E. The permittee shall provide the location of all new sludge disposal/use sites, where previously undisturbed ground is proposed for disturbance, to the State Historical Commission within 90 days of the effective date of this permit. In addition, the permittee shall provide the location of any new disposal/use site to the State Historical Commission prior to use of the site. The permittee shall within 30 days after notification by the State Historical Commission that a specific sludge disposal/use area will adversely affect a National Historic Site, cease use of such area.

F. The permittee shall complete the following evaluation of the sewage sludge generated by the facility. The permittee shall retain this information on site and it shall be made available for inspection purposes within three years of the effective date of the permit.

a. An annual quantitative tabulation of the ultimate disposition of all sewage sludge (including, but not limited to, the amount beneficially reused, landfilled, surface disposed, and incinerated).

b. An assessment of technological processes and an economic analysis evaluating the potential for beneficial reuse of all sewage sludge not currently beneficially reused, including a listing of any steps which would be required to achieve the sludge quality necessary to beneficially reuse the sludge.

c. A description of, including the expected results and the anticipated timing for, all projects in process, in planning and/or being considered which are directed towards additional beneficial reuse of sewage sludge.

d. A listing of the specific steps (controls/changes) which would be necessary to achieve and sustain the quality of the sludge so that the pollutant concentrations in the sludge fall below the pollutant concentration criteria listed in Part XIII, Element I, Section III, Table 3 of the permit.

e. A listing of, and the anticipated timing for, all projects in process, in planning, and/or being considered which are directed towards meeting the sludge quality referenced in (d) above.

G. Coverage under this permit does not relieve the permittee from complying with state regulations applicable to sewage sludge reuse and disposal.

H. Sewage sludge shall be tested once during the life of the permit within one year from the effective date of the

permit in accordance with the method specified at 40 CFR part 268, appendix I (Toxicity Characteristic Leaching Procedure (TCLP)) or other approved methods on those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. Sludge shall be tested after final treatment prior to leaving the POTW site. Sewage sludge determined to be a hazardous waste in accordance with 40 CFR part 261, shall be handled according to RCRA standards for the disposal of hazardous waste in accordance with 40 CFR part 262. The disposal of sewage sludge determined to be a hazardous waste, in other than a certified hazardous waste disposal facility shall be prohibited. The Information Management Section, telephone no. (214) 665-6750, and the appropriate state agency shall be notified of test failure within 24 hours. A written report shall be provided to this office within 7 days after failing the TCLP. The report will contain test results, certification that unauthorized disposal has not occurred and a summary of alternative disposal plans that comply with RCRA standards for the disposal of hazardous waste. The report shall be addressed to: Director, Multimedia Planning and Permitting Division, EPA Region 6, Mail Code 6PD, 1445 Ross Avenue, Dallas, Texas 75202. A copy of this report shall be sent to the Chief, Water Enforcement Branch, Compliance Assurance and Enforcement Division, Mail Code 6EN-W, at the same street address.

I. Sewage sludge shall be tested as needed, or at a minimum, once/year in accordance with the method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846).

J. Recordkeeping requirements—For those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR subpart 403.8(a) for each final sewage sludge reuse or disposal practice. The permittee shall develop the following information and shall retain the information for five years.

1. The description, including procedures followed, and results of the Paint Filter Tests performed; and

2. The description, including procedures followed, and results of the TCLP Test.

K. Recordkeeping Requirements—For all other TWTDS not meeting the above criteria, the permittee shall keep records on the following:

1. The description and results of the tests performed, required by the owner/operator of the MSWLF to demonstrate compliance with the 40 CFR part 258 regulations; and

2. A certification that sewage sludge meets the requirements in 40 CFR part 258 concerning the quality of the sludge disposed in a municipal solid waste landfill unit.

L. Reporting requirements—Reporting procedures are required to be conducted by only those publicly owned treatment works (POTWs) (defined as a treatment works treating domestic sewage that is owned by a municipality or State) with a design flow rate equal to or greater than one mgd, and POTWs that serve 10,000 people or more, or any POTW required to have an approved pretreatment program under 40 CFR 403.8(a) for each final sewage sludge reuse or disposal practice. All remaining TWTDS, other than those defined above, are *not* required to report. If applicable, the permittee shall report annually on the DMR the following information:

1. Results of the Toxicity Characteristic Leaching Procedure Test conducted on the sludge to be disposed, if applicable (Pass/Fail);

2. Annual sludge production in dry metric tons/year;

3. Amount of sludge disposed in a municipal solid waste landfill in dry metric tons/year;

4. Amount of sludge transported interstate in dry metric tons/year; and

5. A certification that sewage sludge meets the requirements in 40 CFR part 258 concerning the quality of the sludge disposed in a MSWLF unit shall be attached to the DMR.

Addendum A—Endangered Species Guidance

I. Instructions

A list of species that may be affected by the activities covered by the sewage sludge general permit should be obtained from the nearest State Wildlife Agency, United States Fish and Wildlife Service (USFWS), and the National Marine Fishery Service (NMFS). In order to get coverage, applicants must:

- Indicate in box provided on the notification letter whether any species listed are in proximity to the facility, and
- Certify that sewage sludge generation, treatment, land application, surface disposal, and disposal of sludge in a municipal solid

waste landfill, are not likely, and will not be likely to adversely affect species.

To do this, please follow steps 1 through 4 below.

Step 1: Review the Parish Species List To Determine if Any Species Are Located in the Discharging Facility Parish

If no species are listed in a facility's parish or if a facility's parish is not found on the list, an applicant is eligible for coverage and may indicate in the notification to EPA that no species are found in proximity and provide the necessary certification. If species are located in the parish, follow step 2 below. Where a facility is located in more than one parish boundary or located in more than one parish, the lists for all relevant parishes shall be reviewed.

Step 2: Determine if Any Species May Be Found "in Proximity" to the Facility and if the Species Could Be Adversely Affected by the TWTDS Operation

A species is in proximity to a facility's sewage sludge operation when the species is:

- Located in the immediate area through which or over which sewage sludge is generated, treated, land applied, surface disposed or disposed in a municipal solid waste landfill.

The area in proximity to be searched/surveyed for listed species will vary with the size of the TWTDS and the quality and quantity of the sewage sludge. Applicants should use the method or methods which best allow them to determine to the best of their knowledge whether species are in proximity to their particular facility. These methods may include:

- *Conducting visual inspections:* This method may be particularly suitable for TWTDS that are smaller in size (including land application, surface disposal, and municipal solid waste landfill sites), and TWTDS located in non-natural settings such as highly urbanized areas or industrial parks where there is little or no nature habitat. For other facilities, a visual survey of the site may be insufficient to determine whether species are likely to be located in proximity to the discharge.
- *Contacting local/regional conservation groups.* These groups inventory species and their locations and maintain lists of sightings and habitats.
- *Conducting a formal biological survey.* TWTDS (including land application, surface disposal, and municipal solid waste landfill sites) with extensive land use may choose to conduct biological surveys as the most effective way to assess whether species are located in proximity and whether there are likely adverse effects.
- *Contacting the nearest State Wildlife Agency or U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries*

Service (NMFS) offices. Many endangered and threatened species are found in well-defined areas or habitats. That information is frequently known to state or federal wildlife agencies. FWS has offices in every state. NMFS has regional offices in: Gloucester, Massachusetts; St. Petersburg, Florida; Long Beach, California; Portland, Oregon; and Juneau, Alaska.

The USFWS and NMFS will respond with a determination of likely or not likely to adversely affect. If no species are in proximity, an applicant is eligible for coverage under this general permit and may indicate that in the notification and provide the necessary certification. Potential adverse effects from sewage sludge include:

- *Hydrological.* Sewage sludge may cause contamination of surface and ground water through improper disposal and reuse activities. These effects will vary with the amount and quality of the sewage sludge reused and/or disposed and the location of the surface and ground water, and the volume and condition of the receiving water.
- *Habitat.* Sewage sludge may cover listed species habitat.
- *Toxicity.* In some cases, pollutants in sewage sludge may have toxic effects on listed species.

The scope of effects to consider will vary with each site. If a proposed project is not likely to adversely affect a listed species, then the applicant has met the permit requirements. If the proposed action is likely to adversely affect a listed species, the applicant will already be in contact with the USFWS or NMFS for guidance on how to proceed to the next step, whether it be conducting surveys or determining what measures could be taken to avoid the adverse effect.

Using earlier ESA authorizations for general permit eligibility: In some cases, a facility may be eligible for coverage because actual or potential adverse effects were addressed or discounted through an earlier ESA authorization. Examples of such authorization include:

- An earlier ESA section 7 consultation for that facility.
- A ESA section 10(a) permit issued for the facility.
- An area-wide Habitat Conservation Plan applicable to that facility.
- A clearance letter from the Services (which discounts the possibility of adverse impact from the facility).

In order for applicants to use an earlier ESA authorization to meet eligibility requirements: (1) the authorization must adequately address impacts from final reuse or disposal activities on endangered and threatened species, (2) it must be current because there have been no subsequent changes in facility operations or circumstances which might impact species in

ways not considered in the earlier authorization, and (3) the applicant must comply with any requirements from those authorizations to avoid or mitigate adverse effects to species. Applicants who wish to pursue this approach should carefully review documentation for those authorizations to ensure that the above conditions are met.

If adverse effects are not likely, an applicant is eligible for general permit coverage and may indicate in the notification to the EPA that species are found in proximity and provide the necessary certification. If adverse effects are likely, follow step 3 below.

Step 3: Determine if Measures Can Be Implemented To Avoid Any Adverse Effects

If an applicant determines that adverse effects are likely, it can receive coverage if appropriate measures are undertaken to avoid or eliminate any actual or potential adverse effects prior to applying for permit coverage.

At this stage, applicants have contacted the USFWS and/NMFS to see what appropriate measures are suitable to avoid or eliminate adverse impacts to species.

If applicants adopt these measures, they must continue to abide by them during the course of permit coverage.

If appropriate measures are not available, the applicant is not eligible at that time for coverage under the general permit.

Applicants should contact the appropriate EPA regional office about either:

- Entering into Section 7 consultation in order to obtain general permit coverage, or
- Obtaining an individual sewage sludge only permit.

Addendum B—National Historic Preservation Act Compliance Guidance

The permittee shall submit the following information:

- A letter succinctly describing the proposed action.
- A 7.5' topographic map showing the projected location.

The information shall be forwarded to: Ms. Gerri Hobdy, State Historic Preservation Officer, Louisiana Department of Culture, Recreation, and Tourism, Office of Cultural Development, P.O. Box 44247, Baton Rouge, LA 70804-4247.

The permittee should be aware there is a 30-day review period from the receipt of the project information in the State Historic Preservation Office.

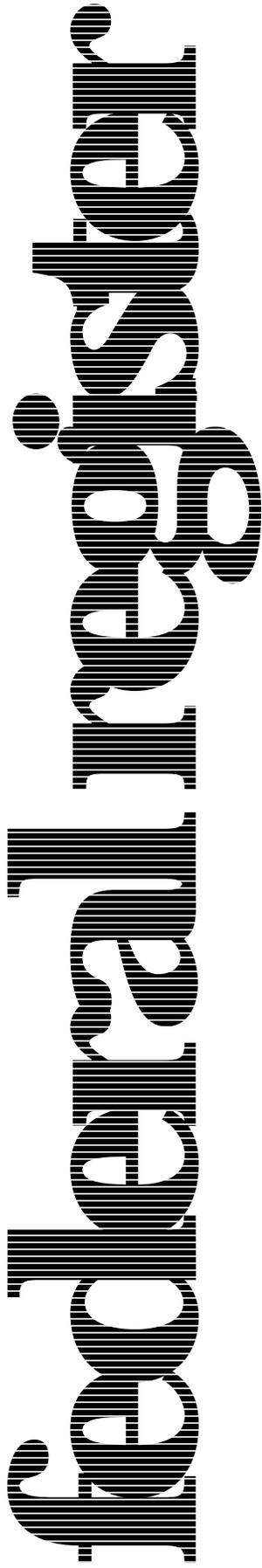
Dated: August 11, 1998.

William B. Hathaway,

Director, Water Quality Protection Division (6WQ), Region 6.

[FR Doc. 98-22427 Filed 8-20-98; 8:45 am]

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Friday
August 21, 1998

Part III

**Department of the
Treasury**

Fiscal Service

31 CFR Part 285

**Offset of Federal Benefit Payments to
Collect Past-due, Legally Enforceable
Nontax Debt; Interim and Proposed Rules**

DEPARTMENT OF THE TREASURY**Fiscal Service****31 CFR Part 285**

RIN 1510-AA74

Offset of Federal Benefit Payments To Collect Past-due, Legally Enforceable Nontax Debt**AGENCY:** Financial Management Service, Fiscal Service, Treasury.**ACTION:** Interim rule with request for comments.

SUMMARY: The Debt Collection Improvement Act of 1996 requires the Federal Government to withhold or reduce certain Federal payments to satisfy delinquent nontax debts owed to the United States by the payee. This process is known as "administrative offset." This interim rule establishes the rules governing the administrative offset of Federal benefit payments issued under the Social Security Act (other than Supplemental Security Income), part B of the Black Lung Benefits Act, and any law administered by the Railroad Retirement Board (other than tier 2 benefit payments). This rule affects individuals who receive these types of benefit payments and who owe delinquent nontax debts to the Federal Government.

DATES: *Effective:* August 21, 1998. Comments must be received on or before September 21, 1998.

ADDRESSES: All comments should be addressed to Gerry Isenberg, Financial Program Specialist, Debt Management Services, Financial Management Service, 401 14th Street SW, Room 151, Washington, D.C. 20227. A copy of this interim rule is being made available for downloading from the Financial Management Service web site at the following address: <http://www.fms.treas.gov/debt/dms.html>.

FOR FURTHER INFORMATION CONTACT: Gerry Isenberg, Financial Program Specialist, at (202) 874-6660; Ellen Neubauer or Ronda Kent, Senior Attorneys, at (202) 874-6680.

SUPPLEMENTARY INFORMATION:**Background**

A major purpose of the Debt Collection Improvement Act of 1996 (DCIA), Pub. L. 104-134, 110 Stat. 1321-358 *et seq.* (April 26, 1996), is to increase the collection of delinquent nontax debts owed to the Federal Government. Among other things, the DCIA established a centralized process for withholding or reducing eligible Federal payments, including certain

benefit payments, to pay the payee's delinquent debt owed to the United States. This process is known as "administrative offset."

The Financial Management Service (FMS), a bureau of the Department of the Treasury (Treasury), disburses more than 850 million Federal payments annually, including Federal benefit payments on behalf of agencies such as the Social Security Administration, the Railroad Retirement Board, and the Department of Veterans Affairs. As the Treasury disbursing agency, FMS is responsible for the implementation of centralized administrative offset of Federal payments for the collection of delinquent nontax debt. To meet this responsibility, FMS has established the Treasury Offset Program.

The Treasury Offset Program works as follows. FMS maintains a delinquent debtor database. The database includes delinquent debtor information submitted and updated by Federal agencies either owed debts (creditor agencies) or collecting debts on behalf of other Federal agencies. Before a Federal payment is disbursed to a payee, FMS compares the payee information with debtor information in FMS' delinquent debtor database. If the payee's name and taxpayer identifying number (TIN) match the name and TIN of a debtor, the payment is offset, in whole or in part, to satisfy the debt, to the extent legally allowed.

FMS transmits amounts collected through offset to the appropriate agencies owed the delinquent debt after deducting a fee charged to cover the cost of the offset program. FMS' authority to charge fees is found at 31 U.S.C. 3716(c)(4). Under 31 U.S.C. 3717(e), the agencies which are owed the delinquent debt may add the fees to the debt as part of the administrative cost, if not otherwise prohibited by law. Information about a delinquent debt remains in the debtor database and offsets of eligible Federal benefit and other payments will continue until debt collection activity for the debt is terminated because of full payment, compromise, write-off or other reasons justifying termination. In centralizing offset through the Treasury Offset Program, FMS will consolidate and simplify offset procedures for the Federal Government.

This interim rule governs only the administrative offset of Federal benefit payments issued under the Social Security Act (other than Supplemental Security Income (SSI)); part B of the Black Lung Benefits Act (governing claims for benefits filed before December 31, 1973); and any law administered by the Railroad Retirement

Board (other than tier 2 benefit payments, i.e., the portion of the railroad retirement annuity based exclusively on railroad service) for the collection of delinquent nontax debt owed to the Federal Government. Other rules and procedures reflect requirements for other types of payments or debts, as well as the general rules applicable to collection of debts by offset. FMS has promulgated and will promulgate other rules governing the centralized offset of Federal payments (other than Federal benefit payments) for the collection of debts owed to Federal agencies, for the collection of debts owed to States, and for the collection of past-due child support. FMS anticipates that Part 285 of this title will contain all of the provisions relating to the centralized offset of Federal payments for the collection of debts owed to the Federal Government and to State governments, including past-due child support.

FMS developed this interim rule in consultation with the Social Security Administration, the Railroad Retirement Board, the Department of Labor, the Department of Veterans Affairs, the Office of Management and Budget, and other affected agencies, and acknowledges their constructive assistance.

Phased Implementation

Under the DCIA, Federal benefit payments issued under the Social Security Act (other than SSI); part B of the Black Lung Benefits Act; and any law administered by the Railroad Retirement Board (other than tier 2 benefit payments), hereinafter referred to as "covered benefit payments," may be offset to collect delinquent debt owed to the United States subject to certain limitations. First, the DCIA provides for a threshold level of covered benefit payments which a debtor must receive before an offset may occur. Under the DCIA, only those amounts of covered benefit payments which a debtor receives in excess of \$9,000 per year (or \$750 per month) may be offset. Second, the DCIA requires a reduction in this threshold amount by the amount of benefit payments a debtor receives which are not subject to offset. Benefit payments not subject to offset include without limitation, SSI payments and benefit payments paid under any law administered by the Secretary of Veterans Affairs; part C of the Black Lung Benefits Act; any law administered by the Railroad Retirement Board that such Board determines to be tier 2 benefits; and any other law under which Federal benefit payments are

made if such payments are exempt from offset.

FMS intends to implement the offset of covered benefit payments in two phases. During phase I and as described in this rule, FMS will offset only those monthly covered benefit payments which individually exceed the \$750 threshold. During phase II, FMS will offset all covered benefit payments, provided the total amount received by the debtor exceeds the threshold amount. The DCIA requirement that the amount offset be increased for individuals who also receive benefit payments not subject to offset will be implemented during phase II. Calculating the maximum allowable offset amount for debtors who receive more than one type of benefit payment is operationally complex. FMS therefore has adopted a phased approach to allow for some offsets to begin (i.e., offsets of monthly covered benefit payments which exceed \$750), while FMS continues to work out the complexities of fully implementing the DCIA's benefit offset provisions. This approach will allow for the orderly implementation of benefit offset ensuring that more complex offsets are accomplished in an efficient and cost-effective manner. Prior to implementation of phase II, FMS will amend this rule to include the procedures applicable to phase II.

Section Analysis

(a) Scope

Paragraph (a) explains that the rules contained in this regulation apply only to the offset of certain Federal benefit payments, i.e., benefit payments payable to individuals under the Social Security Act (other than SSI payments); part B of the Black Lung Benefits Act; and any law administered by the Railroad Retirement Board (other than payments that such Board determines to be tier 2 benefits).

This paragraph also explains that FMS and/or the agency that authorizes a payment, are not liable for amounts offset on the basis that the underlying obligation, that is, the amount of the payment before the offset was taken, was not satisfied. For example, where an individual is "due" a Social Security payment of \$900, the obligation to pay \$900 to that individual is met even though a portion of that payment was offset and thus not actually received by the individual.

(b) Definitions

The term "covered benefit payments" is used throughout the rule to describe those benefit payments which are

subject to the provisions of this rule. Covered benefit payments means all Federal benefit payments payable to an individual under the Social Security Act (other than SSI payments); part B of the Black Lung Benefits Act; and any law administered by the Railroad Retirement Board (other than payments that such Board determines to be tier 2 benefits). The amount of the covered benefit payment payable to a debtor for purposes of this rule will be the amount after reduction or deduction required under the laws authorizing the program. For example, if the amount of a debtor's \$450 monthly Social Security payment is reduced by a \$45 monthly Medicare insurance premium, the amount of \$405 will be used in calculating the amount available for offset. Reductions to recover benefit overpayments are likewise excluded from the covered benefit payment when calculating amounts available for offset.

It is important to note that there are other Federal benefit payments which may be subject to offset under 31 U.S.C. 3716 but are not covered by this rule, such as Office of Personnel Management retirement payments.

"Monthly covered benefit payments" are defined as covered benefit payments which are payable to a payee on a recurring basis at monthly intervals and are expected to continue for at least 12 months.

The term "payee" as defined in the rule refers to a person who is entitled to receive the benefit of all or part of a payment. FMS recognizes that many Federal benefit payments are made to third parties, sometimes known as representative payees, acting on behalf of the person entitled to receive the benefit of all or part of the payment (the beneficiary). Under these circumstances, an offset will not occur unless the name and TIN of the beneficiary match the name and TIN of the debtor. For example, if X owes a debt and receives a Social Security retirement payment on his/her own behalf, the Social Security retirement payment could be offset to satisfy the debt. If, however, X receives a Social Security retirement payment as the representative payee of Y, the payment could not be offset to satisfy X's debt. In this case the offset could occur only if Y, the beneficiary, is the debtor. FMS is working with payment agencies to insure that the names and TINs of beneficiaries are identified.

(c) Administrative Offset, Generally

Paragraph (c) explains how the administrative offset program works generally and explains that covered benefit payments are among the types of

payments which are offset to collect debts owed to the United States.

(d) Submission of Debts to FMS for Collection by Administrative Offset

Paragraph (d) states the DCIA requirement that creditor agencies must notify FMS of all past-due, legally enforceable debt delinquent for more than 180 days for purposes of collection by administrative offset. Additionally, this paragraph provides that creditor agencies may notify FMS of debts delinquent for less than 180 days for purposes of administrative offset. Before submitting a delinquent debt to FMS for collection by offset, creditor agencies are responsible for notifying debtors that their debt is delinquent and that the agency intends to collect the debt by offset. The DCIA and this rule do not change pre-offset due process and other requirements under 31 U.S.C. 3716(a) and agency specific laws and regulations. By written notice, the creditor agency must inform debtors of the opportunity to review applicable agency records and to seek a review of the determination of the debt. Upon receipt of the notice, the debtor may provide evidence to the creditor agency that collection of the debt by administrative offset would result in a financial hardship and make alternate arrangements, acceptable to the creditor agency, to repay the debt. This section provides that the creditor agency must certify to FMS that the requirements of 31 U.S.C. 3716(a) and applicable agency-specific laws and regulations related to offset have been met.

(e) Offset Amount

As described in paragraph (e)(1), the amount offset from a monthly covered benefit payment will be the lesser of: (i) the amount of the debt; (ii) an amount equal to 15% of the monthly covered benefit payment; or, (iii) the amount, if any, by which the monthly covered benefit payment exceeds \$750.

15% Limitation. When the DCIA was enacted, members of Congress expressed concern that regulations developed by Treasury contain safeguards to separate those debtors who cannot repay their debts from those who refuse to pay. Federal benefit recipients, particularly Social Security benefit recipients, may be dependent upon their Federal benefits for a substantial part of their income. See House Conference Report No. 104-537 on H.R. 3019, Balanced Budget Down Payment Act, II (April 25, 1996); Senate Report No. 104-330 on H.R. 3756, Treasury, Postal Service, and General Government Appropriation Bill 1997 (July 23, 1996); Conference Report accompanying the 1997 Appropriations

Act, Congressional Record, September 28, 1996, H12005. Recognizing the dependence recipients may have on their Federal benefits, this rule limits the maximum amount that will be offset from an individual's covered benefit payment to 15% of the payment.

\$750 Threshold. Under the DCIA, only those covered benefit payments which exceed an annual threshold amount of \$9,000 are subject to offset. The DCIA provides that the \$9,000 annual threshold may be prorated when applied to monthly benefit payments. Thus the threshold amount for monthly benefit payments is \$750.

Paragraph (e)(2) explains that a debtor is not entitled to a refund of amounts offset if monthly benefit payments are reduced, terminated, suspended or otherwise not actually received for a period of 12 months.

Paragraph (e)(3) contains the following examples to illustrate how the amount offset will be determined for offsets which occur during phase I:

Example (i): A debtor receives monthly Social Security benefits of \$850. The amount offset is the lesser of \$127.50 (15% of \$850) or \$100 (the amount by which \$850 exceeds \$750). In this example, the amount offset is \$100 (assuming the debt is \$100 or more).

Example (ii): A debtor receives monthly Social Security benefits of \$1250. The amount offset is the lesser of \$187.50 (15% of \$1250) or \$500 (the amount by which \$1250 exceeds \$750). In this example, the amount offset is \$187.50 (assuming the debt is \$187.50 or more).

Example (iii): A debtor receives monthly Social Security payments of \$650. No amount will be offset because \$650 is less than \$750.

(f) Notification of Offset

Paragraph (f) explains that before FMS begins to offset a debtor's monthly covered benefit payments, although not required by the DCIA to do so, FMS intends to notify the debtor of the anticipated offset, the name of the creditor agency to which any amounts offset will be paid, and a contact within that creditor agency who will handle questions regarding the delinquent debt.

As required by the DCIA, when FMS offsets a payment, FMS will notify the debtor of the amount and date of the offset, the creditor agency to which the amount offset was paid, and a contact within the creditor agency who will handle concerns or questions regarding the delinquent debt which triggered the offset. See 31 U.S.C. 3716(c)(7). Typically, this notice will be provided no later than the date the debtor is

otherwise scheduled to receive the payment, or as soon as practical thereafter. Non-receipt by the debtor of the notices referenced in paragraph (f) of this section does not impair the legality of the offset.

(g) Fees

Paragraph (g) describes the authority under the DCIA, codified at 31 U.S.C. 3716(c)(4), for FMS to charge a fee for the full cost of conducting offsets. Under 31 U.S.C. 3717(e) the agencies which are owed the delinquent debt may add this fee to the debt as part of the administrative cost of collection unless otherwise prohibited under 31 U.S.C. 3717(g).

(h) Disposition of Amounts Collected

Paragraph (h) describes how amounts collected from covered benefit payments will be transmitted to creditor agencies.

Regulatory Analyses

This interim rule is not a significant regulatory action as defined in Executive Order 12866. Because no notice of proposed rulemaking is required for this interim rule, the provisions of the Regulatory Flexibility Act do not apply.

Special Analyses

FMS is promulgating this interim rule without opportunity for prior public comment pursuant to the Administrative Procedure Act, 5 U.S.C. 553 (the "APA"), because FMS has determined, for the following reasons, that a comment period would be unnecessary, impracticable and contrary to the public interest. The DCIA provision authorizing the offset of covered benefit payments to collect delinquent debt owed to the United States was effective on August 26, 1996. A comment period is unnecessary because this interim rule does not change the ongoing offset process under the Treasury Offset Program, but rather provides guidance for creditor agencies and disbursing officials to facilitate the addition of covered benefit payments into the Treasury Offset Program. Under this interim rule, creditor agencies are required to provide to the debtor the same pre-offset notice, opportunities, and rights to dispute the debt and seek waiver as currently required under 31 U.S.C. 3716 and implementing regulations. Since this interim rule provides critical guidance needed to facilitate the offset of benefit payments to collect delinquent debt owed to the United States, FMS believes that it is in the public interest to issue this interim rule without opportunity for prior public comment.

The public is invited to submit comments on the interim rule which will be taken into account before a final rule is issued.

FMS has determined that good cause exists to make this interim rule effective upon publication without providing the 30 day period between publication and the effective date contemplated by 5 U.S.C. 553(d). The purpose of a delayed effective date is to afford persons affected by a rule a reasonable time to prepare for compliance. However, in this case, as required by the DCIA, agencies already participate in the Treasury Offset Program. Inasmuch as this interim rule provides important guidance that is expected to facilitate implementation of the authority contained in the law, and effective as of August 26, 1996, FMS believes that good cause exists to make the rule effective upon publication.

List of Subjects in 31 CFR Part 285

Administrative practice and procedures, Black lung benefits, Claims, Debts, Disability benefits, Railroad retirement, Railroad unemployment insurance, Social Security benefits, Supplemental Security Income (SSI), Veterans benefits.

Authority and Issuance

For the reasons set forth in the preamble, 31 CFR Part 285 is amended as follows:

PART 285—DEBT COLLECTION AUTHORITIES UNDER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996

1. The authority citation for part 285 continues to read as follows:

Authority: 26 U.S.C. 6402; 31 U.S.C. 321, 3701, 3711, 3716, 3720A, 3720D; E.O. 13019; 3 CFR, 1996 Comp., p. 216.

2. Section 285.4 is added to Part 285, Subpart A, to read as follows:

§ 285.4 Offset of Federal benefit payments to collect past-due, legally enforceable nontax debt.

(a) *Scope.* (1) This section sets forth special rules applicable to the offset of Federal benefit payments payable to an individual under the Social Security Act (other than Supplemental Security Income (SSI) payments), part B of the Black Lung Benefits Act, or any law administered by the Railroad Retirement Board (other than payments that such Board determines to be tier 2 benefits) to collect delinquent nontax debt owed to the United States.

(2) As used in this section, benefit payments "due to" an individual, "payable to" an individual, and/or

benefit payments "received by" an individual, refer to those benefit payments expected to be paid to an individual before any amounts are offset to satisfy the payee's delinquent debt owed to the United States. Nothing in these phrases, similar phrases, or this section is intended to imply or confer any new or additional rights or benefits on an individual with respect to his or her entitlement to benefit payments. The Financial Management Service (FMS), the Social Security Administration, the Railroad Retirement Board, and other payment agencies are not liable for the amount offset from an individual's benefit payment on the basis that the underlying obligation, represented by the payment before the offset was taken, was not satisfied. See 31 U.S.C. 3716(c)(2)(A).

(b) *Definitions.* As used in this section:

Administrative offset or *offset* means withholding funds payable by the United States (including funds payable by the United States on behalf of a State government) to, or held by the United States for, a person to satisfy a debt.

Agency or *Federal agency* means a department, agency, court, court administrative office, or instrumentality in the executive, judicial, or legislative branch of the Federal Government, including government corporations.

Covered benefit payment means a Federal benefit payment payable to an individual under the Social Security Act (other than SSI payments), part B of the Black Lung Benefits Act, or any law administered by the Railroad Retirement Board (other than payments that such Board determines to be tier 2 benefits). The amount of the covered benefit payment payable to a debtor for purposes of this section will be the amount after reduction or deduction required under the laws authorizing the program. Reductions to recover benefit overpayments are excluded from the covered benefit payment when calculating amounts available for offset.

Creditor agency means a Federal agency owed a debt that seeks to collect that debt through administrative offset.

Debt or *claim* means an amount of money, funds, or property which has been determined by an agency official to be due the United States from any person, organization, or entity except another Federal agency. Debt or claim does not include a debt or claim arising under the Internal Revenue Code of 1986 or the tariff laws of the United States.

Debtor means a person who owes a debt. The term "person" includes any individual, organization or entity, except another Federal agency.

Disbursing official means an official who has authority to disburse public money pursuant to 31 U.S.C. 3321 or another law, including an official of the Department of the Treasury, the Department of Defense, the United States Postal Service, or any other government corporation, or any official of the United States designated by the Secretary of the Treasury to disburse public money.

FMS means the Financial Management Service, a bureau of the Department of the Treasury.

Monthly covered benefit payment means a covered benefit payment payable to a payee on a recurring basis at monthly intervals that is not expressly limited in duration, at the time the first payment is made, to a period of less than 12 months.

Payee means a person who is due a payment from a disbursing official. For purposes of this section, a "payee" is a person who is entitled to the benefit of all or part of a payment from a disbursing official.

Taxpayer identifying number means the identifying number described under section 6109 of the Internal Revenue Code of 1986 (26 U.S.C. 6109). For an individual, the taxpayer identifying number generally is the individual's social security number.

(c) *Administrative offset, generally.* Disbursing officials shall offset payments to satisfy, in whole or in part, debts owed by the payee. Disbursing officials shall compare payment records with records of debts submitted to FMS for collection by administrative offset. A match will occur when the taxpayer identifying number and name of the payee (as defined in paragraph (b) of this section) on a payment record are the same as the taxpayer identifying number and name of the debtor on a debt record. When a match occurs and all other requirements for offset have been met, the disbursing official shall offset the payment to satisfy, in whole or in part, the debt. Any amounts not offset shall be paid to the payee.

Covered benefit payments, i.e., payments made to individuals under the Social Security Act (other than Supplemental Security Income (SSI) payments), part B of the Black Lung Benefits Act, or any law administered by the Railroad Retirement Board (RRB) (other than tier 2 benefit payments) are among the types of payments which may be offset to collect debts owed to the United States. Offset of covered benefit payments are subject to the limitations contained in this section. Offsets of covered benefit payments will occur only if the name and taxpayer identifying number of the person who is

entitled to the benefit of all or a part of the payment matches the name and taxpayer identifying number of the debtor.

(d) *Submission of debts to FMS for collection by administrative offset.* Creditor agencies must notify FMS of all past-due, legally enforceable debt delinquent for more than 180 days for purposes of collection by administrative offset. Creditor agencies may notify FMS of all debt delinquent for less than 180 days for purposes of collection by administrative offset. Prior to such notification, creditor agencies must certify to FMS that the debt is past-due, legally enforceable, and that the creditor agency has provided the debtor with notice and an opportunity for a review in accordance with the provisions of 31 U.S.C. 3716(a) and other applicable law.

(e) *Offset amount.* (1) The amount offset from a monthly covered benefit payment shall be the lesser of:

(i) The amount of the debt, including any interest, penalties and administrative costs;

(ii) An amount equal to 15% of the monthly covered benefit payment; or

(iii) The amount, if any, by which the monthly covered benefit payment exceeds \$750.

(2) A debtor shall not receive a refund of any amounts offset if the debtor's monthly covered benefit payments are reduced, suspended, terminated, or otherwise not received for a period of 12 months.

(3) *Examples.* (i) A debtor receives monthly Social Security benefits of \$850. The amount offset is the lesser of \$127.50 (15% of \$850) or \$100 (the amount by which \$850 exceeds \$750). In this example, the amount offset is \$100 (assuming the debt is \$100 or more).

(ii) A debtor receives monthly Social Security benefits of \$1250. The amount offset is the lesser of \$187.50 (15% of \$1250) or \$500 (the amount by which \$1250 exceeds \$750). In this example, the amount offset is \$187.50 (assuming the debt is \$187.50 or more).

(iii) A debtor receives monthly Social Security payments of \$650. No amount will be offset because \$650 is less than \$750.

(f) *Notification of offset.* (1) Before offsetting a covered benefit payment, the disbursing official will notify the payee in writing of the date offset will commence. The notice shall inform the payee of the type of payment that will be offset; the identity of the creditor agency which requested the offset; and a contact point within the creditor agency that will handle concerns regarding the offset.

(2) The disbursing official conducting the offset will notify the payee in writing of the occurrence of the offset to satisfy, in whole or in part, a delinquent debt owed to the United States. The notice shall inform the payee of the type and amount of the payment that was offset; the identity of the creditor agency which requested the offset; and a contact point within the creditor agency that will handle concerns regarding the offset.

(3) Non-receipt by the debtor of the notices described in paragraphs (f)(1) and (f)(2) of this section shall not impair the legality of the administrative offset.

(g) *Fees.* A fee which FMS has determined to be sufficient to cover the full cost of the offset procedure, shall be deducted from each offset amount. Creditor agencies may add this fee to the debt if not otherwise prohibited by law.

(h) *Disposition of amounts collected.* The disbursing official conducting the offset will transmit amounts collected for debts, less fees charged under paragraph (g) of this section, to the appropriate creditor agency. If an erroneous offset payment is made to a creditor agency, the disbursing official will notify the creditor agency that an erroneous offset payment has been made. The disbursing official may

deduct the amount of the erroneous offset payment from future amounts payable to the creditor agency. Alternatively, upon the disbursing official's request, the creditor agency shall return promptly to the disbursing official or the affected payee an amount equal to the amount of the erroneous payment. The disbursing official and the creditor agency shall adjust the debtor records appropriately.

Dated: August 13, 1998.

Richard L. Gregg,

Commissioner.

[FR Doc. 98-22394 Filed 8-20-98; 8:45 am]

BILLING CODE 4810-35-P

DEPARTMENT OF THE TREASURY**Fiscal Service****31 CFR Part 285**

RIN 1510-AA64

Offset of Federal Benefit Payments to Collect Past-due, Legally Enforceable Nontax Debt

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Notice of proposed rulemaking by cross-reference to interim regulations.

SUMMARY: In the rules and regulations portion of this **Federal Register**, the Financial Management Service is issuing an interim rule setting forth the rules governing the administrative offset of Federal benefit payments issued under the Social Security Act (other than Supplemental Security Income), part B of the Black Lung Benefits Act, and any law administered by the Railroad Retirement Board (other than tier 2 benefit payments). The Debt Collection Improvement Act of 1996 requires the Federal Government to withhold or reduce certain Federal payments to satisfy delinquent nontax

debts owed to the United States by the payee. This process is known as "administrative offset." The interim rule also serves as the text of this notice of proposed rulemaking.

DATES: Comments will be accepted until September 21, 1998.

ADDRESSES: All comments should be addressed to Gerry Isenberg, Financial Program Specialist, Debt Management Services, Financial Management Service, Department of the Treasury, 401 14th Street SW, Room 151, Washington, DC 20227. A copy of this notice of proposed rulemaking is being made available for downloading from the Financial Management Service web site at the following address: <http://www.fms.treas.gov/debt/dms.html>.

FOR FURTHER INFORMATION CONTACT: Gerry Isenberg, Financial Program Specialist, at (202) 874-6660; Ellen Neubauer or Ronda Kent, Senior Attorneys, at (202) 874-6680.

SUPPLEMENTARY INFORMATION: The interim rule in this issue of the **Federal Register** establishes 31 CFR 285.4. For the text of the interim rule, see Offset of Federal benefit payments to collect past-due, legally enforceable nontax debt, Interim rule, published in the rules and

regulations section of this issue of the **Federal Register**.

Regulatory Analyses

This proposed rule is not a significant regulatory action as defined in Executive Order 12866. It is hereby certified that this proposed rule will not have a significant economic impact on a substantial number of small entities. The basis for this certification is that this proposed rule only impacts individuals who owe delinquent debt to the United States and receive the benefit payments discussed above. Therefore, a regulatory flexibility analysis is not required.

List of Subjects in 31 CFR Part 285

Administrative practice and procedures, Black lung benefits, Claims, Debts, Disability benefits, Railroad retirement, Railroad unemployment insurance, Social Security benefits, Supplemental Security Income (SSI), Veterans benefits.

Dated: August 13, 1998.

Richard L. Gregg,

Commissioner.

[FR Doc. 98-22395 Filed 8-20-98; 8:45 am]

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