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Federal Register

4–24–00 Monday
Vol. 65 No. 79 Apr. 24, 2000
Pages 21633–22480

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–88–AD; Amendment 39–11694; AD 2000–08–08]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–600, –700, and –800 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 737–600, –700, and –800 series airplanes. This action requires a one-time inspection to detect cracking of the rear spar stiffeners in the wing center section; and modification of crack-free stiffeners, or repair of cracked stiffeners. This amendment is prompted by a report of severed rear spar stiffeners of the center wing, which resulted in cracking in the adjacent keel beam structure. The actions specified in this AD are intended to prevent failure of the keel beam structure.

DATES: Effective May 9, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 9, 2000.

Comments for inclusion in the Rules Docket must be received on or before June 23, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–88–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Nenita Odesa, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2557; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report of severed rear spar stiffeners of the center wing, which were found during fatigue testing of the Model 737–800 series airplane. The cracks were located in the stiffeners at the left and right buttock lines 6.15, and initiated at fastener holes below the lower chord of the rear spar. The broken stiffeners were caused by actual stresses being higher than those used for design of the structure. Failure of the stiffeners caused cracking in the adjacent keel beam structure. This condition, if not corrected, could result in failure of the keel beam structure.

Model 737–600 and –700 series airplanes have a similar structural design and are therefore also subject to the identified unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 737–57–1253, dated December 16, 1999, which describes procedures for a one-time high-frequency eddy current inspection to detect cracking in the rear spar stiffeners at the fastener holes below the lower rear spar chord of the wing center section. For crack-free stiffeners, the service bulletin recommends a preventive modification, which involves installing nested angles at the stiffeners at the left and right buttock lines 6.15. For any cracked stiffener, the service bulletin recommends, among other things, replacement of that stiffener. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to prevent failure of the keel beam structure. This AD requires accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between the Rule and Relevant Service Information

The service bulletin recommends that cracked stiffeners be replaced and that further repair be accomplished in accordance with instructions from Boeing. However, this AD requires that repair of any cracked stiffener be accomplished in accordance with a method approved by the FAA.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES.** All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the 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 AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 2000–NM–88–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 the following new airworthiness directive:

2000–08–08 Boeing: Amendment 39–11694. Docket 2000–NM–88–AD.

Applicability: Model 737–600, –700, and –800 series airplanes; certificated in any category; line numbers 1 through 321 inclusive.

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 (b) 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, unless accomplished previously.

To prevent failure of the keel beam structure, accomplish the following:

Inspection

(a) Prior to the accumulation of the total number of flight cycles specified by Table 1, ''Compliance Thresholds,'' as applicable, of Boeing Service Bulletin 737–57–1253, dated December 16, 1999; or within 60 days after the effective date of this AD, whichever occurs later: Perform a one-time high-frequency eddy current inspection to detect cracking of the rear spar stiffeners that are located at the left and right buttock lines 6.15 of the wing center section, in accordance with the service bulletin.

(1) If no cracking is detected in either stiffener: Prior to further flight, install the preventive modification on that stiffener, in accordance with the service bulletin.

(2) If any cracking is found in either stiffener, prior to further flight, repair that stiffener in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate; or in accordance with data meeting the type certification of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal 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.

Special Flight Permits

(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.

Incorporation by Reference

(d) Except as required by paragraph (a)(2) of this AD, the actions shall be done in accordance with Boeing Service Bulletin 737–57–1253, dated December 16, 1999. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on May 9, 2000.

Issued in Renton, Washington, on April 14, 2000.

Charles D. Huber,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–9895 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–SW–28–AD; Amendment 39–11691; AD 2000–08–05]

RIN 2120–AA64

Airworthiness Directives; Agusta Model A109C and A109K2 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Agusta Model A109C and A109K2 helicopters, that currently requires removing the main rotor pitch control link assemblies, measuring the radial play of each upper and lower spherical rod-end bearing (bearing), and replacing any unairworthy bearing. This amendment requires replacing the pitch control link assembly with an assembly that has increased durability and wear resistance. This amendment is prompted by reports of increased helicopter vibration caused by wear of

bearings on certain pitch control link assemblies. The actions specified by this AD are intended to eliminate the need for recurring bearing inspections and to prevent failure of a bearing, increased helicopter vibration, and subsequent reduced controllability of the helicopter.

DATES: Effective May 30, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of May 30, 2000.

ADDRESSES: The service information referenced in this AD may be obtained from Agusta, 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605–222595. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Shep Blackman, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222–5296, fax (817) 222–5961.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 99–02–09, Amendment 39–11000 (64 FR 2559), which is applicable to Agusta Model A109C and A109K2 helicopters, was published in the **Federal Register** on January 12, 2000 (65 FR 1838). That action proposed to require replacing main rotor pitch link assemblies with assemblies that have increased durability and wear resistance.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposal or the FAA's determination of the cost to the public. The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

The FAA estimates that 3 helicopters of U.S. registry will be affected by this AD, that it will take approximately 7 work hours per helicopter to accomplish the required actions, and that the average labor rate is $60 per work hour. Required parts will cost approximately $2,200 per helicopter. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $7,860.

The regulations adopted herein will not have a substantial direct effect 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, it is determined that this final rule does not have federalism implications under Executive Order 13132.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 removing Amendment 39–11000 (64 FR 2559), and by adding a new airworthiness directive (AD), Amendment 39–11691, to read as follows:

AD 2000–08–05 Agusta S.p.A.: Amendment 39–11691. Docket No. 99–SW–28–AD. Supersedes AD 99–02–09, Amendment 39–11000, Docket No. 97–SW–55–AD.

Applicability: Model A109C and A109K2 helicopters, with main rotor pitch control link assemblies, part number (P/N) 109–0110–71–103 or –105, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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 (b) 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 before further flight, unless accomplished previously.

To prevent failure of a main rotor pitch control link rod-end spherical bearing, increased vibration level, and subsequent reduced controllability of the helicopter, accomplish the following:

(a) Rework each main rotor pitch control link assembly, P/N 109–0110–71–103 or –105, and reidentify as pitch control link assembly, P/N 109–0110–71–107, in accordance with the Compliance Instructions of Agusta Bollettino Tecnico 109K–10 or 109–103, both dated November 22, 1995, as applicable.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Regulations Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(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 helicopter to a location where the requirements of this AD can be accomplished.

(d) The modification shall be done in accordance with the Compliance Instructions of Agusta Bollettino Tecnico 109K–10 or 109–103, both dated November 22, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Agusta, 21017 Cascina Costa di Samarate (VA), Via Giovanni Agusta 520, telephone (0331) 229111, fax (0331) 229605–222595. Copies may be inspected at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on May 30, 2000.

Note 3: The subject of this AD is addressed in Registro Aeronautico Italiano (Italy) AD's 95–332, dated December 15, 1995, and 95–334, dated December 18, 1995.

Issued in Fort Worth, Texas, on April 11, 2000.

Henry A. Armstrong,

Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 00–9817 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–41–AD; Amendment 39–11697; AD 2000–08–11]

RIN 2120–AA64

Airworthiness Directives; General Electric Company CF6–6, CF6–45, and CF6–50 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to General Electric Company (GE) CF6–6, CF6–45, and CF6–50 series turbofan engines, that requires revisions to the Time Limits Section of the manufacturer's Instructions for Continued Airworthiness (ICA) to include required enhanced inspection of selected critical life-limited parts at each piece-part exposure. This action would add additional eddy current inspections (ECI) for the high pressure turbine rotor (HPTR) Stage 1 and 2 disks. This action is prompted by additional focused inspection procedures that have been developed by the manufacturer. The actions specified by this AD are intended to prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane.

DATES: Effective date October 23, 2000.

ADDRESSES: The information referenced in this AD may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Karen Curtis, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7192, fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 99–08–18, Amendment 39–11124 (64 FR 17958, April 13, 1999) which is applicable to General Electric Company (GE) CF6–6, CF6–45, and CF6–50 series turbofan engines was published in the **Federal Register** on October 7, 1999 (64 FR 54587). That action proposed to require disk bore eddy current inspections (ECI) for the high pressure turbine rotor (HPTR) Stage 1 and 2 disks.

New Inspection Procedures

Since the issuance of that AD, additional focused inspection procedures for other critical life-limited rotating engine parts have been developed by GE. This AD will require modification of the airworthiness limitations section in the manufacturers manual and an air carrier's approved continuous airworthiness maintenance program to incorporate these inspection procedures.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Objection to the Term ''Unsafe Condition'' in the Preamble of the NPRM

Two commenters object to the language in the preamble of the NPRM supersedure for the second phase of enhanced inspections which includes a finding of an ''unsafe condition.'' The commenters asks that the term ''unsafe condition'' be deleted and replaced with the justification language from the original NPRM. The FAA does not agree. The commenter does not disagree with the proposed rule itself but rather with the term ''unsafe condition'' that is contained in the preamble to the NPRM. It is not the intent of the FAA to completely change the enhanced disk inspection program established by the current AD, which evolved as a cooperative effort between the FAA and industry. This intervention strategy was designed to reduce the number of uncontained engine failures by mandating enhanced nondestructive inspections of critical rotating components that could most likely result in a hazard to the airplane in the event of a failure. Since the engine maintenance manuals did not mandate these enhanced inspections, the current AD was necessary to establish the inspection program as an airworthiness limitation. Regardless of the fact that it was not stated explicitly in the original NPRM, the FAA determined that an ''unsafe condition'' existed because the engine maintenance manuals did not contain enhanced inspections as an airworthiness limitation. There was no intent to imply any defect in the actual engine hardware, but simply to state that the maintenance manuals, that form part of the approved engine design, must be revised to mandate the enhanced inspections. The supersedure repeats that finding with respect to the additional parts being added to the enhanced inspection program. Because a finding of an ''unsafe condition'' is required for the FAA to issue an AD, future NPRM's adding parts to the program will also include that finding.

Requests To Add an Explanation to the Preamble of This AD, of When the Inspections Are Not Required

Several commenters request that the FAA change the preamble that was published in the NPRM to state when the enhanced inspections are not required. The commenters note that the preamble to this NPRM does not contain an explanation as to when the enhanced disk inspections are not required and express concern that the inspection program has been changed from the current AD. The FAA does not agree. The inspection program established by the current AD has not been changed. The NPRM adds additional parts to the list of parts that must be inspected, and does not change how air carriers must manage the inspection program. Future AD's may be issued to introduce additional intervention strategies in order to further reduce uncontained engine failures.These may include AD's to add new parts to the list of parts to be inspected. The inspection program established by the current AD will remain unchanged unless specifically changed in a future proposal.

Request to Change All References From ''Time Limits Section'' to ''Airworthiness Limitations Section''

One commenter, the engine manufacturer, asks that we change references to the ''Time Limits Section'' to read instead the ''revision to the Airworthiness Limitations Section.'' The commenter feels that it is more accurate to refer to the Airworthiness Limitation Section since this section, Chapter 5, now contains two subsets; 05–11 for Time Limits and 05–21 for the mandatory inspections. The FAA does not agree. The manufacturer's current engine manual does not include the heading ''Airworthiness Limitations'' for Chapter 05–00–00 for these engine models, and the AD directs that changes be made to the current manual. Should the manufacturer revise the section headings in the manual, any future AD's could then reference the revised section headings.

Request for Clarification of When FAA Approval or AMOC Is Required

One commenter requests clarification be added to this AD on when equivalent substitutes for tools, equipment, or procedures used for performing the mandatory enhanced inspections require FAA approval or an approved alternate method of compliance (AMOC).

The FAA does not agree that further clarification is necessary in the AD. When allowed for in an AD, an AMOC provides a method by which an operator may secure FAA approval for complying with the requirements of that AD in a manner or at a time other than specified by the AD. This AD, and other similar AD's issued as part of the so-called Disk Inspection Initiative of the Safer Skies Program, are intended to address the need to include mandatory detail inspections in the FAA approved portion of the engine maintenance manual. This portion of the engine maintenance manual is sometimes referred to as the Airworthiness Limitations Sections (ALS) of the Instructions for Continued Airworthiness. The FAA does not intend that this AD specify the exact method or tools with which to conduct the inspection. Rather, the AD requires only that the ALS be revised to include a mandatory opportunistic inspection. The FAA also does not intend that this AD change the manner in which operators seek approval to use tools or methods of inspections other than those provided for in the engine manufacturer's manual. Operators, particularly air carriers, should follow the procedures already in place to secure FAA review and approval to use such substitutes, if needed, and to document that approval if necessary. Therefore, the AMOC paragraph in the AD will remain as proposed.

Request To Extend the Comment Period

One commenter requests that the NPRM comment period be extended until after the proposed inspections are published to allow time for the operators to review the specific inspections that will be required. The FAA does not agree. The FAA believes that the nature and scope of the added inspections will not be significantly different from existing inspections. In addition, the effective date of this AD has been extended to 180 days after publication to allow time for the specific procedures to be published. Operators may submit comments on the specific procedures once they are published and the FAA will consider extending the effective date further or additional rulemaking, as necessary. The FAA does not believe, however, that this final rule need be delayed pending the publication of the inspection procedures.

Request To Allow a Later Effective Date

Several commenters request that the effective date of the AD be set to allow sufficient time for publication of the procedures, equipment procurement and training necessary to perform the mandatory inspection. The FAA agrees. The effective date for the Final rule has been extended to 180 days after publication to allow sufficient time for the publication of the inspection procedures and for operators to prepare.

Request to Remove "of This Chapter" From Paragraph (e) of the Compliance Section

One commenter requests that the FAA remove the statement "of this chapter" from the first sentence of paragraph (e) of this AD. The commenter feels that removing the statement will improve the clarity of the paragraph. The FAA agrees. The statement "of this chapter" has been removed from the first sentence of paragraph (e).

Economic Analysis

No comments were received on the economic analysis contained in the proposed rules. The FAA has determined that the annual cost of complying with this AD does not create a significant economic impact on small entities.

Adoption of the Proposed Rule

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Regulatory Impact

This final rule does not have federalism implications, as defined in Executive Order 13132, because it does not have a substantial direct effect 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 removing Amendment 39–11124 (64 FR 17958, April 13, 1999), and by adding a new airworthiness directive, Amendment 39–11697, to read as follows:

AD 2000–08–11 General Electric Company: Amendment 39–11697. Docket No. 98–ANE–41–AD. Supersedes AD 99–08–18, Amendment 39–11124.

Applicable Engines

General Electric Company (GE) CF6–6, CF6–45, and CF6–50 series turbofan engines, installed on but not limited to Airbus Industrie A300 series, Boeing 747 series, and McDonnell Douglas DC–10 series airplanes.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (c) 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, unless accomplished previously.

To prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane, accomplish the following:

Inspections

(a) Within the next 30 days after the effective date of this AD, revise the manufacturer's Time Limitations Section of the Instructions for Continued Airworthiness

(ICA), and for air carrier operations revise the approved continuous airworthiness maintenance program, by adding the following:

''MANDATORY INSPECTIONS

(1) Perform inspections of the following parts at each piece-part opportunity in accordance with the instructions provided in the applicable manual provisions:

Part nomenclature	Part No. (P/N)	Inspect per engine shop manual chapter
For CF6–6 Engines:		
Disk, Fan Rotor Stage One	All	72–21–03 Paragraph 2.F. or Paragraph 2.A.B. Fluorescent-Penetrant Inspect, and 72–21–03 Paragraph 3 or 3.A. Eddy Current Inspection.
Disk, HPT Rotor Stage One	All	72–53–03 Paragraph 1. Fluorescent-Penetrant Inspect, and 72–53–03 Paragraph 4. Eddy Current Inspection of the HPTR Disk Rim Boltholes and 72–53–03 Paragraph 5. Disk Bore Area Eddy Current Inspection.
Disk, HPT Rotor Stage Two	All	72–53–04 Paragraph 1. Fluorescent-Penetrant Inspect, and Paragraph 4. Eddy Current Inspection of the Stage 2 HPTR Disk Rim Boltholes and 72–53–04 Paragraph 5. Eddy Current Inspection of the Stage 2 Disk Inner Boltholes and 72-53–04 Paragraph 6. Disk Bore Area Eddy Current Inspection
For CF6–45, CF6–50 Engines:		
Disk, Fan Rotor Stage One	All	Task 72–21–03–230–051 Fluorescent Penetrant Inspection, and Task 72–21–03–250–002–052 Manual Eddy Current Inspection or 72–21–03–250–003–053 Automated Eddy Current Inspection.
Disk, HPT Rotor Stage One	All	Task 72–53–03–230–001–059 Fluorescent-Penetrant Inspect Disk, and Task 72–53–03–250–052 Eddy Current Inspection of the HPTR Stage 1 Rim Boltholes, and Task 72–53–03–250–060, Disk Bore Area Eddy Current Inspection.
Disk, HPT Rotor Stage Two	All	Task 72–53–04–230–001–057 Fluorescent-Penetrant Inspect Disk, and Task 72–53–04–250–053 Eddy Current Inspection of the HPTR Stage 2 Rim and/or Inner Boltholes, and Task 72–53–04–250–060, Disk Bore Area Eddy Current Inspection.

(2) For the purposes of these mandatory inspections, piece-part opportunity means:

(i) The part is considered completely disassembled when accomplished in accordance with the disassembly instructions in the manufacturer's engine manual; and

(ii) The part has accumulated more than 100 cycles in service since the last piece-part opportunity inspection, provided that the part was not damaged or related to the cause for its removal from the engine.''

(b) Except as provided in paragraph (c) of this AD, and notwithstanding contrary provisions in section 43.16 of the Federal Aviation Regulations (14 CFR 43.16), these mandatory inspections shall be performed only in accordance with the Time Limits Section of the manufacturer's ICA.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Engine Certification Office (ECO). Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the ECO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

Ferry Flights

(d) 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.

Continuous Airworthiness Maintenance Program

(e) FAA-certificated air carriers that have an approved continuous airworthiness maintenance program in accordance with the record keeping requirement of § 121.369 (c) of the Federal Aviation Regulations (14 CFR 121.369 (c)) must maintain records of the mandatory inspections that result from revising the Time Limits Section of the ICA and the air carrier's continuous airworthiness program. Alternately, certificated air carriers may establish an approved system of record retention that provides a method for preservation and retrieval of the maintenance records that include the inspections resulting from this AD, and include the policy and procedures for implementing this alternate method in the air carrier's maintenance manual required by § 121.369 (c) of the Federal Aviation Regulations (14 CFR 121.369 (c)); however, the alternate system must be accepted by the appropriate PMI and require the maintenance records be maintained either indefinitely or until the work is repeated. Records of the piece-part inspections are not required under § 121.380 (a) (2) (vi) of the Federal Aviation Regulations (14 CFR 121.380 (a) (2) (vi)). All other Operators must maintain the records of mandatory inspections required by the applicable regulations governing their operations.

Note 3: The requirements of this AD have been met when the engine shop manual changes are made and air carriers have modified their continuous airworthiness maintenance plans to reflect the requirements in the engine shop manuals.

(f) This amendment becomes effective on October 23, 2000.

Issued in Burlington, Massachusetts, on April 14, 2000.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 00–10158 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–49–AD; Amendment 39–11698; AD 2000–08–12]

RIN 2120–AA64

Airworthiness Directives; General Electric Company CF6–80A, CF6-80C2, and CF6–80E1 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain General Electric

Company CF6–80A, CF6–80C2, and CF6–80E1 series turbofan engines, that currently requires revisions to the Airworthiness Limitations Section (ALS) of the manufacturer's Instructions for Continued Airworthiness (ICA) to include required enhanced inspection of selected critical life-limited parts at each piece-part exposure. This action adds additional eddy current inspections (ECI) for the high pressure turbine rotor (HPTR) Stage 1 and 2 disks for all affected engine models, and would add fan forward shaft inspections for the CF6–80C2 engine model only. This amendment is prompted by additional focused inspection procedures for critical life-limited rotating engine parts that have been developed by the manufacturer. The actions specified by this AD are intended to prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane.

DATES: Effective October 23, 2000.

ADDRESSES: The information referenced in this AD may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Karen Curtis, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7192, fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding (AD) 99–08–13, Amendment 39–11119 (64 FR 1795, April 13, 1999), that is applicable to General Electric Company (GE) CF6–80A, CF6–80C2, and CF6–80E1 series turbofan engines, was published in the **Federal Register** on October 7, 1999 (64 FR 54594). That action proposed to require revisions to the Life Limits Section of the manufacturer's Instructions for Continued Airworthiness (ICA) for GE CF6–80A, CF6–80C2, and CF6–80E1 series turbofan engines to include required enhanced inspection of selected critical life-limited parts at each piece-part exposure.

New Inspection Procedures

Since the issuance of that AD, additional focused inspection procedures for other critical life-limited rotating engine parts have been developed by GE. This AD will require modification of the airworthiness limitations section in the manufacturers manual and an air carrier's approved continuous airworthiness maintenance program to incorporate these inspection procedures.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the thirteen comments received.

Addition to Required Inspections

One commenter recommends adding the –80E1 Fan Forward Shaft (FFS) vent holes to the list of required inspections because it is similar to the –80C2 FFS, which will require the mandatory inspection. The FAA agrees and the inspection will be added to the Final Rule.

''Unsafe Condition''

One commenter objects to the language in the preamble of the NPRM supersedure for the second phase of enhanced inspections which includes a finding of an ''unsafe condition.'' The commenter asks that the term ''unsafe condition'' be deleted and replaced with the justification language from the original NPRM. The FAA does not agree. This commenter does not disagree with the proposed rule itself but rather with the term ''unsafe condition'' contained in the preamble to the NPRM. It is not the intent of the FAA to completely change the enhanced disk inspection program established by the current AD, which evolved as a cooperative effort between the FAA and industry. This intervention strategy was designed to reduce the number of uncontained engine failures by mandating enhanced nondestructive inspections of critical components that could most likely result in a hazard to the airplane in the event of a disk failure. Since the engine maintenance manuals did not mandate these enhanced inspections, the current AD was necessary to establish the inspection program as an airworthiness limitation. Regardless of the fact that it was not stated explicitly in the original NPRM, the FAA determined that an ''unsafe condition'' existed because the engine maintenance manuals did not contain enhanced inspections as an airworthiness limitation. There was no intent to imply any defect in the actual engine hardware, but simply to state that the maintenance manuals, that form part of the approved engine design, must be revised to mandate the enhanced inspections. The supersedure repeats that finding with respect to the additional parts being added to the enhanced inspection program. Because a finding of an ''unsafe condition'' is required for the FAA to issue an AD, future NPRM's adding parts to the program will also include that finding.

Request To Change All References From ''Time Limits Section'' to ''Airworthiness Limitations Section''

One commenter recommends replacing references to the ''Life Limits'' section with references to the ''Airworthiness Limitations'' section because Chapter 5 now contains two subsets, 05–11 for Life Limits, and 05–21 for the mandatory inspection. The FAA agrees in part. The manufacturer recently revised their engine manual to include the heading ''Airworthiness Limitations'' for Chapter 05–00–00 for the CF6–80C2/–80E1 models and, therefore, they can be referenced as such. Should the manufacturer revise the section headings in the CF6–80A manual, any future AD's could then reference the revised section headings.

Request for Clarification of When FAA Approval or AMOC Is Required

One commenter requests clarification be added to this AD on when equivalent substitutes for tools, equipment, or procedures used for performing the mandatory enhanced inspections require FAA approval or an approved alternate method of compliance (AMOC).

The FAA does not agree that further clarification is necessary in the AD. When allowed for in an AD, an AMOC provides a method by which an operator may secure FAA approval for complying with the requirements of that AD in a manner or at a time other than specified by the AD. This AD, and other similar AD's issued as part of the so-called Disk Inspection Initiative of the Safer Skies Program, are intended to address the need to include mandatory detail inspections in the FAA approved portion of the engine maintenance manual. This portion of the engine maintenance manual is sometimes referred to as the Airworthiness Limitations Sections (ALS) of the Instructions for Continued Airworthiness. The FAA does not intend that this AD specify the exact method or tools with which to conduct the inspection. Rather, the AD requires only that the ALS be revised to include a mandatory opportunistic inspection. The FAA also does not intend that this AD change the manner in which operators seek approval to use tools or methods of inspections other than those provided for in the engine manufacturer's manual. Operators, particularly air carriers, should follow the procedures already in place to secure FAA review and approval to use such substitutes, if needed, and to

document that approval if necessary. Therefore, the AMOC paragraph in the AD will remain as proposed.

Request To Extend the Comment Period

One commenter requests that the NPRM comment period be extended until after the proposed inspections are published to allow time for the operators to review the specific inspections that will be required. The FAA does not agree. The FAA believes that the nature and scope of the added inspections will not be significantly different from existing inspections. In addition, the effective date of this AD has been extended to 180 days after publication to allow time for the specific procedures to be published. Operators may submit comments on the specific procedures once they are published and the FAA will consider extending the effective date further or additional rulemaking, as necessary. The FAA does not believe, however, that this final rule need be delayed pending the publication of the inspection procedures.

Effective Date of Final Rule

Six commenters requested that the AD effectivity date be set to allow sufficient time for publication of the procedures, procurement of the equipment, and training. The FAA agrees. The effective date for the Final rule has been extended to 180 days after publication to allow sufficient time for the publication of the inspection procedures and for operators to prepare.

Support

Two commenters expressed support for the enhanced inspections at piece part exposure.

Removal of ''of This Chapter'' From Paragraph (e) of the Compliance Section

The statement ''of this chapter'' has been removed from the first sentence of paragraph (e) to improve the clarity of the paragraph.

Economic Analysis

No comments were received on the economic analysis contained in the proposed rules. The FAA has determined that the annual cost of complying with this AD does not create a significant economic impact on small entities.

Adoption of the Proposed Rule

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Regulatory Impact

This final rule does not have federalism implications, as defined in Executive Order 13132, because it does not have a substantial direct effect 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 removing Amendment 39–11119 (64 FR 17951, April 13, 1999), and by adding a new airworthiness directive, Amendment 39–11698, to read as follows:

AD 2000–08–12 General Electric Company: Amendment 39–11698. Docket No. 98–ANE–49–AD. Supersedes AD 99–08–13, Amendment 39–11119.

Applicability: General Electric Company (GE) CF6–80A, CF6–80C2, and CF6–80E1 series turbofan engines, installed on but not limited to Airbus Industrie A300, A310, and A330 series, Boeing 747 and 767 series, and McDonnell Douglas MD–11 series airplanes.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (c) 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, unless accomplished previously.

To prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane, accomplish the following:

Inspections

(a) Within the next 30 days after the effective date of this AD, revise the manufacturer's Life Limits Section of the Instructions for Continued Airworthiness (ICA) for the CF6–80A model and the Airworthiness Limitations Section of the ICA for CF6–80C2/–80E1 models. For air carrier operations, revise the approved continuous airworthiness maintenance program, by adding the following:

''MANDATORY INSPECTIONS

(1) Perform inspections of the following parts at each piece-part opportunity in accordance with the instructions provided in the applicable manual provisions:

Part nomenclature	Part No. (P/N)	Inspect per engine manual chapter
For CF6–80A Engines:		
Disk, Fan Rotor	All	72–21–03 Paragraph 3. Fluorescent-Stage 1 Penetrant Inspect, and 72–21–03 Paragraph 4. Eddy Current Inspect.

Part nomenclature	Part No. (P/N)	Inspect per engine manual chapter
Disk, HPT Rotor Stage One	All	72–53–02 Paragraph 3. Fluorescent-Penetrant-Inspect Disk/Shaft per 70–32–02, and 72–53–02 Paragraph 6. Eddy Current Inspection, and 72–53–02 Paragraph 6.D. Disk Bore Area Eddy Current Inspection.
Disk, HPT Rotor Stage Two	All	72–53–06 Paragraph 3. Fluorescent-Penetrant Inspection, and 72–53–06 Paragraph 6. Eddy Current Inspection of Rim Boltholes for Cracks, and 72–53–06 Paragraph 7. Disk Bore Area Eddy Current Inspection.
For CF6–80C2 Engines:		
Disk, Fan Rotor Stage 1	All	Task 72–21–03–200–000–004 Fluorescent-Penetrant Inspection, and Task 72–21–03–200–000–008 Eddy Current Inspect Fan Rotor Disk Stage 1 Bore, Forward and Aft Hub Faces, and Bore Radii.
Shaft, Fan Forward	All	Task 72–21–05–200–000–001 Fluorescent Penetrant Inspection, and Task 72– 21–05–200–000–005 Vent Hole Eddy Current Inspection.
Disk, HPT Rotor Stage One	All	Task 72–53–02–200–000–001 Fluorescent-Penetrant Inspect the HPT Rotor Stage 1 Disk/Shaft, and Task 72–53–02–200–000–005 Eddy Current Inspection, and Task 72–53–02–200–000–006 Disk Bore Area Eddy Current Inspection.
Disk, HPT Rotor Stage Two	All	Task 72–53–06–200–000–002 Fluorescent-Penetrant Inspect the Stage 2 Disk, and Task 72–53–06–200–000–006 Eddy Current Inspection of the HPTR Stage 2 Rim Boltholes, and Task 72–53–06–200–000–007 Disk Bore Area Eddy Current Inspection.
For CF6–80E1 Engines:		
Disk, Fan Rotor Stage One	All	Task 72– 21–03–230–051 Fluorescent-Penetrant Inspection, and Task 72–21–03–250–051 or 72–21–03–250–052 Eddy Current Inspection.
Shaft, Fan Forward	All	Task 72–21–05–230–051 Fluorescent Penetrant Inspection, and Task 72–21–05–250–051 Vent Hole Eddy Current Inspection
HPT Disk, Stage One	All	Task 72–53–02–230–51 Fluorescent-Penetrant Inspection, and Task 72–53–02–200–001–005 Eddy Current Inspection , and Task 72–53–02–250–054 Disk Bore Area Eddy Current Inspection.
HPT Disk, Stage Two	All	Task 72–53–06–230–051 Fluorescent-Penetrant Inspection, and Task 72–53–06–200–001–006 Eddy Current Inspection of the HPTR Stage 2 Rim Boltholes, and Task 72–53–06–250–054 Disk Bore Area Eddy Current Inspection.

(2) For the purposes of these mandatory inspections, piece-part opportunity means:

(i) The part is considered completely disassembled when accomplished in accordance with the disassembly instructions in the manufacturer's engine manual; and

(ii) The part has accumulated more than 100 cycles in service since the last piece-part opportunity inspection, provided that the part was not damaged or related to the cause for its removal from the engine.''

(b) Except as provided in paragraph (c) of this AD, and notwithstanding contrary provisions in section 43.16 of the Federal Aviation Regulations (14 CFR 43.16), these mandatory inspections shall be performed only in accordance with the Life Limits Section of the Instructions for Continued Airworthiness (ICA) for the CF6–80A model and the Airworthiness Limitations Section of the ICA for CF6–80C2/–80E1 models.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Engine Certification Office (ECO). Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector (PMI), who may add comments and then send it to the ECO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

Ferry Flights

(d) 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.

Continuous Airworthiness Maintenance Program

(e) FAA-certificated air carriers that have an approved continuous airworthiness maintenance program in accordance with the record keeping requirement of § 121.369(c) of the Federal Aviation Regulations [14 CFR 121.369(c)] must maintain records of the mandatory inspections that result from revising the Life Limits Section of the Instructions for Continued Airworthiness (ICA) for the CF6–80A model and the Airworthiness Limitations Section of the ICA for CF6–80C2/–80E1 models and the air carrier's continuous airworthiness program. Alternately, certificated air carriers may establish an approved system of record retention that provides a method for preservation and retrieval of the maintenance records that include the inspections resulting from this AD, and include the policy and procedures for implementing this alternate method in the air carrier's maintenance manual required by § 121.369(c) of the Federal Aviation Regulations (14 CFR 121.369(c)); however, the alternate system must be accepted by the appropriate PMI and require the maintenance records be maintained either indefinitely or until the work is repeated. Records of the piece-part inspections are not required under § 121.380 (a)(2)(vi) of the Federal Aviation Regulations (14 CFR 121.380(a)(2)(vi)). All other Operators must maintain the records of mandatory inspections required by the applicable regulations governing their operations.

Note 3: The requirements of this AD have been met when the engine manual changes

are made and air carriers have modified their continuous airworthiness maintenance plans to reflect the requirements in the engine manuals.

(f) This amendment becomes effective on October 23, 2000.

Issued in Burlington, Massachusetts, on April 14, 2000.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 00–10159 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–ANE–39–AD; Amendment 39–11696; AD 2000–08–10]

RIN 2120–AA64

Airworthiness Directives; General Electric Company GE90 Series Turbofan Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain General Electric Company GE90 series turbofan engines, that currently requires revisions to the Airworthiness Limitations Section (ALS) of the manufacturer's Instructions for Continued Airworthiness (ICA) to include required enhanced inspection of selected critical life-limited parts at each piece-part exposure. This action adds additional critical life-limited parts for enhanced inspection. This amendment is prompted by additional focused inspection procedures for other critical life-limited rotating engine parts that have been developed by the manufacturer. The actions specified by this AD are intended to prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane.

DATES: Effective October 23, 2000.

ADDRESSES: The information referenced in this AD may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Regional Counsel, 12 New England Executive Park, Burlington, MA.

FOR FURTHER INFORMATION CONTACT: Karen Curtis, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (781) 238–7134, fax (781) 238–7199.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding (AD) 990817, Amendment 3911123 (64 FR 17961), that is applicable to General Electric Company GE90 series turbofan engine was published in the **Federal Register** on October 7, 1999 (64 FR 54591). That action proposed to require revisions to the Airworthiness Limitations Section of the manufacturer's Instructions for Continued Airworthiness (ICA) for General Electric Company (GE) GE90 series turbofan engines to include required enhanced inspection of selected critical life-limited parts at each piece-part exposure.

New Inspection Procedures

Since the issuance of that AD, additional focused inspection procedures for other critical life-limited rotating engine parts have been developed by GE. This AD will require modification of the airworthiness limitations section in the manufacturers manual and an air carrier's approved continuous airworthiness maintenance program to incorporate these inspection procedures.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the five comments received.

''Unsafe Condition''

One commenter objects to the language in the preamble of the NPRM supersedure for the second phase of enhanced inspections which includes a finding of an ''unsafe condition.'' The commenter asks that the term ''unsafe condition'' be deleted and replaced with the justification language from the original NPRM. The FAA does not agree. The commenter does not disagree with the proposed rule itself but rather with the term ''unsafe condition'' that is contained in the preamble to the NPRM. It is not the intent of the FAA to completely change the enhanced disk inspection program established by the current AD, which evolved as a cooperative effort between the FAA and industry. This intervention strategy was designed to reduce the number of uncontained engine failures by mandating enhanced nondestructive inspections of critical rotating components that could most likely result in a hazard to the airplane in the event of a failure. Since the engine maintenance manuals did not mandate these enhanced inspections, the current AD was necessary to establish the inspection program as an airworthiness limitation. Regardless of the fact that it was not stated explicitly in the original NPRM, the FAA determined that an ''unsafe condition'' existed because the engine maintenance manuals did not contain enhanced inspections as an airworthiness limitation. There was no intent to imply any defect in the actual engine hardware, but simply to state that the maintenance manuals, that form part of the approved engine design, must be revised to mandate the enhanced inspections. The supersedure repeats that finding with respect to the additional parts being added to the enhanced inspection program. Because a finding of an ''unsafe condition'' is required for the FAA to issue an AD, future NPRM's adding parts to the program will also include that finding.

''Life Limits'' vs. ''Airworthiness Limitations'' Sections

One commenter recommends replacing references to the ''Life Limits'' section with references to the ''Airworthiness Limitations'' section because Chapter 5 now contains two subsets, 05–11 for Life Limits, and 05–21 for the mandatory inspection. The FAA agrees. The Final Rule references the ''Airworthiness Limitations'' section instead of the ''Life Limits'' section.

Task Numbers and Inspection Descriptions

One commenter recommends that 2nd level task numbers and inspection descriptions be used instead of the subtask numbers to ensure that all appropriate preparatory steps (*e.g.* cleaning) are included in the mandatory inspection. The FAA agrees. The Final Rule has been revised accordingly to ensure that all appropriate preparatory steps (*e.g.* cleaning) are included in the mandatory inspection.

Effectivity Date

Two commenters request that the AD's effectivity date be set to allow sufficient time for publication of the procedures, equipment procurement and training necessary to perform the mandatory inspection. The FAA agrees. The effectivity date for the Final rule has been extended to 180 days after publication to allow sufficient time for the publication of the inspection procedures and for operators to prepare.

Removal of ''of This Chapter'' From Paragraph (e) of the Compliance Section

The statement ''of this chapter'' has been removed from the first sentence of paragraph (e) to improve the clarity of the paragraph.

Economic Analysis

No comments were received on the economic analysis contained in the proposed rules. The FAA has determined that the annual cost of complying with this AD does not create a significant economic impact on small entities.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Regulatory Impact

This final rule does not have federalism implications, as defined in Executive Order 13132, because it does not have a substantial direct effect 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. Accordingly, the FAA has not consulted with state authorities prior to publication of this final rule.

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) 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 final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from 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.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 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 removing Amendment 39–11123 (64 FR 17961, April 13, 1999), and by adding a new airworthiness directive, Amendment 39–11696 to read as follows:

AD 2000–08–10 General Electric Company: Amendment 39–11696. Docket No. 98–ANE–39–AD. Supersedes AD 99–08–17, Amendment 39–11123.

Applicability: General Electric Company (GE) GE90–76B/ –77B/ –85B/ –90B/ –92B series turbofan engines, installed on but not limited to Boeing 777 series airplanes.

Note 1: This airworthiness directive (AD) applies to each engine 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 engines 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 (c) 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, unless accomplished previously.

To prevent critical life-limited rotating engine part failure, which could result in an uncontained engine failure and damage to the airplane, accomplish the following:

Inspections

(a) Within the next 30 days after the effective date of this AD, revise the manufacturer's Airworthiness Limitations Section of the Instructions for Continued Airworthiness (ICA), and for air carrier operations revise the approved continuous airworthiness maintenance program, by adding the following:

''MANDATORY INSPECTIONS

(1) Perform inspections of the following parts at each piece-part opportunity in accordance with the instructions provided in the applicable manual provisions:

Part nomenclature	Part No. (P/N)	Inspect per engine manual chapter
For GE90 Engines:		
HPCR, Disk, Stage 7	All	72–31–07–200–001–001 Fluorescent Penetrant Inspection, and 72–31–07–200–001–001 Eddy Current Inspection of the Rim Boltholes.
HPTR, Interstage Seal	All	72–53–03–200–001–001 Fluorescent Penetrant Inspection, and 72–53–03–200–001–001 Eddy Current Inspection of the Bore.
Fan Disk, Stage 1	All	72–21–03–200–001–001 Fluorescent Penetrant Inspection, and 72–21–03–200–001–001 Eddy Current Inspection of the Bore, and 72–21–03–200–001–001 Ultrasonic Inspection of Dovetail Slots.
HPTR Disk, Stage 1	All	72–53–02–200–001–002 Fluorescent Penetrant Inspection, and 72–53–02–200–001–002 Eddy Current Inspection of the Bore.
HPTR Disk, Stage 2	All	72–53–04–200–001–004 Fluorescent Penetrant Inspection, and 72–53–04–200–001–004 Eddy Current Inspection of the Bore.
HPCR Disk, Stage 1	All	72–31–05–200–001–001 Fluorescent Penetrant Inspection, and 72–31–05–200–001–001 Eddy Current Inspection of the Bore, and 72–31–05–200–001–001 Eddy Current Inspection of the Dovetail Slots.
HPCR Spool, Stage 2–6	All	72–31–06–200–001–001 Fluorescent Penetrant Inspection, and 72–31–06–200–001–001 Eddy Current Inspection of the S2 Dovetail Slots.
HPCR Seal, Compressor Discharge Pressure	All	72–31–09–200–001–001 Fluorescent Penetrant Inspection, and 72–31–09–200–001–001 Eddy Current Inspection of the Boltholes.

(2) For the purposes of these mandatory inspections, piece-part opportunity means:

(i) The part is considered completely disassembled when accomplished in accordance with the disassembly instructions in the manufacturer's engine manual; and

(ii) The part has accumulated more than 100 cycles in service since the last piece-part opportunity inspection, provided that the part was not damaged or related to the cause for its removal from the engine.''

(b) Except as provided in paragraph (c) of this AD, and notwithstanding contrary provisions in section 43.16 of the Federal Aviation Regulations (14 CFR 43.16), these mandatory inspections shall be performed only in accordance with the Airworthiness Limitations Section of the manufacturer's ICA.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Engine Certification Office (ECO). Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector (PMI), who may add comments and then send it to the ECO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the ECO.

Ferry Flights

(d) 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.

Continuous Airworthiness Maintenance Program

(e) FAA-certificated air carriers that have an approved continuous airworthiness maintenance program in accordance with the record keeping requirement of § 121.369(c) of the Federal Aviation Regulations (14 CFR 121.369 (c)) must maintain records of the mandatory inspections that result from revising the Airworthiness Limitations Section of the Instructions for Continuous Airworthiness (ICA) and the air carrier's continuous airworthiness program. Alternately, certificated air carriers may establish an approved system of record retention that provides a method for preservation and retrieval of the maintenance records that include the inspections resulting from this AD, and include the policy and procedures for implementing this alternate method in the air carrier's maintenance manual required by § 121.369(c) of the Federal Aviation Regulations (14 CFR 121.369(c)); however, the alternate system must be accepted by the appropriate PMI and require the maintenance records be maintained either indefinitely or until the work is repeated. Records of the piece-part inspections are not required under § 121.380(a)(2)(vi) of the Federal Aviation Regulations (14 CFR 121.380(a)(2)(vi)). All other Operators must maintain the records of mandatory inspections required by the applicable regulations governing their operations.

Note 3: The requirements of this AD have been met when the engine manual changes are made and air carriers have modified their continuous airworthiness maintenance plans to reflect the requirements in the engine manuals.

(f) This amendment becomes effective on October 23, 2000.

Issued in Burlington, Massachusetts, on April 14, 2000.

Jay J. Pardee,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 00–10157 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99–AAL–18]

Revision of Class E Airspace; Unalaska, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises Class E airspace at Unalaska, AK. The establishment of a Global Positioning System (GPS) instrument approach procedure at Unalaska Airport made this action necessary. This rule provides adequate controlled airspace for aircraft flying IFR procedures at Unalaska, AK.

EFFECTIVE DATE: 0901 UTC, June 15, 2000.

FOR FURTHER INFORMATION CONTACT: Bob Durand, Operations Branch, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; email: Bob.Durand@faa.gov. Internet address: http://www.alaska.faa.gov/at or at address http://162.58.28.41/at.

SUPPLEMENTARY INFORMATION:

History

On November 19, 1999, a proposal to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to revise the Class E airspace at Unalaska, AK, was published in the **Federal Register** (64 FR 63261). The proposal was necessary due to the establishment of a GPS instrument approach procedure at Unalaska, AK. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No public comments to the proposal were received; thus, the rule is adopted as written.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 in FAA Order 7400.9G, *Airspace Designations and Reporting Points,* dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This amendment to 14 CFR part 71 revises the Class E airspace at Unalaska, AK, through the establishment of a GPS instrument approach. The area will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide controlled airspace for IFR operations at Unalaska, AK.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9G, *Airspace Designations and Reporting Points,* dated September 1, 1999, and effective September 16, 1999, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Unalaska, AK [Revised]

Unalaska Airport
(Lat. 53°53′57″ N., long. 166°32′ 42″ W.)
Dutch Harbor NDB
(Lat. 53°54′19″ N., long. 166°32′57″ W.)

That airspace extending upward from 700 feet above the surface within 6.4-mile radius of the Unalaska Airport and within 2.9 miles each side of the Dutch Harbor NDB 360° bearing extending from the 6.4-mile radius to 9.5 miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within 20-mile radius north of the airport between the Dutch Harbor NDB 305° bearing extending clockwise to the 075° bearing.

* * * * *

Issued in Anchorage, AK, on April 14, 2000.

Anthony M. Wylie,

Acting Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 00–10015 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1310

[DEA Number 199F]

RIN 1117–AA52

Placement of Gamma-Butyrolactone in List I of the Controlled Substances Act (21 U.S.C. 802(34))

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: Public Law 106–172, signed into law on February 18, 2000, and known as the ''Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 1999,'' amends section 102(34) of the Controlled Substances Act as amended (CSA) by designating gamma-butyrolactone (GBL), the precursor to gamma-hydroxybutyric acid (GHB), as a List I chemical. Reflecting this change in stature, the Drug Enforcement Administration (DEA) is amending its regulation to reflect the status of GBL as a List I chemical subject to the requirements of the CSA and its regulations. Establishment of a threshold for GBL will be the subject of a separate rulemaking. Therefore, unless and until a threshold is established, any distribution of GBL is a regulated transaction as described by 21 CFR 1300.02(b)(28). All handlers of GBL must comply with the CSA regulatory requirements pertaining to List I chemicals as described in the body of this document.

FOR FURTHER INFORMATION CONTACT: Frank L. Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537.

DATES: *Effective:* April 24, 2000.

Registration application deadline: DEA must receive a properly completed DEA–510 registration application with fee from handlers of GBL on or before July 24, 2000.

SUPPLEMENTARY INFORMATION:

What Is DEA Doing and Whom Does It Effect?

GBL is gamma-butyrolactone, the precursor used in the clandestine production of gamma-hydroxybutyric acid (GHB). This Final Rule deals solely with amending 21 CFR 1310.02(a) to reflect that GBL is a List I chemical as established by Public Law 106–172. Consequently any person who imports, exports, or distributes GBL must register with DEA and make required records and reports.

What Authority Does DEA Have To Do This?

On February 18, 2000, Public Law 106–172 was enacted. This law requires the Attorney General (AG) to add gamma-hydroxybutyric acid (GHB) to Schedule I no later than April 18, 2000. Effective on February 18, 2000, Congress also specifically designated the GHB precursor, gamma-butyrolactone (GBL) as a List I chemical.

Why Is This Being Published as a Final Rule?

This publication amends 21 CFR 1310.02(a) to reflect the fact that Congress made GBL a List I chemical. For regulatory purposes, this action leaves DEA no discretion. Therefore, DEA is publishing this action as a Final Rule.

Why Was Control of GBL Necessary?

Law enforcement authorities have identified GBL in many GHB clandestine laboratories and documented its use as a precursor in the clandestine synthesis of GHB. There are no chemical substitutes for GBL as a precursor in the clandestine synthesis of GHB. Congress recognized that control of GBL as a List I chemical is necessary to prevent diversion for use in the illicit production of GHB and made it a List I chemical. This Final Rule amends 21 CFR 1310.02(a) to reflect the fact that GBL is a List I chemical subject to the requirements of the CSA and its regulations.

Is GBL Subject to Any Other Controls Under the CSA?

In addition to GBL functioning as a chemical precursor for the manufacture of GHB, it also produces psychoactive effects. If taken for human consumption, GBL and other chemicals, including 1,4-butanediol, are swiftly converted into GHB by the body. Abuse of these and other GHB-like substances is a significant law enforcement and public health problem. GBL and 1,4-butanediol are structurally and pharmacologically similar to GHB and are often substituted for GHB. Under certain circumstances they may satisfy the definition of a controlled substance analogue (21 U.S.C. 802(32)). Congress expressly contemplated this possibility by amending 21 U.S.C. 802(32) to state that the designation of GBL or any other chemical as a Listed chemical does not preclude a finding that the chemical is a controlled substance analogue and subject to the provisions of 21 U.S.C. 813.

Is There a Threshold for Transactions in GBL?

Public Law 106–172 did not establish a threshold for regulated transactions involving GBL. Therefore, the DEA is reviewing available data, including that provided by commenters in response to the **Federal Register** publication ''Industrial Uses and Handling of Gamma-butyrolactone; Solicitation of Information'' (63 FR 56941), regarding an appropriate threshold. This will be the subject of a separate rulemaking and will provide an opportunity for public comment. Until and unless a threshold is established, all covered transactions involving any amount of GBL are subject to the CSA regulatory requirements.

Each regulated person who engages in a regulated transaction involving GBL must keep a record of the transaction and file reports under certain circumstances (21 CFR 1300.02(b)(28)). If a threshold is established for GBL, the recordkeeping and reporting requirements will only apply to transactions, including cumulative

transactions, which meet or exceed the threshold (21 CFR part 1310). These transactions also include the importation and exportation of GBL.

Are Chemical Mixtures Containing GBL Subject to Control?

Chemical mixtures containing GBL will be treated the same as chemical mixtures containing any listed chemical. Currently, chemical mixtures containing listed chemicals are not subject to regulation. However, DEA is conducting a separate rulemaking to develop regulations governing the distribution of chemical mixtures that contain listed chemicals. A Notice of Proposed Rulemaking that addresses regulation of chemical mixtures containing listed chemicals was published in the **Federal Register** on September 16, 1998, (63 FR 49506). Because GBL was not a listed chemical at that time, the issue of GBL was not addressed. Therefore, DEA will publish a Notice of Proposed Rulemaking followed by a comment period to address the regulation of chemical mixtures containing GBL.

As a List I Chemical, What Specific Requirements Apply to GBL?

Persons interested in handling GBL must comply with the following:

1. *Registration.* Any person who manufactures or distributes GBL, or proposes to engage in the manufacture or distribution of GBL, shall obtain a registration pursuant to the CSA (21 U.S.C. 822). Regulations describing registration for List I handlers are set forth in 21 CFR part 1309.

Separate registration is required for retail distribution, non-retail distribution, importing, and exporting. Different locations operated by a single entity require separate registration if any location is involved with the distribution, import, or export of GBL. Effective Friday, February 18, 2000, any person distributing, importing, or exporting GBL became subject to the registration requirement under the CSA. DEA recognizes, however, that it is not possible for persons who distribute, import, or export GBL to immediately complete and submit an application for registration and for DEA to immediately issue registrations for those activities. Therefore, in order to allow continued legitimate commerce in GBL, DEA is establishing in 21 CFR 1310.09 a temporary exemption from the registration requirement for persons desiring to distribute, import, or export GBL, provided that DEA receives a properly completed application for registration to DEA on or before July 24, 2000. The temporary exemption for such persons will remain in effect until DEA takes final action on their application for registration. The temporary exemption applies solely to the registration requirement; all other chemical control requirements, including recordkeeping and reporting, remain in effect. Additionally, the temporary exemption does not suspend applicable federal criminal laws relating to GBL, nor does it supersede state or local laws or regulations. All handlers of GBL must comply with their state and local requirements in addition to the CSA regulatory controls.

2. *Records and Reports.* The CSA (21 U.S.C. 830) requires that records are kept and reports are made that involve listed chemicals. Regulations describing recordkeeping and reporting requirements are set forth in 21 CFR part 1310. A record must be made and maintained for two years after the date of a transaction involving a List I chemical, provided the transaction is a regulated transaction. Because a threshold has not yet been established, a distribution, receipt, sale, importation, or exportation of GBL in any amount is a regulated transaction (21 CFR 1300.02(b)(28)).

Each regulated bulk manufacturer of GBL shall submit manufacturing, inventory and use data on an annual basis (21 CFR 1310.05(d)). Bulk manufacturers that produce GBL solely for internal consumption are not required to submit this information. Existing standard industry reports containing the required information are acceptable, provided the information is readily retrievable from the report.

21 CFR 1310.05 requires that each regulated person shall report to DEA any regulated transaction involving an extraordinary quantity, an uncommon method of payment or delivery, or any other circumstance that causes the regulated person to believe that the listed chemical will be used in violation of the CSA.

3. *Import/Export.* All imports/exports of GBL shall comply with the CSA (21 U.S.C. 957 and 971). Regulations for importation and exportation of List I chemicals are described in 21 CFR part 1313. Separate registration is necessary for each activity (21 CFR 1309.22).

4. *Administrative Inspection.* Places, including factories, warehouses, or other establishments and conveyances, where regulated persons may lawfully hold, manufacture, or distribute, dispense, administer, or otherwise dispose of GBL or where records relating to those activities are maintained, are controlled premises as defined in 21 CFR 1316.02(c). The CSA (21 U.S.C. 880) allows for administrative inspections of these controlled premises as provided in 21 CFR part 1316 subpart A.

Regulatory Flexibility and Small Business Concerns

Public Law 106–172 amended the CSA to make GBL a List I chemical effective February 18, 2000. DEA has no discretion in this matter. This Final Rule simply makes the necessary amendment to the regulations to bring them into conformance with the new requirement of the law. However, to insure the orderly continuation of legitimate commerce DEA is providing in the Final Rule temporary exemption from the registration requirement for persons handling GBL provided that DEA receives a properly completed application for registration on or before July 24, 2000.

This Final Rule deals solely with amending 21 CFR 1310.02(a) to reflect the placement of GBL in List I by Public Law 106–172. It does not address a threshold; therefore, economic impact is based on registration. DEA will address the issue of a threshold and its impact in a separate Notice of Proposed Rulemaking followed by a comment period.

Prior to enactment of Public Law 106–172, DEA had been aware of the possibility that GBL could become regulated under the CSA pending the scheduling of GHB in the CSA. Anticipating this, DEA sought information on the manufacturing, distribution, consumption, storage, disposal, and uses of GBL from legitimate handlers of GBL. DEA published a notice in the **Federal Register** on October 23, 1998, titled, ''Industrial Uses and Handling of Gamma-butyrolactone; Solicitation of Information'' (63 FR 56941). The DEA received eight responses, one each from the three GBL manufacturers, one from a European association, and four from end-users. Information on the extent of distributors and wholesalers of GBL was not provided.

In the absence of specific information from the industry, DEA must estimate the number of companies distributing GBL. GBL is a common and widely used industrial solvent, therefore DEA is assuming that whoever distributes the common solvents acetone, toluene, or methyl ethyl ketone is likely to distribute GBL. DEA has identified approximately 1,400 firms that distribute one or more of these chemicals.

Provided the number of GBL handlers is 1,400, the initial total registration cost would be $833,000, based on the current new application fee of $595.00 for each

individual company. The total annual re-registration cost, based on the present renewal fee of $477.00 for each individual company, would be $667,800. It should be noted that DEA published a proposed rule in the **Federal Register** on December 1, 1999 (64 FR 67216) that proposed to reduce the new application fee to $326.00 and the renewal fee to $171.00 for each individual company, respectively. If finalized, these revised fees would reduce the total burden for initial registration and for annual re-registration to $456,400 and $239,400, respectively. In addition to the specific dollar cost, the registration requirement would require an annual reporting burden of 700 hours. This is based on the estimated one-half hour required to complete and submit an application for registration or re-registration. Therefore, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Deputy administrator has reviewed this application and by approving it certifies that this regulation will not have a significant economic impact upon a substantial number of small entities.

Executive Order 12866

This regulation has been drafted and reviewed in accordance with Executive Order 12866, Section 1(b), Principles of Regulation. The DEA has determined that this rule is not a ''significant regulatory action'' under Executive Order 12866, Section 3(f), Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

Administrative Procedure Act—Good Cause Exemption

DEA finds that there is good cause to exempt this action from the notice and comment requirements of Section 553 of the Administrative Procedures Act on the grounds that notice and comment are unnecessary. Public Law 106–172 amended the CSA to make GBL a List I Chemical effective February 18, 2000. This action is a conforming amendment to 21 CFR 1310.02(a) to make the regulations consistent with the requirements of the law. DEA has no discretion in this action and can not deviate from what Congress has enacted. Therefore, DEA is publishing this action as a Final Rule. To ameliorate this final action, DEA has included a temporary exemption from the registration requirement for persons handling GBL provided that DEA receives a properly completed application for registration on or before July 24, 2000.

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in cost or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Executive Order 13132

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Plain Language Instructions

The Drug Enforcement Administration makes every effort to write clearly. If you have suggestions as to how to improve the clarity of this regulation, call or write Patricia M. Good, Chief, Liaison and Policy Section, Office of Diversion Control, Washington, DC 20537, Telephone (202) 307–7297.

List of Subjects in 21 CFR Part 1310

Drug traffic control, Reporting and recordkeeping requirements.

For reasons set out above, 21 CFR part 1310 is amended as follows:

PART 1310—[AMENDED]

1. The authority citation for part 1310 continues to read as follows:

Authority: 21 U.S.C. 802, 830, 871(b).

2. Section 1310.02 is amended by adding a new paragraph (a)(24) to read as follows:

§ 1310.02 Substances covered

* * * * *

(a) List I chemicals:

* * * * *

(24) gamma-Butyrolactone (Other names include: GBL; Dihydro-2 (3H)-furanone; 1,2-Butanolide; 1,4-Butanolide; 4-Hydroxybutanoic acid lactone; gamma-hydroxybutyric acid lactone) 2011

3. Section 1310.09 is amended by adding a new paragraph (c) to read as follows:

§ 1310.09 Temporary exemption from registration

* * * * *

(c) Each person required by section 302 of the act (21 U.S.C. 822) to obtain a registration to distribute, import, or export GBL is temporarily exempted from the registration requirement, provided that the DEA receives a proper application for registration on or before July 24, 2000. The exemption will remain in effect for each person who has made such application until the Administration has approved or denied that application. This exemption applies only to registration; all other chemical control requirements set forth in parts 1309, 1310, and 1313 of this chapter remain in full force and effect.

Dated: April 14, 2000.

Donnie R. Marshall,

Deputy Administrator.

[FR Doc. 00–9988 Filed 4–21–00; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07–00–029]

RIN 2115–AE46

Special Local Regulations: Annual Suncoast Kilo Run, Sarasota Bay, Sarasota, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is amending the final rule for the Annual Suncoast Kilo Run to change the date from the first Friday in July to the last Friday in June for 2000 only. The high-speed boat race event will be held from 8 a.m. to 1 p.m. Eastern Daylight Time (EDT) on June 30, 2000, in Sarasota Bay, Sarasota, Florida. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: This rule becomes effective at 8 a.m. and terminates at 1 p.m. EDT on June 30, 2000.

ADDRESSES: The public docket for this rulemaking is maintained by Commanding Officer, U.S. Coast Guard Group St. Petersburg. Any materials concerning this rulemaking should be mailed to Commanding Officer, U.S. Coast Guard Group St. Petersburg, 600 8th Ave SE, St. Petersburg, FL 33701.

FOR FURTHER INFORMATION CONTACT: Chief Petty Officer Steve Aykroyd, Coast Guard Group St. Petersburg at (727) 824–7554.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing an NPRM because this is an annual event with a date change for this year that has been highly publicized. It is impractical to publish an NPRM at this time because to do so would interfere with the 30-day notice requirement for the final rule.

Background and Purpose

These regulations are required to provide for the safety of life on navigable waters because of the inherent danger of high speed competition boat racing in the vicinity of spectator craft during the Annual Suncoast Kilo Run, Sarasota Bay, Sarasota, FL. A permanent regulation has been established for this event (33 CFR 100.718) which is effective on the first Friday in July each year. Logistical problems caused the organizers to request that the event be moved for this year to June 30. The permanent regulations create a regulated area that prohibits non-participating vessels from entering the regulated area during the event. The practical effect of this amendment is to change the date of the event for this year only from the first Friday in July to June 30, 2000.

Regulatory Evaluation

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not ''significant'' under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The regulated area will only be in effect for 5 hours on one day.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic effect upon a substantial number of small entities. ''Small entities'' include small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities as the regulations will only be in effect for 5 hours on one day in a limited area of Sarasota Bay, Florida.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–221), we offer to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small entities may contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. We also have a point of contact for commenting on actions by employees of the Coast Guard. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This rule calls for no new collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Environment

The Coast Guard considered the environmental impact of this rule and has determined pursuant to Figure 2–1, paragraph 34(h) of Commandant Instruction M16475.1C, that this proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Harbors, Marine safety, Navigation (water), Reports and recordkeeping requirements, Security measures, Waterways.

Temporary Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 100 of Title 33, Code of Federal Regulations, as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46, and 33 CFR 100.35.

2. In § 100.718, paragraph (c) is suspended and a new paragraph (d) is added to read as follows:

§ 100.718 Annual Suncoast Kilo Run; Sarasota Bay, Sarasota, FL.

* * * * *

(d) *Dates:* This section becomes effective at 8 a.m. and terminates at 1 p.m. EDT on June 30, 2000.

Dated: April 7, 2000.

G.W. Sutton,

Captain U.S. Coast Guard, Commander, Seventh Coast Guard District, Acting.

[FR Doc. 00–10151 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–15–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region VII Tracking No. MO 098–1098b; FRL–6583–4]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve the Eagle-Picher Technologies' LLC Consent Agreement as a revision to the Missouri State Implementation Plan (SIP). This Consent Agreement ensures that the operation of their newly installed emissions controls at the Chemicals Divisions in Joplin, Missouri, are permanent, enforceable, and measurable.

DATES: This rule is effective on June 23, 2000 without further notice, unless EPA receives adverse written comment by May 24, 2000. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be mailed to Kim Johnson, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of the state submittal(s) are available at the following address for inspection during normal business hours: Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Kim Johnson at (913) 551–7975.

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we, us, or our'' is used, we mean EPA. This section provides additional information by addressing the following questions:

What is a SIP?
What is the Federal approval process for a SIP?
What does Federal approval of a state regulation mean to me?
What is being addressed in this document?
Have the requirements for approval of a SIP revision been met?
What action is EPA taking?

What Is a SIP?

Section 110 of the Clean Air Act (CAA) requires states to develop air pollution regulations and control strategies to ensure that state air quality meets the national ambient air quality standards (NAAQS) established by EPA. These ambient standards are established under section 109 of the CAA, and they currently address six criteria pollutants. These pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each state must submit these regulations and control strategies to EPA for approval and incorporation into the Federally enforceable SIP.

Each Federally approved SIP protects air quality primarily by addressing air pollution at its point of origin. These SIPs can be extensive, containing state regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

What Is the Federal Approval Process for a SIP?

In order for state regulations to be incorporated into the Federally enforceable SIP, states must formally adopt the regulations and control strategies consistent with state and Federal requirements. This process generally includes a public notice, public hearing, public comment period, and a formal adoption by a state-authorized rulemaking body.

Once a state rule, regulation, or control strategy is adopted, the state submits it to EPA for inclusion into the SIP. EPA must provide public notice and seek additional public comment regarding the proposed Federal action on the state submission. If adverse comments are received, they must be addressed prior to any final Federal action by EPA.

All state regulations and supporting information approved by EPA under section 110 of the CAA are incorporated into the Federally approved SIP. Records of such SIP actions are maintained in the Code of Federal Regulations (CFR) at Title 40, Part 52, entitled ''Approval and Promulgation of Implementation Plans.'' The actual state regulations which are approved are not reproduced in their entirety in the CFR outright but are ''incorporated by reference,'' which means that EPA has approved a given state regulation with a specific effective date.

What Does Federal Approval of a State Regulation Mean to Me?

Enforcement of the state regulation before and after it is incorporated into the Federally approved SIP is primarily a state responsibility. However, after the regulation is Federally approved, EPA is authorized to take enforcement action against violators. Citizens are also offered legal recourse to address violations as described in the CAA.

What Is Being Addressed in This Document?

In 1995, the Missouri Department of Natural Resources (MDNR) and EPA initiated a review of small lead sources with the potential to emit five tons of lead per year or more. The purpose of this review is to determine whether or not the sources have the potential to cause or contribute to violations of the lead NAAQS of 1.5 $\mu g/m^3$. The first review consisted of an emissions inventory review and preliminary screening modeling.

Preliminary modeling of the emissions at Eagle-Picher, Chemicals Division in Joplin, Missouri, predicted ambient air lead values near this facility which exceeded the NAAQS for lead of 1.5 $\mu g/m^3$.

As a result of this modeling, the state of Missouri planned to place an ambient air lead monitor in the area. In order to effectively locate a monitor, additional information was needed for a more refined modeling analysis.

On March 25, 1998, EPA issued an order under section 114 of the CAA requesting additional facility information and stack testing of three of the facility's major emissions points. These three points accounted for 71 percent of the lead emissions from the facility.

Shortly after the 114 Order was issued, Eagle-Picher informed EPA and MDNR that as a result of an internal environmental review, they planned to install controls in August 1998, on the Basic Silicate White Lead (BSWL) scrubber drier exhaust, their most significant lead source which contributed almost 60 percent of the lead emissions from this facility.

Eagle-Picher agreed to enter into a Consent Agreement with the state of Missouri to ensure these controls are permanent, enforceable, and measurable. This Consent Agreement defines control specifications, operation parameters, and testing and reporting requirements for the BSWL baghouse at

the Eagle-Picher facility in Joplin, Missouri. The operation of this baghouse reduces lead emissions from the most significant lead source at the facility by 99.85 percent or an equivalent decrease of 2.8 tons/year.

Have the Requirements for Approval of a SIP Revision Been Met?

The state submittal has met the public notice requirements for SIP submissions in accordance with 40 CFR 51.102. The submittal also satisfied the completeness criteria of 40 CFR part 51, appendix V. In addition, as explained above and in more detail in the technical support document which is part of this document, the revision meets the substantive SIP requirements of the CAA, including section 110 and implementing regulations.

What Action Is EPA Taking?

EPA is processing this action as a direct final action because the Consent Agreement affects only one source and does not appear to be controversial; therefore, we do not anticipate any adverse comments.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves preexisting requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will 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, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the CAA. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the Executive Order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

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. Section 804, however, exempts from section 801 the following types of rules: rules of particular applicability; rules relating to agency management or personnel; and rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of nonagency parties. 5 U.S.C. 804(3). The EPA is not required to submit a rule report regarding this action under section 801 because this is a rule of particular applicability. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 23, 2000. 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, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: April 6, 2000.

Dennis Grams,

Regional Administrator, Region 7.

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 AA—Missouri

2. Section 52.1320 is amended in paragraph (d), table titled EPA-APPROVED MISSOURI SOURCE SPECIFIC PERMITS AND ORDERS, to add the following entry at the end of the table:

§ 52.1320 Identification of plan.

* * * * *

(D) EPA-APPROVED MISSOURI SOURCE SPECIFIC PERMITS AND ORDERS

Name of source	Order/permit number	State effective date	EPA approval date	Explanation
* * *	*	*	*	*
Eagle-Picher Technologies Joplin, MO	Consent Agreement.	08/26/99	4/24/00 65 FR 21651	

[FR Doc. 00–10031 Filed 4–21–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 261

[SW–FRL–6583–6]

Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is granting a petition submitted by DuraTherm, Inc., (DuraTherm) to exclude from hazardous waste control (or delist) a certain solid waste. This action responds to the petition submitted by DuraTherm to delist the desorber solids on a ''generator specific'' basis from the lists of hazardous waste.

After careful analysis, the EPA has concluded that the petitioned waste is not hazardous waste when disposed of in subtitle D landfills. This exclusion applies to desorber solids generated at DuraTherm's San Leon, Texas, facility. Accordingly, this final rule excludes the petitioned waste from the requirements of hazardous waste regulations under the Resource Conservation and Recovery Act (RCRA) when disposed of in subtitle D landfills but imposes testing conditions to ensure that the future-generated wastes remain qualified for delisting.

EFFECTIVE DATE: April 24, 2000.

ADDRESSES: The public docket for this final rule is located at the U.S. Environmental Protection Agency Region 6, 1445 Ross Avenue, Dallas, Texas 75202, and is available for viewing in the EPA Freedom of Information Act review room on the 7th floor from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding Federal holidays. Call (214) 665–6444 for appointments. The reference number for this docket is ''F–99–TXDEL–DURATHERM.'' The public may copy material from any regulatory docket at no cost for the first 100 pages and at a cost of $0.15 per page for additional copies.

FOR FURTHER INFORMATION CONTACT: For general information, contact Bill Gallagher, at (214) 665–6775. For technical information concerning this document, contact Michelle Peace, U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, Texas, (214) 665–7430.

SUPPLEMENTARY INFORMATION: The information in this section is organized as follows:

I. Overview Information
A. What action is EPA finalizing?
B. Why is EPA approving this delisting?
C. What are the limits of this exclusion?
D. How will DuraTherm manage the waste if it is delisted?
E. When is the final delisting exclusion effective?
F. How does this action affect states?
II. Background
A. What is a delisting?
B. What regulations allow facilities to delist a waste?
C. What information must the generator supply?
III. EPA's Evaluation of the Waste Data
A. What wastes did DuraTherm petition EPA to delist?
B. How much wastes did DuraTherm propose to delist?
C. How did DuraTherm sample and analyze the waste data in this petition?
IV. Public Comments Received on the Proposed Exclusion
A. Who submitted comments on the proposed rule?
B. How will DuraTherm segregate the petitioned waste from the other wastes accepted and processed in the thermal desorption unit?
C. Why is EPA applying the Land Disposal Restrictions to the petitioned wastes?
V. Regulatory Impact
VI. Regulatory Flexibility Act
VII. Paperwork Reduction Act
VIII. Unfunded Mandates Reform Act
IX. Congressional Review Act
X. Executive Order 12875
XI. Executive Order 13045
XII. Executive Order 13084
XIII. National Technology Transfer and Advancements Act
XIV. Executive Order 13132 Federalism

I. Overview Information

A. What Action Is EPA Finalizing?

The EPA is finalizing:

(1) the decision to grant DuraTherm's petition to have their desorber solids excluded, or delisted, from the definition of a hazardous waste; and

(2) the use of the EPA Composite Model for Landfills as the fate and transport model to evaluate the potential impact of the petitioned waste on human health and the environment. The Agency used this model to predict the concentration of hazardous constituents released from the petitioned waste once it is disposed.

After evaluating the petition, EPA proposed, on August 18, 1999 to exclude the DuraTherm waste from the lists of hazardous wastes under §§ 261.31 and 261.32 (see 64 *FR* 44866).

B. Why Is EPA Approving This Delisting?

DuraTherm petitioned to exclude the desorber solids because it does not believe that the petitioned waste meets the criteria for which it was listed.

DuraTherm also believes that the waste does not contain any other constituents that would render it hazardous. Review of this petition included consideration of the original listing criteria, as well as the additional listing criteria and the additional factors required by the Hazardous and Solid Waste Amendments (HSWA) of 1984. *See* section 222 of HSWA, 42 U.S.C. 6921(f), and 40 CFR 260.22(d)(2)–(4).

For reasons stated in both the proposal and this document, EPA believes that DuraTherm's desorber solids should be excluded from hazardous waste control. The EPA therefore is granting a final exclusion to DuraTherm, located in San Leon, Texas, for its Desorber Solids.

C. What Are the Limits of This Exclusion?

This exclusion applies to the waste described in the petition only if the requirements described in Table 1 of part 261 and the conditions contained herein are satisfied. The maximum annual volume of the Desorber Solids is 20,000 cubic yards.

D. How Will DuraTherm Manage the Waste if It Is Delisted?

The Desorber Solids is currently disposed of in an off-site hazardous

waste landfill. When delisted, the waste will be disposed of in an off-site subtitle D industrial landfill.

E. When Is the Final Delisting Exclusion Effective?

This rule is effective April 24, 2000. The HSWA of 1984 amended section 3010 of RCRA to allow rules to become effective in less than six months when the regulated community does not need the six-month period to come into compliance. That is the case here because this rule reduces, rather than increases, the existing requirements for persons generating hazardous wastes. These reasons also provide a basis for making this rule effective immediately, upon publication, under the Administrative Procedure Act, pursuant to 5 U.S.C. 553(d).

F. How Does This Action Affect States?

Because EPA is issuing today's exclusion under the Federal RCRA delisting program, only States subject to Federal RCRA delisting provisions would be affected. This would exclude two categories of States: States having a dual system that includes Federal RCRA requirements and their own requirements, and States who have received our authorization to make their own delisting decisions.

Here are the details: We allow states to impose their own non-RCRA regulatory requirements that are more stringent than EPA's, under section 3009 of RCRA. These more stringent requirements may include a provision that prohibits a Federally issued exclusion from taking effect in the State. Because a dual system (that is, both Federal (RCRA) and State (non-RCRA) programs) may regulate a petitioner's waste, we urge petitioners to contact the State regulatory authority to establish the status of their wastes under the State law.

The EPA has also authorized some States (for example, Louisiana, Georgia, Illinois) to administer a delisting program in place of the Federal program, that is, to make State delisting decisions. Therefore, this exclusion does not apply in those authorized States. If DuraTherm transports the petitioned waste to or manages the waste in any State with delisting authorization, DuraTherm must obtain delisting authorization from that State before they can manage the waste as nonhazardous in the State.

II. Background

A. What Is a Delisting Petition?

A delisting petition is a request from a generator to EPA or another agency with jurisdiction to exclude from the list of hazardous wastes, wastes the generator does not consider hazardous under RCRA.

B. What Regulations Allow Facilities To Delist a Waste?

Under 40 CFR 260.20 and 260.22, facilities may petition the EPA to remove their wastes from hazardous waste control by excluding them from the lists of hazardous wastes contained in §§ 261.31 and 261.32. Specifically, section 260.20 allows any person to petition the Administrator to modify or revoke any provision of parts 260 through 265 and 268 of Title 40 of the Code of Federal Regulations. Section 260.22 provides generators the opportunity to petition the Administrator to exclude a waste on a ''generator-specific'' basis from the hazardous waste lists.

C. What Information Must the Generator Supply?

Petitioners must provide sufficient information to EPA to allow the EPA to determine that the waste to be excluded does not meet any of the criteria under which the waste was listed as a hazardous waste. In addition, the Administrator must determine, where he/she has a reasonable basis to believe that factors (including additional constituents) other than those for which the waste was listed could cause the waste to be a hazardous waste, that such factors do not warrant retaining the waste as a hazardous waste.

III. EPA's Evaluation of the Waste Data

A. What Waste Did DuraTherm Petition EPA To Delist?

On November 6, 1998, DuraTherm in San Leon, Texas, petitioned the EPA for a standard exclusion of 20,000 cubic yards of desorber solids, per calendar year, resulting from its thermal desorption treatment process. The Agency has presently listed the resulting waste under § 261.3(c)(2)(I) (the ''derived from'' rule), as EPA Hazardous Waste No. F037, F038, K048, K049, K050 and K051. Table 1 lists the constituents of concern for these waste codes.

TABLE 1.—HAZARDOUS WASTE CODES ASSOCIATED WITH WASTE STREAMS

Waste code	Basis for characteristics/listing
F037	Benzene, benzo (a) pyrene, Chrysene, lead, chromium.
F038	Benzene, benzo (a) pyrene, Chrysene, lead, chromium.
K048	Hexavalent Chromium, Lead.
K049	Hexavalent Chromium, Lead.
K050	Hexavalent Chromium.
K051	Hexavalent Chromium, Lead.

B. How Much Waste Did DuraTherm Propose To Delist?

Specifically, in its petition, DuraTherm requested that EPA grant a standard exclusion for 20,000 cubic yards of desorber solids generated per calender year.

C. How Did DuraTherm Sample and Analyze the Waste Data in This Petition?

To support its petition, DuraTherm submitted:

(1) Descriptions of its thermal desorption processes associated with petitioned wastes;

(2) Results of the total constituent list for 40 CFR part 264 appendix IX volatiles, semivolatiles, and metals except pesticides, herbicides, and PCBs;

(3) Results of the constituent list for appendix IX on Toxicity Characteristic Leaching Procedure (TCLP) extract for volatiles, semivolatiles, and metals;

(4) Results for reactive sulfide;

(5) Results for reactive cyanide;

(6) Results for pH;

(7) Results of the metals concentrations in the Multiple Extraction Procedure extract; and

(8) Results of ignitability.

DuraTherm tested and analyzed the waste stream under five conditions to properly account for variables in the waste stream: During start-up operations, shut-down operations, slow feed rates, fast feed rates, and normal operations. For wastes that failed to meet the estimated delisting levels, DuraTherm stabilized the wastes to prevent leaching metal constituents from the wastes. The facility submitted results from the Multiple Extraction Procedure run on the stabilized materials.

IV. Public Comments Received on the Proposed Exclusion

A. Who Submitted Comments on the Proposed Rule?

The EPA received public comments on August 18, 1999, proposal from one interested party, Environmental Issues Management.

B. How Will DuraTherm Segregate the Petitioned Waste From the Other Wastes Accepted and Processed in the Thermal Desorption Unit?

Environmental Issues Management comments that the Agency failed to identify the rationale and method to isolate listed waste streams under consideration for delisting from other listed waste streams processed by DuraTherm which were not included within DuraTherm's delisting demonstration. DuraTherm may accept several other waste streams in addition to the waste streams being delisted. DuraTherm's acceptable waste streams include chlorinated organics, vinyl chloride and ethylene dichloride. The facility runs different batches of waste for different facilities. Initially, DuraTherm generates a waste profile for the material. They return the waste profile to the generator. When the wastes are accepted by DuraTherm, they must meet the profile identified by DuraTherm. To ensure that no cross contamination of these batches occur, the first batch of the petitioned wastes processed after a batch of chlorinated organics for instance, will be designated as ''Hazardous Wastes.'' To ensure that subsequent batches are free of any remaining waste codes, DuraTherm must analyze the first batch for constituents for which the waste codes are listed. Subsequent batches of the F037,F038, K049, K050, K051 wastes are eligible for delisting if they meet the criteria described in Table 1 of appendix IX, part 261 and no constituents of the previously processed residues are detected. The EPA has amended the conditions in Table 1, Paragraph 2(B) to reflect the change.

C. Why Is EPA Applying the Land Disposal Restrictions to the Petitioned Wastes?

Environmental Issues Management believes that the Agency's use of the Land Disposal Restrictions (LDR) to establish Maximum Allowable Concentrations is overly conservative and results in redundant regulation. The Agency used to the LDR treatment concentrations as delisting limits for three of the 12 metals constituents and all 25 of the organic constituents. The maximum concentration of the three metals detected in petitioned waste was less than the calculated delisting levels and the LDR treatment standards for the metals. For example, for chromium the calculated delisting level was 2.70 mg/l and the LDR treatment standard was 0.6 mg/l; However, the maximum concentration of chromium detected in the samples was 0.18 mg/l. This concentration is less than the calculated delisting level and the LDR treatment standard for chromium. The maximum concentrations of the semi-volatile and volatile organic constituents in the petitioned wastes were also less than the LDR treatment standards. For example, the maximum concentration of phenol detected in the waste was 0.2437 mg/l and the LDR treatment standard was 6.2 mg/l. The maximum concentration of xylene in the waste streams was 0.0017 mg/l and the LDR treatment standard was 0.032 mg/l. DuraTherm's treatment process did not have any problems achieving the more protective levels, in fact no additional treatment was needed to meet the LDR treatment standards. The proposed delisting levels for this petition allow for further protection of human health and the environment with very little impact on DuraTherm's operation of their treatment process.

V. Regulatory Impact

Under Executive Order 12866, EPA must conduct an ''assessment of the potential costs and benefits'' for all ''significant'' regulatory actions. The final to grant an exclusion is not significant, since its effect, if promulgated, would be to reduce the overall costs and economic impact of EPA's hazardous waste management regulations. This reduction would be achieved by excluding waste generated at a specific facility from EPA's lists of hazardous wastes, thereby enabling this facility to manage its waste as nonhazardous. There is no additional impact therefore, due to today's final rule. Therefore, this proposal would not be a significant regulation and no cost/benefit assessment is required. The Office of Management and Budget (OMB) has also exempted this rule from the requirement for OMB review under section (6) of Executive Order 12866.

VI. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601–612, whenever an agency is required to publish a general notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis which describes the impact of the rule on small entities (*i.e.,* small businesses, small organizations, and small governmental jurisdictions). No regulatory flexibility analysis is required however if the Administrator or delegated representative certifies that the rule will not have any impact on a small entities.

This rule if promulgated, will not have an adverse economic impact on small entities since its effect would be to reduce the overall costs of EPA's hazardous waste regulations. Accordingly, I hereby certify that this regulation, if promulgated, will not have a significant economic impact on a substantial number of small entities. This regulation therefore, does not require a regulatory flexibility analysis.

VII. Paperwork Reduction Act

Information collection and recordkeeping requirements associated with this proposed rule have been approved by the OMB under the provisions of the Paperwork Reduction Act of 1980 (Public Law 96–511, 44 U.S.C. 3501 *et seq.*) and have been assigned OMB Control Number 2050–0053.

VIII. Unfunded Mandates Reform Act

Under section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, which was signed into law on March 22, 1995, EPA must prepare a written statement for rules with Federal mandates that may result in estimated costs to State, local, and tribal governments in the aggregate, or to the private sector of $100 million or more in any one year. When such a statement is required for EPA rules, under section 205 of the UMRA, EPA must identify and consider alternatives, including the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The EPA must select that alternative, unless the Administrator explains in the final rule why it was not selected or it is inconsistent with law. Before EPA establishes regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must develop under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, giving them meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising them on compliance with the regulatory requirements. The UMRA generally defines a Federal mandate for regulatory purposes as one that imposes an enforceable duty upon State, local, or tribal governments or the private sector. The EPA finds that today's proposed delisting decision is deregulatory in nature and does not impose any enforceable duty upon State, local, or tribal governments or the private sector. In addition, the delisting does not establish any regulatory requirements for small governments and so does not

require a small government agency plan under UMRA section 203.

IX. Congressional Review Act

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 Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, the Comptroller General of the United States prior to publication of the final rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will become effective on the date of publication in the **Federal Register**.

X. Executive Order 12875

Under Executive Order 12875, EPA may not issue a regulation that is not required by statute and that creates a mandate upon a state, local, or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments. If the mandate is unfunded, EPA must provide to the OMB a description of the extent of EPA's prior consultation with representatives of affected state, local, and tribal governments, the nature of their concerns, copies of written communications from the governments, and a statement supporting the need to issue the regulation. In addition, Executive Order 12875 requires EPA to develop an effective process permitting elected officials and other representatives of state, local, and tribal governments ''to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.'' Today's rule does not create a mandate on state, local or tribal governments. The rule does not impose any enforceable duties on these entities. Accordingly, the requirements of section 1(a) of Executive Order 12875 do not apply to this rule.

XI. Executive Order 13045

The Executive Order 13045 is entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This order applies to any rule that EPA determines: (1) Is economically significant as defined under Executive Order 12866, and (2) the environmental health or safety risk addressed by the rule has a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency. This rule is not subject to Executive Order 13045 because this is not an economically significant regulatory action as defined by Executive Order 12866.

XII. Executive Order 13084

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly affects or uniquely affects the communities of indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide to the OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of indian tribal governments ''to meaningful and timely input'' in the development of regulatory policies on matters that significantly or uniquely affect their communities of indian tribal governments. Today's rule does not significantly or uniquely affect the communities of indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

XIII. National Technology Transfer and Advancement Act

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), directs the EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* materials specifications, test methods, sampling procedures, business practices, *etc.*) developed or adopted by voluntary consensus standard bodies. Where available and potentially applicable voluntary consensus standards are not used by EPA, the NTTAA requires that Agency to provide Congress, through the OMB, an explanation of the reasons for not using such standards.

This rule does not establish any new technical standards and thus, the Agency has no need to consider the use of voluntary consensus standards in developing this final rule.

XIV. Executive Order 13132 Federalism

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999) requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that 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.''

Under section 6 of Executive Order 13132, EPA may not issue a regulation that has federalism implications, that impose substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. The EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This action does not have federalism implication. It will not have a substantial direct effect on 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, as specified in Executive Order 13132, because it affects only one facility.

List of Subjects in 40 CFR Part 261

Environmental protection, Hazardous waste, Recycling, Reporting and recordkeeping requirements.

Authority: Sec. 3001(f) RCRA, 42 U.S.C. 6921(f).

Dated: April 11, 2000.

Carl E. Edlund,

Director, Multimedia Planning and Permitting Division.

For the reasons set out in the preamble, 40 CFR part 261 is amended as follows:

PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

1. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 6905, 6912(a), 6921, 6922, 6924(y) and 6938.

2. In Tables 1 and 2 in appendix IX add the following waste stream in alphabetical order by facility to read as follows:

Appendix IX to Part 261—Wastes Excluded Under §§ 260.20 and 260.22

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

Facility	Address	Waste description
*	*	* * * * *
DuraTherm, Incorporated.	San Leon, Texas	Desorber solids, (at a maximum generation of 20,000 cubic yards per calendar year) generated by DuraTherm using the thermal desorption treatment process, (EPA Hazardous Waste No. F037 and F038) and that is disposed of in subtitle D landfills after April 24, 2000. For the exclusion to be valid, DuraTherm must implement a testing program that meets the following Paragraphs: (1) *Delisting Levels:* All leachable concentrations for those constituents must not exceed the following levels (ppm). The petitioner must use an acceptable leaching method, for example SW–846, Method 1311 to measure constituents in the waste leachate. Desorber solids (i) Inorganic Constituents Arsenic—1.35; Antimony—0.162; Barium—54.0; Beryllium—0.108; Cadmium—0.135; Chromium—0.6; Lead—0.405; Nickel—2.7; Selenium—1.0; Silver—5.0; Vanadium—5.4; Zinc—270. (ii) Organic Constituents Anthracene—0.28; Benzene—0.135; Benzo(a) anthracene—0.059; Benzo(b)fluoranthene—0.11; Benzo(a)pyrene—0.061; Bis-ethylhexylphthalate—0.28; Carbon Disulfide—3.8; Chlorobenzene—0.057; Chrysene—0.059; o,m,p Cresols—54; Dibenzo (a,h) anthracene—0.055; 2,4 Dimethyl phenol—18.9; Dioctyl phthalate—0.017; Ethylbenzene—0.057; Fluoranthene—0.068; Fluorene—0.059; Naphthalene—0.059; Phenanthrene—0.059; Phenol—6.2; Pyrene—0.067; Styrene—2.7; Trichloroethylene—0.054; Toluene—0.08; Xylene—0.032 (2) *Waste Holding and Handling:* (A) DuraTherm must store the desorber solids as described in its RCRA permit, or continue to dispose of as hazardous all desorber solids generated, until they have completed verification testing described in Paragraph (3)(A) and (B), as appropriate, and valid analyses show that paragraph (1) is satisfied. (B) In order to isolate wastes that have been processed in the unit prior to one of the waste codes to be delisted, DuraTherm must designate the first batch of F037, F038, K048, K049, K050, or K051 wastes as hazardous. Subsequent batches of these wastes which satisfy paragraph (1) are eligible for delisting if they meet the criteria in paragraph (1) and no additional constituents (other than those of the delisted waste streams) from the previously processed wastes are detected. (C) Levels of constituents measured in the samples of the desorber solids that do not exceed the levels set forth in Paragraph (1) are nonhazardous. DuraTherm can manage and dispose the nonhazardous desorber solids according to all applicable solid waste regulations. (D) If constituent levels in a sample exceed any of the delisting levels set in Paragraph (1), DuraTherm must retreat or stabilize the batches of waste used to generate the representative sample until it meets the levels in paragraph(1). DuraTherm must repeat the analyses of the treated waste. (E) If the facility has not treated the waste, DuraTherm must manage and dispose the waste generated under subtitle C of RCRA. (3) *Verification Testing Requirements:* DuraTherm must perform sample collection and analyses, including quality control procedures, according to SW–846 methodologies. If EPA judges the process to be effective under the operating conditions used during the initial verification testing, DuraTherm may replace the testing required in Paragraph (3)(A) with the testing required in Paragraph (3)(B). DuraTherm must continue to test as specified in Paragraph (3)(A) until and unless notified by EPA in writing that testing in Paragraph (3)(A) may be replaced by Paragraph (3)(B). (A) *Initial Verification Testing:* After EPA grants the final exclusion, DuraTherm must do the following: (i) Collect and analyze composites of the desorber solids. (ii) Make two composites of representative grab samples collected. (iii) Analyze the waste, before disposal, for all of the constituents listed in Paragraph 1. (iv) Sixty (60) days after this exclusion becomes final, report the operational and analytical test data, including quality control information. (v) Submit the test plan for conducting the multiple pH leaching procedure to EPA for approval at least 10 days before conducting the analysis. (vi) Conduct a multiple pH leaching procedure on 10 samples collected during the sixty-day test period. (vii) The ten samples should include both non-stabilized and stabilized residual solids. If none of the samples collected during the sixty-day test period need to be stabilized, DuraTherm should provide multiple pH data on the first sample of stabilized wastes generated. (vii) Perform the toxicity characteristic leaching procedure using three different pH extraction fluids to simulate disposal under three conditions and submit the results within 60 days of completion. Simulate an acidic landfill environment, basic landfill environment, and a landfill environment similar to the pH of the waste. (B) *Subsequent Verification Testing:* Following written notification by EPA, DuraTherm may substitute the testing conditions in (3)(B) for (3)(A)(i). DuraTherm must continue to monitor operating conditions, and analyze representative samples each quarter of operation during the first year of waste generation. The samples must represent the waste generated in one quarter. DuraTherm must run the multiple pH procedure on these waste samples.

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		(C) *Termination of Organic Testing:* (i) DuraTherm must continue testing as required under Paragraph (3)(B) for organic constituents in Paragraph (1)(A)(ii), until the analytical results submitted under Paragraph (3)(B) show a minimum of two consecutive samples below the delisting levels in Paragraph (1)(A)(i), DuraTherm may then request that EPA stop quarterly organic testing. After EPA notifies DuraTherm in writing, the company may end quarterly organic testing. (ii) Following cancellation of the quarterly testing, DuraTherm must continue to test a representative composite sample for all constituents listed in Paragraph (1) annually (by twelve months after final exclusion). (4) *Changes in Operating Conditions:* If DuraTherm significantly changes the process described in its petition or starts any processes that generate(s) the waste that may or could affect the composition or type of waste generated as established under Paragraph (1) (by illustration, but not limitation, changes in equipment or operating conditions of the treatment process), they must notify EPA in writing; they may no longer handle the wastes generated from the new process as nonhazardous until the wastes meet the delisting levels set in Paragraph (1) and they have received written approval to do so from EPA. (5) *Data Submittals:* DuraTherm must submit the information described below. If DuraTherm fails to submit the required data within the specified time or maintain the required records on-site for the specified time, EPA, at its discretion, will consider this sufficient basis to reopen the exclusion as described in Paragraph 6. DuraTherm must: (A) Submit the data obtained through Paragraph 3 to Mr. William Gallagher, Chief, Region 6 Delisting Program, EPA, 1445 Ross Avenue, Dallas, Texas 75202–2733, Mail Code, (6PD-O) within the time specified. (B) Compile records of operating conditions and analytical data from Paragraph (3), summarized, and maintained on-site for a minimum of five years. (C) Furnish these records and data when EPA or the State of Texas request them for inspection. (D) Send along with all data a signed copy of the following certification statement, to attest to the truth and accuracy of the data submitted: Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code, which include, but may not be limited to, 18 U.S.C. 1001 and 42 U.S.C. 6928), I certify that the information contained in or accompanying this document is true, accurate and complete. As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete. If any of this information is determined by EPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by EPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion. (6) *Reopener Language:* (A) If, anytime after disposal of the delisted waste, DuraTherm possesses or is otherwise made aware of any environmental data (including but not limited to leachate data or groundwater monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at level higher than the delisting level allowed by the Regional Administrator or his delegate in granting the petition, then the facility must report the data, in writing, to the Regional Administrator or his delegate within 10 days of first possessing or being made aware of that data. (B) If the annual testing of the waste does not meet the delisting requirements in Paragraph 1, DuraTherm must report the data, in writing, to the Regional Administrator or his delegate within 10 days of first possessing or being made aware of that data. (C) If DuraTherm fails to submit the information described in paragraphs (5),(6)(A) or (6)(B) or if any other information is received from any source, the Regional Administrator or his delegate will make a preliminary determination as to whether the reported information requires Agency action to protect human health or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment. (D) If the Regional Administrator or his delegate determines that the reported information does require Agency action, the Regional Administrator or his delegate will notify the facility in writing of the actions the Regional Administrator or his delegate believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information as to why the proposed Agency action is not necessary. The facility shall have 10 days from the date of the Regional Administrator or his delegate's notice to present such information. (E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D)) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), the Regional Administrator or his delegate will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Regional Administrator or his delegate's determination shall become effective immediately, unless the Regional Administrator or his delegate provides otherwise. (7) *Notification Requirements:* DuraTherm must do following before transporting the delisted waste: Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision.

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		(A) Provide a one-time written notification to any State Regulatory Agency to which or through which they will transport the delisted waste described above for disposal, 60 days before beginning such activities. (B) Update the one-time written notification if they ship the delisted waste into a different disposal facility.
*	*	* * * * *

TABLE 2.—WASTES EXCLUDED FROM SPECIFIC SOURCES

Facility	Address	Waste description
*	*	* * * * *
DuraTherm, Incorporated.	San Leon, Texas	Desorber Solids, (at a maximum generation of 20,000 cubic yards per calendar year) generated by DuraTherm using the treatment process to treat the Desorber solids, (EPA Hazardous Waste No. K048, K049, K050, and K051 and disposed of in a subtitle D landfill. DuraTherm must implement the testing program found in Table 1. Wastes Excluded From Non-Specific Sources, for the petition to be valid.
*	*	* * * * *

[FR Doc. 00–10038 Filed 4–21–00; 8:45 am]
BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR PART 11

[DA 00–755]

Emergency Alert System

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document revises part 11 of the Commission's rules governing the Emergency Alert System (EAS) to remove certain rule provisions which are obsolete and to make minor editorial revisions.

DATES: Effective April 24, 2000.

FOR FURTHER INFORMATION CONTACT: Kathy Berthot, Enforcement Bureau, Technical and Public Safety Division, (202) 418–1454.

SUPPLEMENTARY INFORMATION: This is a summary of the Order of the Commission's Managing Director, DA 00–755, adopted on March 31, 2000, and released on April 4, 2000. The complete text of this Order is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW, Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc., at 202–857–3800, CY–B400, 445 12th Street, SW, Washington, D.C.

The Order amends part 11 to remove references to the EAS authenticator lists, which have been discontinued by the Commission. The EAS authenticator lists were lists of words distributed annually by the Commission to the White House Communications Agency (WHCA), the Federal Emergency Management Agency (FEMA), and all EAS participants. The lists were used by EAS participants to authenticate national-level EAS messages prior to activation of the EAS. The Commission discontinued the EAS authenticator lists in 1998, after consultation with FEMA and WHCA, because the new EAS equipment which must be used by broadcast stations and cable operators can process EAS messages automatically without the need for human intervention and authentication.

Additionally, the Order removes references to the required weekly tests of the old Emergency Broadcast System Attention Signal from the part 11 rules because, effective January 1, 1997, broadcast stations are no longer required to conduct those tests. Furthermore, the Order makes minor editorial revisions to the part 11 rules to reflect the shift of responsibility for the EAS from the Commission's Compliance and Information Bureau, which has been eliminated, to the recently established Enforcement Bureau.

As the Order merely removes obsolete rule provisions and makes minor editorial revisions to the rules, the Commission finds good cause to conclude that notice and comment procedures are unnecessary. 5 U.S.C. 553(b)(3)(B). Since a general notice of proposed rulemaking is not required, the Regulatory Flexibility Act does not apply.

The actions taken in the Order have been analyzed with respect to the Paperwork Reduction Act of 1995 and found to impose no new or modified reporting and recordkeeping requirements or burdens on the public.

List of Subjects in 47 CFR Part 11

Radio, Television.

Federal Communications Commission.

Andrew S. Fishel,

Managing Director.

Rule Changes

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 11 as follows:

PART 11—EMERGENCY ALERT SYSTEM (EAS)

1. The authority citation for Part 11 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i) and (o), 303(r), 544(g) and 606.

§ 11.11 [Amended]

2. Section 11.11 is amended by removing footnotes 4 and 5 in the Timetable for Broadcast Stations.

§ 11.17 [Removed]

3. Section 11.17 is removed.

4. Section 11.21 is amended by revising the introductory text to read as follows:

§ 11.21 State and local area plans and FCC mapbook.

EAS plans contain guidelines which must be followed by broadcast and cable personnel, emergency officials and National Weather Service (NWS) personnel to activate the EAS. The plans include the EAS header codes and messages that will be transmitted by key EAS sources (NP, LP, SP and SR). State and local plans contain unique methods of EAS message distribution such as the use of RBDS. The plans must be reviewed and approved by the Chief, Technical and Public Safety Division, Enforcement Bureau, prior to implementation to ensure that they are consistent with national plans, FCC regulations, and EAS operation.

* * * * *

5. Section 11.41 is amended by revising paragraph (c) to read as follows:

§ 11.41 Participation in EAS.

* * * * *

(c) All sources, including NN, must have immediate access to an Operating Handbook. They should contact the FCC to ensure that they are on the FCC EAS mailing list.

6. Section 11.47 is amended by revising paragraph (b) to read as follows:

§ 11.47 Optional use of other communications methods and systems.

* * * * *

(b) Other technologies and public service providers, such as DBS, low earth orbiting satellites, etc., that wish to participate in the EAS may contact the FCC's Technical and Public Safety Division, Enforcement Bureau, or their State Emergency Communications Committee for information and guidance.

§ 11.54 [Amended]

7. Section 11.54 is amended by removing paragraph (b)(2) and redesignating paragraphs (b)(3) through (b)(15) as paragraphs (b)(2) through (b)(14).

8. Section 11.55 is amended by revising paragraph (c)(4) to read as follows:

§ 11.55 EAS operation during a State or Local Area emergency.

* * * * *

(c) * * *

(4) Broadcast stations, cable systems and wireless cable systems participating in the State or Local Area EAS must discontinue normal programming and follow the procedures in the State and Local area plans. Television stations must comply with § 11.54(b)(6) and cable systems and wireless cable systems must comply with § 11.54(b)(7). Broadcast stations providing foreign language programming shall comply with § 11.54(b)(8).

* * * * *

9. Section 11.61 is amended by removing paragraph (a)(2)(i), redesignating paragraphs (a)(2)(ii) through (a)(2)(v) as (a)(2)(i) through (a)(2)(iv), and revising paragraph (a)(6) to read as follows:

§ 11.61 Tests of EAS procedures.

(a) * * *

(6) EAS activations and special tests. The EAS may be activated for emergencies or special tests at the State or Local Area level by a broadcast station, cable system or wireless cable system instead of the monthly or weekly tests required by this section. To substitute for a monthly test, activation must include transmission of the EAS header codes, Attention Signal, emergency message and EOM code and comply with the visual message requirements in § 11.51. To substitute for the weekly test of the EAS header codes and EOM codes in paragraph (a)(2)(i) of this section, activation must include transmission of the EAS header and EOM codes. Television stations and cable systems and wireless cable systems shall comply with the aural and visual message requirements in § 11.51. Special EAS tests at the State and Local Area levels may be conducted on a daily basis following procedures in State and Local Area EAS plans.

* * * * *

10. Section 11.62 is amended by revising paragraphs (d) and (e)(2) to read as follows:

§ 11.62 Closed circuit tests of national level EAS facilities.

* * * * *

(d) Test announcements will originate from a point selected by the White House with program feed circuitry connected to the telephone company Toll Test Center at points coordinated for each test. Participating common carriers will connect, as required, the facilities of the radio networks and other test participants. Telephone companies are not authorized to add any participating independent broadcast stations unless authorized by the FCC. Authentication will be provided to the Toll Test Center or other program entry location responsible for test arrangements.

(e) * * *

(2) Recipients immediately monitor their radio network, and if participating, their television network or cable system, and check their wire service for the receipt of the CCT Activation Message.

* * * * *

[FR Doc. 00–10092 Filed 4–21–00; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000407096-0096-01; I.D. 040300C]

RIN 0648–AN51

Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 33 to the Northeast Multispecies Fishery Management Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule and 2000 target total allowable catch (TAC) levels.

SUMMARY: NMFS issues this final rule to establish 2000 target TACs for five Northeast multispecies fisheries and to implement measures contained in Framework Adjustment 33 of the Northeast Multispecies Fishery Management Plan (FMP). This final rule implements management measures that include the following:

A continuation of the current Gulf of Maine (GOM) cod trip limit and the current GOM area closures;

Two conditional 1-month closed areas (portions of Massachusetts Bay and Stellwagen Bank in January and Cashes Ledge in November), which would become effective if preliminary landings through July 31, 2000, indicate that more than 1.67 million lb (759 mt) of GOM cod have been landed;

A 1-year extension of the Western GOM year-round closure, which otherwise would expire on April 30, 2001;

The closure of a portion of Georges Bank (GB) east and southeast of Cape Cod during May to vessels fishing for multispecies and the removal of a regulatory provision that gave the Administrator, Northeast Region, NMFS (Regional Administrator), the authority to reduce the GB cod trip limit;

A continuation of the GB cod landing limit;

A haddock daily landing limit of 3,000 lb/days at sea (DAS) (1,360.8 kg/DAS) with a maximum possession limit of 30,000 lb (13,608 kg) per trip with potential increases in landing limits;

Establishment of a means to exempt for a 3-month period vessels fishing under charter/party regulations from regulations prohibiting fishing in GOM closed areas and of a prohibition on the use of DAS during that 3-month enrollment period; and

A prohibition on any limited access vessel from fishing under a multispecies DAS while taking passengers for hire.

Also, this action removes the requirement to report GOM cod trip limit overages by calling the cod hail line.

The intent of this action is to address overfishing of several stocks, in particular GOM and GB cod, and to achieve the rebuilding goals of the FMP for the 2000 multispecies fishing year.

DATES: Effective June 1, 2000, except §§ 648.10(f)(3)(ii), 648.14(a)(121), (b) introductory text, (b)(1), (c)(24), and (c)(30), 648.23(b)(4), 648.81(d) and (n), 648.86(a)(1), the removal of § 648.86(b)(1)(ii)(B) and (b)(1)(iii), and the revision of § 648.86(b)(2), which are effective May 1, 2000, and §§ 648.14(b)(2), 648.81(g)(2)(iii) and 648.89(e), which contain information collection requirements and are not effective until approved by the Office of Management and Budget (OMB). When OMB approval is received, the effective date of §§ 648.14(b)(2), 648.81(g)(2)(iii) and 648.89(e) will be announced in the **Federal Register**.

ADDRESSES: Copies of the Framework 33 document, its Regulatory Impact Review (RIR), the Environmental Assessment (EA), and other supporting documents for the framework action are available from Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. These documents are also available online at http://www.nefmc.org.

Comments regarding the collection-of-information requirements contained in this final rule should be sent to Patricia A. Kurkul, Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930–2298 and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20503 (Attention: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Richard A. Pearson, Fishery Policy Analyst, 978–281–9279.

SUPPLEMENTARY INFORMATION: Framework 33 was prepared by the New England Fishery Management Council (Council), under the rebuilding program established by Amendment 7 to the FMP. Amendment 7, which became effective on July 1, 1996, established a procedure for setting annual target TACs for GOM and GB cod, GB haddock, and GB and Southern New England (SNE) yellowtail flounder stocks and an aggregate TAC for the combined stocks of the other regulated multispecies simultaneously managed under the FMP. A Multispecies Monitoring Committee (MMC) was established to annually review the best available scientific information, set the annual target TACs, and identify management options to achieve FMP objectives for the regulated multispecies. The MMC annual review process provides an opportunity to evaluate the effectiveness of the multispecies management program and to make recommendations on the need for adjustments to the management program. Calculation of the annual TACs is based on the biological reference points of F_{max} for GOM cod and $F_{0.1}$ for the remaining stocks of cod, haddock, and yellowtail flounder. In consideration of the severely depleted status of GOM cod, the Council also directed the MMC to estimate a target TAC for GOM cod based on the more precautionary and conservative $F_{0.1}$ reference point. For the 1999 fishing year, the Council used the $F_{0.1}$ precautionary target as a goal to assure that the F_{max} target was not exceeded. For the 2000 fishing year, the Council directed the MMC to estimate $F_{0.1}$ for reference purposes. The adoption of measures designed to achieve a fishing mortality rate of $F_{0.1}$ would increase the likelihood of actually achieving the target of F_{max}.

The last full assessment of the five principal stocks managed under Amendment 7 was Stock Assessment Workshop 27 (SAW 27). The SAW 27 results were presented to the Council in August 1998. In July 1999, the SAW Northern Demersal Working Group (NDWG) met and prepared an updated assessment with data through 1998 for 11 groundfish stocks, including GOM and GB cod, GOM haddock, and GB and SNE yellowtail flounder. The MMC utilized the NDWG assessment results as the technical basis for its 1999 annual report to estimate the TACs for the five primary stocks and to develop the management options contained in the report.

In summary, the MMC report concluded that fishing mortality rates (F) on GOM cod and GB cod need to be reduced from calendar year 1998 fishing mortality rates for those species in order to achieve the Amendment 7 F targets. The 1998 GOM cod fishing mortality rate was 0.64, compared with the Amendment 7 mortality rate target of 0.27. The fishing mortality rate on GB cod was 0.26 in calendar year 1998, as opposed to the target rate of 0.18.

The Amendment 7 target levels do not reflect the Sustainable Fisheries Act (SFA) requirements. A management program for Atlantic cod (GOM and GB), haddock (GOM and GB), pollock, redfish, white hake, yellowtail flounder (GB, SNE, Mid-Atlantic and Cape Cod), windowpane flounder (north and south), winter flounder (GB, GOM, SNE/Mid-Atlantic), American plaice, white flounder, and Atlantic halibut that will meet the SFA requirements is currently being developed and analyzed as part of Amendment 13 to the Northeast Multispecies FMP.

Based on projected 2000 stock sizes and the Amendment 7 fishing mortality targets, the MMC proposed target TACs for the 2000 fishing year for the five primary stocks managed under Amendment 7 (GOM cod, GB haddock, GB cod, GB yellowtail flounder, and SNE yellowtail flounder). The MMC also provided an $F_{0.1}$ target TAC for GOM cod for reference purposes. An aggregate target TAC for the remaining regulated multispecies was not provided in the 1999 MMC annual report, and the Council did not include an aggregate target TAC in the Framework 33 document. The target TACs for the 2000 fishing year, as proposed by the MMC, are as follows:

(IN METRIC TONS)

Species/area	2000 Target TACs	1999 Target TACs
Georges Bank cod	4,145	5,354
Georges Bank haddock	6,252	5,600
Georges Bank yellowtail flounder	4,618	2,725
Southern New England yellowtail flounder	951	1,115
Gulf of Maine cod (F_{max})	1,918	1,340
Gulf of Maine cod ($F_{0.1}$)	1,118	782

To keep the target TACs from being exceeded, the MMC also provided the Council with four specific management options to achieve the GOM cod target TAC and with five alternative options to achieve the GB cod target TAC. The MMC GOM and GB cod options were based on DAS reductions, trip limits, area closures, and gear reductions in various combinations. These options relied, to a large extent, upon a continuation of many of the measures that were implemented for the 1999 multispecies fishing year under Framework Adjustments 27, 30, and 31.

The MMC report also contained options and recommendations for management of the recreational fishery, the haddock fishery, and other elements of the FMP.

In addition to the MMC recommendations, in September 1999, the Council also solicited proposals from the public. Six proposals were received from state and industry groups in response to this solicitation for initial consideration for Framework 33.

Following review, a proposal submitted by the Gulf of Maine Fishermen's Alliance (GOMFA) was recommended by the Groundfish Committee and the Council for subsequent analysis and inclusion as an option in the final Framework 33 document. The remaining industry proposals were consolidated into a single proposal by the Groundfish Committee, and this consolidated proposal was recommended by the Council for subsequent analysis and inclusion in the final Framework 33 document. Ultimately, four GOM cod proposals were included for analysis in the final Framework 33 document. These included two of the MMC options: the GOMFA option and the consolidated industry proposal.

The Council considered management measures for GOM cod, GB cod, and haddock separately in Framework 33. The Council also included measures in Framework 33 to regulate access to GOM closed areas by vessels that fish under charter/party regulations in order to prohibit the use of multispecies DAS when carrying passengers for hire and to change the Multispecies Large Mesh Permit Category qualification criteria and enrollment period.

There were several multispecies actions during the 1999 fishing year that modified the landing limits, area closures, and calculation of the allowance for trip limit overages: Framework 27 published on May 5, 1999 (64 FR 24066); an interim rule published on August 3, 1999 (64 FR 42042); Framework 30 published on August 3, 1999 (64 FR 42045); and Framework 31 published on January 5, 2000 (65 FR 377). A key reason why the MMC recommended, and the Council adopted, the measures in Framework 33 was to achieve the FMP fishing mortality objectives while maintaining some stability in the multispecies management program.

GOM Cod Measures

The most recent assessment of the status of GOM cod uses data from 1998. The status is similar to that in 1997: Recruitment is at record low levels, and spawning stock biomass is at the lowest level ever observed. However, the actual reduction in spawning stock biomass in 1999 was not as large as the 37–percent reduction predicted in the 1998 MMC report. A sensitivity analysis conducted by the MMC indicated that, if discarding did not appreciably increase in 1999, the 1999 GOM cod fishing mortality rate may be approaching the Amendment 7 target level.

In light of the extremely dire condition of GOM cod, the Council has progressively adopted more restrictive measures in the GOM to protect cod. These measures may be beginning to have the effect of reversing the downward trend in abundance of GOM cod. However, without reliable data on discarding and additional analysis of recent survey trawl data, it is currently not possible to be certain whether the measures are having such an effect. For this reason, in the annual report, the MMC recommended that the Council, at a minimum, continue with the current suite of measures in the GOM and also adopt additional measures to address discards and to help attain mortality objectives. The MMC's rationale for this recommendation, similar to its rationale for its recommendations for 1999, was that the adoption of measures designed to achieve a fishing mortality rate of $F_{0.1}$ would increase the likelihood of actually achieving the target of F_{max}.

The Council considered four options for GOM cod: The two MMC options, the GOMFA option, and the consolidated industry proposal. Upon analysis, the Groundfish Plan Development Team (PDT) determined that the GOMFA proposal and the consolidated industry proposal resulted in landings above the TAC associated with F_{max} for GOM cod. Therefore, the Groundfish Committee and the Council focused their discussion on the two MMC options.

After due consideration, the Council rejected the MMC option that contained layover days and approved the MMC option that (1) included the existing method of counting DAS; (2) continued the area closures implemented in fishing year 1999; (3) extended for 1 year the WGOM closed area (originally scheduled to expire on May 1, 2001); (4) maintained the GOM daily cod landing limit of 400 lb/DAS (181.4 kg/DAS) with a maximum possession limit of 4,000 lb (1,814.4 kg) per trip; and (5) recommended the conditional closure of Cashes Ledge in November 2000, and a portion of Massachusetts Bay and Stellwagen Bank in January 2001, if preliminary landings data through July 31, 2000, indicate that more than 1.67 million lb (759 mt) of GOM cod have been landed.

The Council adopted the conditional closure strategy to discourage directed fishing on GOM cod during the first 3 months of the fishing year and to provide additional protection for GOM cod during early spawning aggregations if landings are high early in the year. The trigger (1.67 million lb (759 mt)) is established at a level that is 50 percent of the TAC midway between the TACs associated with $F_{0.1}$ and F_{max}. It is not set at such a low level that the conditional closures are a certainty. In order to rebuild the stock, the MMC, in recent years, has consistently recommended that there be no directed fishing on GOM cod. If commercial vessels make a conscientious effort to avoid directing effort on GOM cod, then the trigger level may not be achieved. On the other hand, if early GOM cod landings are high, the additional closures will provide essential protection to early spawning aggregations next January. In addition, a triggered closure is preferable to a triggered trip limit reduction because it does not create the discard problems that occurred last year with the lower GOM cod trip limits.

Although recent data indicate that the fishing mortality rate associated with landings of GOM cod for the 1999 fishing year may be approaching F_{max}, the actual mortality could exceed F_{max} if discarding was excessive in 1999. Because the fishing industry indicated that high discards occurred, it is prudent to establish the conditional closures to provide greater assurance of achieving the 2000 fishing mortality objectives, in light of existing uncertainty regarding the discard mortality that occurred in 1999.

GB Cod Measures

Framework 33 and this rule extend the current GB cod daily landing limit of 2,000 lb/DAS (907.2 kg/DAS), with a maximum possession limit of 20,000 lb (9,072 kg) per trip. Framework 33 and this rule also close an area to the east and southeast of Cape Cod to fishing for multispecies during the month of May. This area closure is intended to compensate for the removal in Framework 33 of the regulatory provision that gave the Regional Administrator the authority to reduce the GB cod trip limit in order to achieve the GB cod mortality objective.

Haddock Measures

In response to the continued growth in the GB haddock biomass projected for the fishing year starting May 1, 2000, and the below-target fishing mortality rate on that stock, Framework 33 and this rule increases the haddock daily landing limit during the May-September period to 3,000 lb/DAS (1,360.7 kg/DAS), or part of a DAS, with a maximum possession limit of 30,000 lb (13,608 kg) per trip. The daily landing limit will increase on October 1, 2000, to 5,000 lb/DAS (2,268 kg/DAS), with a maximum possession limit of 50,000 lb (22,680 kg) per trip. If, at any time during the fishing year, the Regional Administrator determines that a different trip limit is needed to land at least 75 percent of the target TAC, but not to exceed the TAC, NMFS may adjust the trip limit to the appropriate level by publishing a notification in the **Federal Register**.

Measures Regarding Access to GOM Closed Areas by Vessels Fishing Under Charter/party Regulations

The regulations implementing Amendment 7 to the FMP for the recreational and charter/party multispecies fishery differ from those for the commercial sector fishery. These rules included a larger minimum fish size, a prohibition on the sale of fish, and an exemption for vessels fishing under charter/party regulations from commercial trip limits and area closure restrictions.

The Council indicated concern about the application of the regulations to vessels fishing as charter/party vessels that have also qualified for multispecies limited access permits. These vessels may either fish commercially under a DAS and other commercial regulations, including a smaller minimum fish size and the ability to sell the catch, or fish under charter/party regulations. This is problematic because a vessel with a limited access permit fishing under charter/party regulations could fish as a charter/party vessel in a closed area, with no trip limit, on one day. Then, on the next day, the same vessel could fish under a DAS and, subsequently, sell the fish that were caught by fishing in the closed area on the previous day.

The Council seeks to alleviate the problem of commercial vessels switching to fishing under charter/party regulations by requiring charter/party vessels to obtain a certificate in exchange for access to the GOM closed areas. The Council considered three different options regarding the enrollment period for the certificate and recommended a 3-month enrollment period. As a condition of the certificate, the vessel owner must agree not to utilize DAS during the 3 months covered by the certificate. NMFS approved these recommendations in Framework 33 and implements them by this rule.

Prohibition on the Use of DAS When Carrying Passengers for Hire

The Council indicated that the ability of some vessels to carry passengers for hire while simultaneously fishing under limited access permits and under a DAS created a perceived inequity among charter/party vessels fishing in the same area and out of the same ports because charter/party vessels without limited access permits could not all avail themselves of the opportunity to fish commercially. Accordingly, to resolve the issue of which vessels may fish under the commercial regulations, the Council determined that it is appropriate to distinguish between vessels with passengers for hire and other, more traditional, commercial vessels. To do this, the Council recommended a measure in Framework 33 that prohibits vessels with limited access multispecies permits from fishing under a multispecies DAS while taking passengers for hire. NMFS approved this recommendation and implements it by this rule.

Disapproved Measure for Change in Large Mesh Permit Category

Amendment 7 to the Northeast Multispecies FMP established a Large Mesh Permit Category that provides an opportunity for gillnet and otter trawl vessels electing to fish with mesh larger than the minimum required size to be allocated an increase of 36 percent in their DAS. Otter trawl vessels in this permit category must fish with a mesh size no smaller than an 8–inch (20.3–cm) diamond mesh throughout the entire net. Currently, no trawl vessels are in the Large Mesh Permit Category.

Framework 33 includes a provision that would have reduced the minimum mesh size for otter trawl vessels fishing in the Large Mesh Permit Category from 8–inch (20.3–cm) to 7–inch (17.8–cm) and that would have reduced the DAS incentive from 36 percent additional DAS to 25 percent. Both gillnet and otter trawl vessels in this category would be able to exit this category after 1 month under Framework 33, rather than having to commit to it for the entire fishing year, as currently required.

NMFS believes that making the Large Mesh Permit Category more attractive for trawl vessels is a reasonable objective. However, no scientific analysis was provided in Framework 33 to correlate a 7–inch (17.8–cm) minimum trawl mesh size with a corresponding 25–percent increase in allocated DAS. The Framework document indicates this is because of the lack of selectivity data for 7–inch (17.8–cm) and 8–inch (20.3–cm) trawl net codend mesh sizes and because of the inability to predict the level of participation that might occur as a result of this change. For these reasons, the Framework 33 document states that the net impact on fishing mortality cannot be determined at this time.

NMFS has disapproved this measure because it may not be conservation-neutral and, therefore, would not be consistent with national standard 1. There is currently not enough information on the potential biological impacts to justify the approval of a measure that could have the effect of increasing effort, or DAS, at a time when two important stocks require a reduction in fishing mortality. Under the annual adjustment framework procedures, this measure may be disapproved because it is not integral to either the overall set of measures recommended by the Council or the analysis of impacts prepared for this rule.

Technical Changes

The implementation of the interim rule published on August 3, 1999 (64 FR 42042), and regulations for Framework Adjustment 31 published on January 5, 2000, (65 FR 377), render the GOM cod landing limit hail line unnecessary and is removed by this rule. The final rule implementing Framework Adjustment 20 (62 FR 15381, April 1, 1997) implemented a measure to allow vessel operators who exceeded the landing limit of cod to retain excess fish but not to call-out of the multispecies DAS program until total DAS per trip corresponded to the total allowable weight of cod off-loaded per trip. There was only an indirect limit on the running clock, which required vessels to call-out of the DAS program after 14 days. Vessels that exceeded the cod landing limit were required to report their hailed weight of cod on board under a separate call-in system upon entering port. Interim regulations published August 3, 1999 (64 FR 42042), and made permanent by a final rule implementing Framework 31 (65 FR 377, January 5, 2000) implemented measures that revised the method used to count DAS in relation to the daily GOM cod trip limit and limited the amount of allowed overage to the equivalent of 1 day's landing limit. Because the running clock is now limited to no more than a 24–hour period, the requirement to call the GOM cod landing limit hail line is no longer necessary and is removed by this rule. Accordingly, to eliminate the hail line, §§ 648.10(f)(3)(ii) and 648.14(c)(24) are amended; § 648.86(b)(1)(ii)(B) is removed and reserved; and § 648.86(b)(1)(iii) is removed.

In § 648.14(b), a reference to a letter of authorization that has not been available since 1998 is removed by this rule.

In § 648.14(c), a reference to a letter of authorization that has not been available since 1998 is removed by this rule.

In § 648.80(h)(2), the requirement for combination vessels to comply with all of the trip limits specified in § 648.80, unless otherwise restricted by § 648.86, has been modified to reflect the restriction added to § 648.86 by the recently implemented halibut trip limit. Due to an oversight, this modification was not made in the regulations when the halibut trip limit was originally implemented (64 FR 55821, October 15, 1999).

Abbreviated Rulemaking

NMFS is making these revisions to the regulations under the framework abbreviated rulemaking procedure codified at 50 CFR part 648, subpart F. This procedure requires the Council, when making specifically allowed adjustments to the FMP, to develop and analyze the actions over the span of at least two Council meetings at which comments are accepted. The Council must provide the public with advance notice of both the framework proposals and the associated analysis and provide an opportunity to comment upon them specifically before and during the second Council meeting. Upon review of the analysis and public comment, the Council may recommend to the Regional Administrator that the measures be published as a final rule or, if additional public comment is necessary, as a proposed rule. The initial and final meetings for Framework 33 were on November 16–19, 1999, and January 18–20, 2000, respectively. The Council's Groundfish Committee and Industry Advisory Panel also held joint meetings and took public comment on the proposals on November 10–11 and December 13, 1999. The Industry Advisory Panel and Groundfish committee also met separately on January 13 and 14, 2000, respectively.

Documents summarizing the Council's proposed action and the analysis of biological, economic, and social impacts of this and alternative actions were available for public review 1 week before the final meeting, as required under the framework adjustment process. Written comments were accepted up to, and during, that meeting. A summary of oral and written comments received by the Council during the time period when Framework Adjustment 33 was being developed, and responses thereto, follow.

Comments and Responses

Comment 1: Several fishing industry members and industry representatives supported the GOMFA Option for GOM cod (Option 4) because, by opening certain areas to fishing, it provided a greater opportunity for inshore vessels to fish on other regulated multispecies with reduced cod bycatch. They also commented that the GOMFA proposal would reduce fishing effort in important inshore grounds during the cod spawning season by limiting DAS or trips to 25 from February through May.

Response: The Council considered Option 4, but rejected it because the analysis indicated the measures would result in GOM cod landings above the target TAC. The Council provided the proponents of this option several opportunities to modify the measures so that it could achieve the FMP objectives. The final version of the proposal did not meet the conservation goals of the FMP.

Comment 2: Several fishing industry members, industry representatives, and elected officials from the City of Gloucester expressed support for continuing the 1999 fishing year measures for GOM cod without the conditional closures. They expressed concern regarding the impacts of any additional closures on the City of Gloucester.

Response: In order to evaluate these concerns, a supplemental examination of a study fleet was conducted by NMFS to assess vessel gross revenues from species harvested both inside and outside the GOM. The study fleet was composed of vessels from Gloucester for the fishing years 1995 to 1998. The study concluded that the overall number of trips and vessels declined during the study period. Sixteen vessels exited the fishery for unknown reasons, possibly as a result of the buyout program, unseaworthiness, or economic insolvency. Similarly, the total number of trips declined each year. However, unlike the downward trend in numbers of vessels, trips, and average revenue for the vessels in the study fleet for the entire time period increased by about 6 percent. The increased vessel revenues were primarily derived from species in other areas outside the GOM. Over the study period, the contribution of multispecies from other areas to average vessel revenues rose from 18 percent to 43 percent, while the contribution of GOM multispecies to average vessel revenues correspondingly decreased from 52 percent to 33 percent. The study also indicated that for vessels less than or equal to 45 ft (13.7 m) in length, average revenue per vessel declined by about 8.5 percent during the study period.

The study results indicate that, overall, Gloucester vessels have been able to compensate for management measures implemented in the past 4 years by increasing the amount of revenue obtained from species in stock areas outside the GOM. However, smaller vessels, which have more limited mobility, are less able to fish outside the GOM and, thus, were not able to compensate as well by fishing in other stock areas.

Comment 3: Members of the fishing industry, including the Council's Industry Advisory Panel, recommended that the Council not change the method of counting DAS on the first day of a trip to count any fishing trip less than 24 hours automatically as either 15 hours or 24 hours. The commenters were concerned about the uneven distribution of impacts between day

boats and trip boats as a result of this proposal.

Response: The Council considered these comments, as well as available analysis, and decided not to change the method of counting DAS at this time. The Council noted that it may consider the concept further in Amendment 13, as recommended by the Industry Advisory Panel.

Comment 4: Several fishing industry members commented that the layover days proposed in the MMC Option (Option 1) were unfair because the proposal would impact some sectors of the fleet, while having minimal impact on other sectors. They noted that, while the measure was intended to reduce excessive fishing during periods when GOM cod are most readily available, it would also impact vessels fishing in the GOM that do not catch significant amounts of cod. They also raised safety concerns with layover days during November and December because it could create longer trips. These commenters supported the area closure options in MMC Option 2 that would be focused on the times and areas where cod is caught.

Response: Based on these public comments, the Council rejected the layover-day option in MMC Option 1 and adopted Option 2, which includes conditional area closures to prevent exceeding the target TAC.

Comment 5: Several recreational fishermen and recreational fishing associations and clubs urged the Council not to further restrict recreational fishing. They stated that until the fishing effort on the commercial sector was sufficiently controlled and no longer exceeded the target TAC, restrictions on the recreational sector were not justified. They also stated that the recreational sector had achieved its reductions. On the same subject, several commercial industry members commented that it is unfair and contrary to the rebuilding strategy of the FMP to allow party and charter vessels, which they considered to be commercial vessels, to fish in the closed areas, particularly during the spawning season. They noted that the current regulations make it too easy for vessels to fish as party or charter vessels in the closed areas and, then, sell their catch.

Response: The Council considered the best data available on the recreational and charter/party sector and determined that additional restrictions on the recreational harvest are not warranted at this time, largely because reductions in recreational landings, in terms of numbers of cod, appear to be relatively consistent with reductions in commercial landings to date. Effort from the recreational sector has not increased in recent years. However, in response to these concerns, the Council adopted a requirement for charter/party vessels to obtain a letter of authorization that allows these vessels to gain access to the GOM closed areas for a minimum of 3 months. During this 3-month period, a charter/party vessel may not fish under a DAS, and is, therefore, prohibited from selling any of the regulated multispecies.

Comment 6: Several individuals and the Industry Advisory Panel members questioned the appropriateness of the proposed 36–percent increase in allocated DAS for otter trawl vessels that enroll in the Large Mesh Permit Category when the minimum mesh size would have been reduced from 8 inches (20.3 cm) to 7 inches (17.7 cm). They commented that the proposal may result in an increase in fishing mortality.

Response: The Council modified its original proposal so that otter trawl vessels in the Large Mesh Permit Category would receive a 25–percent increase in allocated DAS rather than a 36–percent increase. NMFS has subsequently disapproved the measure due to a lack of information on the effect of this measure on fishing mortality.

Classification

The Regional Administrator determined that this annual framework adjustment to the Northeast Multispecies FMP is necessary for the conservation and management of the Northeast multispecies fishery and that it is consistent with the Magnuson-Stevens Act and other applicable laws.

The Assistant Administrator for Fisheries, NOAA (AA), finds that, because public meetings held by the Council to discuss the management measures implemented by this rule provided adequate prior notice and opportunity for public comment, further notice and opportunity to comment on this rule is unnecessary. Because of the need to reduce or maintain fishing mortality rates below the Amendment 7 rebuilding targets at the start of the fishing year on May 1, 2000, it would also be contrary to the public interest to provide further notice and further opportunity for public comment. Also, because the technical amendments to the rule merely remove outdated regulatory text and add cross-references to the recently implemented halibut trip limit that were inadvertently left out of the rule implementing that trip limit, they do not effect a substantive change to the existing regulations; thus, prior notice and opportunity for public comment are unnecessary. Therefore, the AA, under 5 U.S.C. 553(b)(B), finds good cause to waive prior notice and opportunity for public comment on this rule.

The AA finds, under 5 U.S.C. 553(d)(1), that it is unnecessary to delay for 30 days the effective date of provisions increasing the haddock trip limit and removing the requirement to report GOM cod trip limit overages to the cod hail line because they relieve restrictions. The haddock landing limit was increased during fishing year 1999 from 2,000 lb/DAS (907.2 kg/DAS), with a maximum possession limit of 20,000 lb (9.071.8 kg) per trip, to a haddock landing limit of 5,000 lb/DAS (2,268 kg/DAS), with a maximum possession limit of 50,000 lb (22,680 kg) per trip, for the period November 5, 1999, through April 30, 2000. However, beginning on May 1, 2000, the haddock trip limit reverts to 2,000 lb/DAS (907.2 kg/DAS), with a maximum possession limit of 20,000 lb (9.071.8 kg) per trip. To implement Framework 33, this rule relieves a restriction by increasing the landing limit to 3,000 lbs/DAS (2,268 kg/DAS), with a maximum possession limit of 30,000 lb (13,680 kg) per trip. With the recent modifications to the running clock provision (64 FR 42042, August 3, 1999, and 65 FR 377, January 5, 2000), the requirement to call the cod hail line is no longer necessary. Because increasing the haddock landing limits and removing the requirement to call the cod hail line relieve restrictions, the AA finds, under 5 U.S.C. 553(d)(1), that it is not necessary to delay for 30 days the effectiveness of the revised haddock landing limits in §§ 648.86(a)(1)(i) through (iii) and related prohibition in § 648.14(b)(1), and the revisions to §§ 648.10(f)(3)(ii), and 648.14(c)(24); and the removal of § 648.86(b)(1)(ii)(B) and (b)(1)(iii).

Implementation of the GB Seasonal Area Closure contained in § 648.81(n) for the month of May effective on May 1, 2000, is necessary to reduce the risk of exceeding the target TAC and to increase the likelihood of achieving GB cod mortality objectives. Fishermen will be notified of the GB Seasonal Area Closure and of the continuation of the GB cod possession limits via NOAA weather radio, Coast Guard announcements, and letters to permit holders. Also effective on May 1, 2000, are related transiting and stowage provisions for the GB Seasonal Area Closure contained in §§ 648.23(b)(4) and 648.81(d) and related prohibitions contained in § 648.14(a)(121) and (c)(30). Implementation of those provisions at the same time as the closure is necessary for enforcement of that closure. In addition, the GB

Seasonal Area Closure is intended to compensate for this rule's removal of the regulatory provision that gave the Regional Administrator the authority to reduce the GB cod trip limit in order to achieve the GB cod mortality objective. Because this removal of the Regional Administrator's authority does not affect the public and is counterbalanced by another provision promoting the conservation of cod, delaying the removal of that authority is unnecessary. Therefore, the AA finds good cause under 5 U.S.C. 553(d)(3) not to delay for 30 days the effectiveness of the GB Seasonal Area Closure contained in § 648.81(n) and in related transiting and stowage provisions and prohibitions and the removal of the Regional Administrator's authority to reduce the GB cod trip limit contained in § 648.86(b)(2).

Because prior notice and opportunity for public comment are not required for this rule by 5 U.S.C. 551 *et seq.*, or any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, are inapplicable. Consequently, a regulatory flexibility analysis has not been prepared. Nevertheless, the socioeconomic impacts on affected small entities were considered in the Regulatory Impact Review (RIR) contained in the supporting analysis for Framework 33. Also, various alternatives that would have different impacts on various fleet sectors and fishing communities were taken into consideration by the Council, consistent with national standard 8 of the Magnuson-Stevens Act. In addition, in response to public comments, NMFS examined a study fleet in Gloucester, MA, to assess the impacts of recent management measures on vessel revenues.

The short-term impacts of the measures were summarized in the RIR. Virtually all entities affected by this rule are small entities. No change in revenues and costs are expected from 1999 as a result of a continuation of the existing GOM closures and landing limits for the fishing year 2000. If the conditional GOM cod closures are implemented, the analysis indicates that a reduction in fleet revenues ranging from $161,600 (if 75 percent of the fishing trips are redirected into other open areas), to $646,500 (if vessels do not redirect any effort into other open areas) will occur. Reauthorization of the WGOM closure for an additional year will result in a potential fleet revenue loss, ranging between $1.8 million (if 75 percent of the fishing trips are redirected into other open areas) and $7.4 million (if vessels do not redirect any effort into other open areas). The analysis also indicated that, if the WGOM area were reopened, other restrictions on catch and effort would likely be required. The GB Seasonal Area Closure in May will result in a total revenue decline for groundfish vessels between $0.3 million (if 100 percent of the fishing trips are redirected into other open areas) and $4.1 million (if vessels do not redirect any effort into other open areas). The analysis of the economic impact of the requirement for charter/party vessels to obtain a letter of authorization to fish in GOM closed areas indicates that one vessel would lose 7 percent of its annual income. The prohibition on vessels fishing under a DAS when carrying passengers for hire could have negative impacts, but the magnitude could not be quantified. The haddock trip limit and TAC increases provide an opportunity for increased revenues because it would allow fishermen to land more fish, but the extent of the increase was not quantifiable.

Notwithstanding any other provision of law, no person is required to respond to nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a currently valid OMB control number.

This rule contains a collection-of-information requirement subject to the PRA. This collection-of-information requirement has been submitted to OMB for approval. The estimated time per response for a telephone call to request a Multispecies Charter/party GOM Closed Area Exemption Certificate is 2 minutes. The estimated total annual cost to the public is $264.00 (528 respondents X $.50) for the telephone call.

Public comment is sought regarding 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; the accuracy of the burden estimate; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information, including the use of automated collection techniques or other forms of information technology. Send comments regarding these reporting burden estimates or any other aspect of the collection of information, including suggestions for reducing the burden, to NMFS and OMB (see **ADDRESSES**).

This final rule has been determined to be not significant for the purposes of E.O. 12866.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and Recordkeeping requirements.

Dated: April 12, 2000.

Andrew A. Rosenberg,

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 648.10, paragraph (f)(3)(ii) is revised to read as follows:

§ 648.10 DAS notification requirements.

* * * * *

(f) * * *

(3) * * *

(ii) A vessel subject to the cod landing limit restriction specified in § 648.86(b)(1)(i) that exceeds or is expected to exceed the allowable limit of cod based on the duration of the trip must enter port no later than 14 DAS after starting a multispecies DAS trip. Such vessel must remain in port, unless for transiting purposes as allowed in § 648.86(b)(3), until sufficient time has elapsed to account for and justify the amount of cod on board in accordance with § 648.86(b)(1)(ii), and may not begin its next fishing trip until the vessel has called out of the multispecies DAS program to end its trip.

3. In § 648.14, paragraphs (a)(52), (b), and (c)(24) are revised; paragraph (c)(31) is redesignated as paragraph (c)(27); newly redesignated paragraph (c)(27) is revised; and paragraphs (a)(121), and (c)(28) through (c)(31) are added to read as follows:

§ 648.14 Prohibitions.

(a) * * *

(52) Enter, be on a fishing vessel in, or fail to remove gear from, the EEZ portion of the areas described in § 648.81 (g)(1) through (i)(1), and (o)(1) if effective during the time periods specified, except as provided in § 648.81(d), (g)(2), (h)(2), and (i)(2).

* * * * *

(121) Enter, be on a fishing vessel in, or fail to remove gear from, the EEZ portion of the areas described in § 648.81(n) during the time periods specified, except as provided in § 648.81(d) and (n)(2).

(b) In addition to the general prohibitions specified in § 600.725 of this chapter and in paragraph (a) of this section, it is unlawful for any owner or

operator of a vessel holding a valid multispecies permit, or any person issued an operator's permit or issued a letter under § 648.4(a)(1)(i)(M)(*3*), to do any of the following:

(1) Land, or possess on board a vessel, more than the possession or landing limits specified in § 648.86(a), (b), (c), (d), and (e), or to violate any of the other provisions of § 648.86, unless otherwise specified in § 648.17.

(2) If the vessel has been issued a charter/party permit or is fishing under charter/party regulations, fail to comply with the requirements specified in § 648.81(g)(2)(iii) when fishing in the areas described in § 648.81(g)(1) through (i)(1), and (o)(1) if it becomes effective, during the time periods specified in those sections.

(c) * * *

(24) Enter port, while on a multispecies DAS trip, in possession of more that the allowable limit of cod specified in § 648.86(b)(1)(i), unless the vessel is fishing under the cod exemption specified in § 648.86(b)(4). Under no circumstances may such trip exceed 14 days in length.

* * * * *

(27) Possess or land per trip more than the possession or landing limit specified under § 648.86(c).

(28) Participate in the DAS program pursuant to § 648.82 when carrying passengers for hire on board the vessel during any portion of a fishing trip.

(29) Enter, be on a fishing vessel in, or fail to remove gear from, the areas described in § 648.81(g)(1) through (i)(1), and paragraph (o)(1) if it becomes effective, during the time periods specified, except as provided in § 648.81(d), (g)(2), (h)(2) and (i)(2).

(30) Enter, be on a fishing vessel in, or fail to remove gear from, the areas described in § 648.81(n) during the time periods specified, except as provided in § 648.81(d) and (n)(2).

(31) If the vessel has been issued a Charter/Party permit or is fishing under charter/party regulations, fail to comply with the requirements specified in § 648.81(g)(2)(iii) when fishing in the areas described in § 648.81(g)(1) through (i)(1), and (o)(1) if it becomes effective, during the time periods specified in those sections.

* * * * *

4. In § 648.23, paragraph (b)(4) is revised to read as follows:

§ 648.23 Gear restrictions.

* * * * *

(b) * * *

(4) On-reel stowage for vessels transiting the GOM Rolling Closure Areas, the GB Seasonal Area Closure, and the Conditional Gulf of Maine Rolling Closure Area.

* * * * *

5. In § 648.80, paragraph (h)(2) is revised to read as follows:

§ 648.80 Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

(h)* * *

(2) Combination vessels fishing under a NE multispecies DAS are subject to the gear restriction specified in § 648.80 and may possess and land unlimited amounts of regulated species, unless otherwise restricted by § 648.86. Such vessels may simultaneously fish under a scallop DAS.

* * * * *

6. In § 648.81, paragraphs (d), (g)(1)(vi), (g)(2)(iii), and (i)(1) are revised, and paragraphs (n) and (o) are added to read as follows:

§ 648.81 Multispecies closed areas.

* * * * *

(d) *Transiting*. Vessels may transit Closed Area I, the Nantucket Lightship Closed Area, the GOM Rolling Closure Areas, the Cashes Ledge Closure Area, the Western Gulf of Maine Closure Area, the Georges Bank Seasonal Area Closure, and the Conditional Cashes Ledge and Gulf of Maine Rolling Closure Areas (if applicable), as defined in paragraphs (a)(1), (c)(1), (f)(1), (g)(1), (h)(1), (i)(1), (n)(1), and (o)(1), respectively, of this section, provided that their gear is stowed in accordance with the provisions of paragraph (e) of this section.

* * * * *

(g) * * *

(1) * * *

(vi) *Rolling Closure Area VI*. From February 1 through February 28, or February 29 if applicable, the restrictions specified in paragraph (g)(1) of this section apply to Rolling Closure Area VI, which is the area bounded by the straight lines connecting the following points in the order stated:

ROLLING CLOSURE AREA VI

[February 1 - February 28]

Point	N. Lat.	W. Long.(1)
GM1	42°00'	(2)
GM2	42°00'	(3)
GM3	42°00'	(4)
GM4	42°00'	70°00'
GM8	42°30'	70°00'
GM9	42°30'	(2)

1 or other intersecting line:
2 Massachusetts shoreline
3 Cape Cod shoreline on Cape Cod Bay
4 Cape Cod shoreline on the Atlantic Ocean

(2) * * *

(iii) That are fishing under charter/party or recreational regulations, provided that—

(A) For vessels fishing under charter/party regulations, it has on board a letter of authorization issued by the Regional Administrator, which is valid for a minimum enrollment period of 3 months;

(B) Fish harvested or possessed by the vessel are not sold or intended for trade, barter or sale regardless of where the fish are caught;

(C) The vessel has no gear other than rod and reel or handline gear on board; and

(D) The vessel does not use any DAS during the entire period of enrollment.

* * * * *

(i) *Western GOM Area Closure*. (1) From May 1, 1998, through April 30, 2002, no fishing vessel or person on a fishing vessel may enter, fish in, or be in and no fishing gear capable of catching multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as the Western GOM Area Closure (a chart depicting this area is available from the Regional Administrator upon request, see Table 1 to § 600.502 of this chapter), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (d) and (i)(2) of this section:

WESTERN GOM AREA CLOSURE

Point	N. Lat.	W. Long.
WGM1	42°15'	70°15'
WGM2	42°15'	69°55'
WGM3	43°15'	69°55'
WGM4	43°15'	70°15'
WGM1	42°15'	70°15'

* * * * *

(n) *Georges Bank Seasonal Closure Area*. (1) From May 1 through May 31, no fishing vessel or person on a fishing vessel may enter, fish in, or be in, and no fishing gear capable of catching multispecies, unless otherwise allowed in this part, may be in the area known as the Georges Bank Seasonal Closure Area as defined as the straight lines connecting the following points in the order stated, except as specified in paragraphs (d) and (n)(2) of this section:

GEORGES BANK SEASONAL CLOSURE AREAS

[May 1 - May 31]

Point	N. Lat.	W. Long.
GB1	42°00'	(1)
GB2	42°00'	67°20'
GB3	41°30'	67°20'

GEORGES BANK SEASONAL CLOSURE AREAS—Continued

[May 1 - May 31]

Point	N. Lat.	W. Long.
GB4	41°30'	69°23'
GB5	(2)	69°00'
GB6	41°00'	69°00'
GB7	41°00'	70°00'
GB1	42°00'	(1)

[1] Cape Cod shoreline on Atlantic Ocean.
[2] Western boundary of Closed Area 1.

(2) Paragraph (n)(1) of this section does not apply to persons on fishing vessels or to fishing vessels:

(i) That meet the criteria in paragraph (g)(2)(i) or (ii) of this section;

(ii) That are fishing as charter/party or recreational vessels; or

(iii) That are fishing with or using scallop dredge gear when fishing under a scallop DAS or when lawfully fishing in the Scallop Dredge Fishery Exemption Area as described in § 648.80(a)(10), provided the vessel uses an 8–inch (20.3–cm) twine top and complies with the multispecies possession restrictions for scallop vessels specified at § 648.80(h).

(o) *Conditional Cashes Ledge & Gulf of Maine Rolling Closure Areas.* (1) If the Regional Administrator determines that at least 50 percent of the average between the $F_{0.1}$ target TAC and the F_{max} target (an amount equal to 1.67 million lb (759 mt) for the 2000 - 2001 fishing year) has been landed as of, or before, July 31 of each year, NMFS, through a timely notification action in the **Federal Register**, shall implement the following closures:

(i) *Cashes Ledge Closure Area.* From November 1 through November 30, no fishing vessel or person on a fishing vessel may enter, fish in, or be in, and no fishing gear capable of catching NE multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as the Cashes Ledge Closure Area, as described in § 648.81(h)(1), except as provided in § 648.81(h)(2); and

(ii) *Rolling Closure Area VI.* From January 1 through January 31, no fishing vessel or person on a fishing vessel may enter, fish in, or be in, and no fishing gear capable of catching NE multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as Rolling Closure Area VI, as described in § 648.81(g)(1)(vi), except as provided in § 648.81(g)(2).

6. In § 648.82, paragraphs (a) introductory text and (a)(2) are revised to read as follows:

§ 648.82 Effort-control program for multispecies limited access vessels.

(a) Except as provided in §§ 648.17 and 648.82(a)(2), a vessel issued a limited access multispecies permit may not fish for, possess, or land regulated species, except during a DAS as allocated under and in accordance with the applicable DAS program described in this section, unless otherwise provided elsewhere in this part.

* * * * *

(2) Notwithstanding any other provision of this part, any vessel issued a multispecies limited access permit may not call into the DAS program or fish under a DAS, if such vessel carries passengers for hire for any portion of a fishing trip.

* * * * *

8. In § 648.86, paragraphs (a)(1) and (b)(2) are revised; paragraph (b)(1)(ii)(B) is removed and reserved; and paragraph (b)(1)(iii) is removed:

§ 648.86 Multispecies possession restrictions.

* * * * *

(a) * * *

(1) *NE multispecies DAS vessels.* (i) From May 1 through August 31, except as provided in paragraph (a)(1)(iii) of this section, a vessel that fishes under a NE multispecies DAS may land up to 3,000 lb (1,360.8 kg) of haddock per DAS fished, or any part of a DAS fished, up to 30,000 lb (13,608 kg) per trip, provided it has at least one standard tote on board. Haddock on board a vessel subject to this landing limit must be separated from other species of fish and stored so as to be readily available for inspection.

(ii) From September 1 through April 30, except as provided in paragraph (a)(1)(iii) of this section, a vessel that fishes under a NE multispecies DAS may land up to 5,000 lb (2,268 kg) of haddock per DAS fished, or any part of a DAS fished, up to 50,000 lb (22,680 kg) per trip, provided it has at least one standard tote on board. Haddock on board a vessel subject to this landing limit must be separated from other species of fish and stored so as to be readily available for inspection.

(iii) Adjustments—(A) *Adjustment to haddock trip limit to prevent exceeding target TAC.* At any time during the fishing year, if the Regional Administrator projects that the target TAC for haddock (6,252 mt for 2000–2001 fishing year) will be exceeded, NMFS may adjust, through publication of a notification in the **Federal Register**, the trip limit per DAS and/or the maximum trip limit to an amount that the Regional Administrator determines will prevent exceeding the target TAC.

(B) *Adjustment of the haddock trip limit to allow harvesting up to 75 percent of target TAC.* At any time during the fishing year, if the Regional Administrator projects that less than 75 per cent of the target TAC for haddock (4,689 mt for 2000–2001 fishing year) will be harvested by the end of the fishing year, NMFS may adjust, through publication of a notification in the **Federal Register**, the trip limit per DAS and/or the maximum trip limit to an amount that is determined to be sufficient to allow harvesting of at least 75 percent of the target TAC, but not to exceed the target TAC.

* * * * *

(b) * * *

(2) *Georges Bank Cod Landing and Maximum Possession Limits.* For each fishing year, beginning on May 1, a vessel that is exempt from the landing limit described in paragraph (b)(1) of this section fishing under a NE multispecies DAS may land only up to 2,000 lb (907.2 kg) of cod per DAS, or any part of a DAS, up to a maximum possession limit of 20,000 lb (9,071.8 kg) per trip. The vessel must have a standard tote on board. Cod on board a vessel subject to these landing and maximum possession limits must be separated from other species of fish and stored so as to be readily available for inspection.

* * * * *

9. In § 648.89, paragraph (e) is added to read as follows:

§ 648.89 Recreational and charter/party restrictions.

* * * * *

(e) Charter/party vessel restrictions on fishing in Gulf of Maine closed areas and the Nantucket Lightship Closed Area.

(1) *Gulf of Maine Closed Areas.* A vessel fishing under charter/party regulations may not fish in the Gulf of Maine closed areas specified in § 648.81(g)(1) through (i)(1), and (o)(1) if it becomes effective, during the time periods specified in those sections, unless the vessel has on board a letter of authorization issued by the Regional Administrator pursuant to §§ 648.81(g)(2)(iii) and 648.89(e)(3). The letter of authorization is valid for a period of 3 months.

(2) *Nantucket Lightship Closed Area.* A vessel fishing under charter/party regulations may not fish in the Nantucket Lightship Closed Area specified in § 648.81(c)(1) unless the vessel has on board a letter of authorization issued by the Regional Administrator pursuant to §§ 648.81(c)(2)(iii) and 648.89(e)(3).

(3) *Letters of Authorization*. To obtain either of the letters of authorization specified in § 648.89(e)(1) and (e)(2), a vessel owner must request a letter from the Northeast Regional Office of NMFS, either in writing or by phone (see Table 1 to § 600.502 of this chapter). As a condition of these letters of authorization, the vessel owner must agree to the following:

(A) The letter of authorization must be carried on board the vessel during the period of participation;

(B) Fish harvested or possessed by the vessel may not be sold or intended for trade, barter or sale, regardless of where the fish are caught;

(C) The vessel has no gear other than rod and reel or handline gear on board; and

(D) For the Gulf of Maine charter/party closed area exemption only, the vessel may not use any multispecies DAS during the period of participation.

[FR Doc. 00–9533 Filed 4–19–00; 11:47 am]

BILLING CODE 3510–22–F

Proposed Rules

Federal Register
Vol. 65, No. 79
Monday, April 24, 2000

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 AGRICULTURE

Agricultural Marketing Service

7 CFR Part 920

[Docket No. FV00–920–1 PR]

Kiwifruit Grown in California; Temporary Suspension of Inspection and Pack Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This rule invites comments on proposed temporary suspensions of inspection and pack requirements prescribed under the California kiwifruit marketing order (order). The order regulates the handling of kiwifruit grown in California and is administered locally by the Kiwifruit Administrative Committee (Committee). This rule would continue, for the 2000–2001 season, the suspension of the requirement that fruit must be reinspected if it has not been shipped by specified dates, and would also continue the suspension of the minimum net weight requirements for kiwifruit tray packs. Both suspensions are scheduled to expire at the end of the 1999–2000 season. These changes are expected to reduce handler packing costs, increase grower returns, and enable handlers to compete more effectively in the marketplace.

DATES: Comments must be received by May 24, 2000.

ADDRESSES: Interested persons are invited to submit written comments concerning this proposal. Comments must be sent to the Docket Clerk, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525–S, P.O. Box 96456, Washington, DC 20090–6456; Fax: (202) 720–5698, or E-mail: moab.docketclerk@usda.gov. All comments should reference the docket number and the date and page number of this issue of the **Federal Register** and will be made available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Rose M. Aguayo, Marketing Specialist, California Marketing Field Office, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 2202 Monterey Street, suite 102B, Fresno, California 93721; telephone: (559) 487–5901, Fax: (559) 487–5906; or George Kelhart, Technical Advisor, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525–S, P.O. Box 96456, Washington, DC 20090–6456; telephone: (202) 720–2491, Fax: (202) 720–5698.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, room 2525–S, Washington, DC 20090–6456; telephone: (202) 720–2491, Fax: (202) 720–5698, or E-mail Jay.Guerber@usda.gov.

SUPPLEMENTARY INFORMATION: This proposal is issued under Marketing Order No. 920, as amended (7 CFR part 920), regulating the handling of kiwifruit grown in California, hereinafter referred to as the ''order.'' The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the ''Act.''

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This proposal has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. This proposal would not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and request a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review the Secretary's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

This rule invites comments on proposed temporary suspensions of inspection and pack requirements prescribed under the order. This rule would continue, for the 2000–2001 season, the suspension of the requirement that fruit must be reinspected if it has not been shipped by specified dates, and the suspension of the minimum net weight requirements for kiwifruit tray packs. Both suspensions are scheduled to expire at the end of the 1999–2000 season (July 31, 2000). These suspensions are expected to reduce handler-packing costs, increase grower returns, and enable handlers to compete more effectively in the marketplace. This rule was unanimously recommended by the Committee at its February 24, 2000, meeting and would be in effect through July 31, 2001.

Continued Suspension of Reinspection Requirement

Section 920.55 of the order requires that prior to handling any variety of California kiwifruit, such kiwifruit shall be inspected by the Federal or Federal-State Inspection Service (inspection service) and certified as meeting the applicable grade, size, quality, or maturity requirements in effect pursuant to § 920.52 or § 920.53.

Section 920.55(b) provides authority for the establishment, through the order's rules and regulations, of a period prior to shipment during which inspections must be performed.

Prior to its suspension for 1998–1999 season, § 920.155 of the order's rules and regulations specified that the certification of grade, size, quality, and maturity of kiwifruit pursuant to § 920.52 or § 920.53 during each fiscal year was valid until December 31 of such year or 21 days from the date of inspection, whichever is later. Any inspected kiwifruit shipped after the certification period lapsed was required to be reinspected and recertified before shipment.

Section 920.155 was suspended for the 1998–1999 season by a final rule published August 4, 1998 (63 FR 41390). The Committee recommended this suspension to lessen the expenses upon the many kiwifruit growers who had either lost money or merely recovered their production costs in recent years. It concluded that the cost of reinspecting kiwifruit was too high to justify requiring it in view of the limited benefit reinspection provided. The Committee also believed it was no longer necessary to have fruit reinspected to provide consumers with a high quality product because storage and handling operations had improved in the industry.

During the 1998–1999 season, handlers voluntarily checked stored fruit prior to shipment to ensure that the condition of the fruit had not deteriorated. Suspension of the reinspection requirement enabled handlers to ship quality kiwifruit during the 1998–1999 season without the necessity for reinspection and recertification and the costs associated with such requirements. However, because the harvest started later than normal and more fruit was in-line inspected and shipped directly to buyers less fruit was repacked and available for evaluation than anticipated.

Therefore, at its February 25, 1999, meeting, the Committee unanimously recommended suspending § 920.155 of the order for one more season. Section 920.155 was suspended for the 1999–2000 season by a final rule published on July 29, 1999 (64 FR 41010).

During the 1999–2000 season a severe frost reduced the crop size from the estimated 9 million tray equivalents to 6 million tray equivalents. A tray equivalent is equal to approximately 7 pounds of fruit. This significant crop reduction and the excellent quality of the fruit resulted in limited quantities of fruit remaining in cold storage for repacking and evaluation. The Committee would like to fully evaluate the suspension of the reinspection requirement during a normal season. Therefore the Committee, at its February 24, 2000, meeting, unanimously recommended suspending § 920.155 for another season, the 2000–2001 season. This suspension would be in effect until July 31, 2001.

Continued Suspension of Minimum Net Weight Requirements for Trays

Under the terms of the order, fresh market shipments of kiwifruit grown in California are required to be inspected and meet grade, size, maturity, pack, and container requirements. Section 920.52 authorizes the establishment of minimum size, pack, and container requirements.

Section 920.302(a)(4) of the order's rules and regulations outlines pack requirements for fresh shipments of California kiwifruit.

Section 920.302(a)(4)(iii) specifies minimum net weight requirements for fruit of various sizes packed in containers with cell compartments, cardboard fillers, or molded trays.

Prior to the 1989–1990 season, there were no minimum tray weight requirements although 73.5 percent of the crop was packed in trays. During the 1989–1990 season, minimum tray weights were mandated, as there were many new packers involved in the kiwifruit packing process and stricter regulations were viewed as necessary to provide uniform container weights for each size. However, since that season the proportion of the crop packed in trays has steadily declined.

During the 1997–1998 season, only 15.5 percent of the crop was packed into molded trays and less than 1 percent of this fruit was rejected for failure to meet minimum tray weights. As a consequence, the Committee believed that minimum tray weight requirements might no longer be necessary to maintain uniformity in the marketplace.

Prior to the 1998–1999 season handlers were required to meet the minimum net weight requirements as shown in the following chart:

Count designation of fruit	Minimum net weight of fruit (pounds)
34 or larger	7.5
35 to 37	7.25
38 to 40	6.875
41 to 43	6.75
44 and smaller	6.5

The Committee met on July 8, 1998, and unanimously recommended suspension of the minimum net weight requirements for kiwifruit packed in cell compartments, cardboard fillers, or molded trays for the 1998–1999 season. Section 920.302(a)(4)(iii) was suspended for the 1998–1999 season by an interim final rule which was published September 3, 1998 (63 FR 14861) and finalized July 29, 1999 (64 FR 41019).

Even though the fruit was shorter, more full-bodied, and heavier during the 1998–1999 season, handlers were able to reduce packing costs and to compete more effectively in the market. The industry continued to pack well-filled trays without having to spend the extra time weighing them. There was no reduction in the uniform appearance of fruit packed into trays. The consensus of the industry was that the absence of tray weights had no impact during the 1998–1999 season due to the exceptionally heavy weight of the fruit.

The Committee, at its February 25, 1999, meeting unanimously recommended suspending the minimum net weight requirements for the 1999–2000 season to evaluate the suspended requirements during a season when the fruit shape and density were normal. This suspension was implemented by a final rule published on July 29, 1999 (64 FR 41010) and is in effect until July 31, 2000.

As previously mentioned, the 1999–2000 crop was approximately three million tray-equivalents shorter than estimated due to a severe frost during the spring of 1999. This shortage of fruit resulted in limited quantities of fruit available for evaluation. Because of the uncharacteristic fruit in the 1998–1999 season and the short crop in the 1999–2000 season the Committee would like to suspend the minimum net weight requirement for another year of evaluation. Therefore, at its February 24, 2000, meeting, the Committee, once again, unanimously recommended continuing the suspension of § 920.302(a)(4)(iii) for another season, the 2000–2001 season. This suspension would be in effect until July 31, 2001 and is expected to result in reduced handler packing costs, and increased grower returns, and enable handlers to compete more effectively in the marketplace.

Initial Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Agricultural Marketing Service (AMS) has considered the economic impact of this action on small entities. Accordingly, AMS has prepared this initial regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 60 handlers of California kiwifruit subject to regulation under the marketing order and approximately 400 producers in the production area. Small agricultural producers are defined by the Small Business Administration (13 CFR 121.201) as those whose annual receipts are less than $500,000, and small

agricultural service firms are defined as those whose annual receipts are less than $5,000,000. Fifty-nine handlers have annual receipts less than $5,000,000, excluding receipts from other sources. Three hundred ninety producers have annual sales less than $500,000, excluding receipts from any other sources. Therefore, a majority of the kiwifruit handlers and producers may be classified as small entities.

This rule invites comments on proposed temporary suspensions of inspection and pack requirements prescribed under the order. This rule would continue, for the 2000–2001 season, the suspension of the requirement that fruit must be reinspected if it has not been shipped by specified dates, and the minimum net weight requirements for kiwifruit tray packs. Both suspensions are scheduled to expire at the end of the 1999–2000 season (July 31, 2000). Continuation of the suspensions is expected to reduce handler-packing costs, increase grower returns, and enable handlers to compete more effectively in the marketplace. This rule was unanimously recommended by the Committee at its February 24, 2000, meeting and would be in effect through July 31, 2001.

Continued Suspension of Reinspection Requirement

Section 920.55 of the order requires that prior to handling any variety of California kiwifruit, such kiwifruit shall be inspected by the Federal or Federal-State Inspection Service (inspection service) and certified as meeting the applicable grade, size, quality, or maturity requirements in effect pursuant to § 920.52 or § 920.53.

Section 920.55(b) provides authority for the establishment, through the order's rules and regulations, of a period prior to shipment during which inspections must be performed.

Prior to its suspension for 1998–1999 season, § 920.155 of the order's rules and regulations specified that the certification of grade, size, quality, and maturity of kiwifruit pursuant to § 920.52 or § 920.53 during each fiscal year was valid until December 31 of such year or 21 days from the date of inspection, whichever is later. Any inspected kiwifruit shipped after the certification period lapsed was required to be reinspected and recertified before shipment.

Section 920.155 was suspended for the 1998–1999 season by a final rule published August 4, 1998 (63 FR 41390). The Committee recommended this suspension to lessen the expenses upon the many kiwifruit growers who had either lost money or merely recovered their production costs in recent years. It concluded that the cost of reinspecting kiwifruit was too high to justify requiring it in view of the limited benefit reinspection provides. The Committee also believed it was no longer necessary to have fruit reinspected to provide consumers with a high quality product because storage and handling operations had improved in the industry.

During the 1998–1999 season, handlers voluntarily checked stored fruit prior to shipment to ensure that the condition of the fruit had not deteriorated. Suspension of the reinspection requirement enabled handlers to ship quality kiwifruit during the 1998–1999 season without the necessity for reinspection and recertification and the costs associated with such requirements. However, because the harvest started later than normal and more fruit was in-line inspected and shipped directly to buyers, less fruit was repacked and available for evaluation than anticipated.

Therefore, at its February 25, 1999, meeting, the Committee unanimously recommended suspending § 920.155 of the order for one more season. Section 920.155 was suspended for the 1999–2000 season by a final rule published on July 29, 1999 (64 FR 41010).

During the 1999–2000 season a severe frost reduced the crop size from the estimated 9 million tray equivalents to 6 million tray equivalents. A tray equivalent is equal to approximately 7 pounds of fruit. This significant crop reduction and the excellent quality of the fruit resulted in less fruit remaining in cold storage for repacking and evaluation.

While the Committee believes the industry realized benefits from the suspension of the reinspection requirement, it would like to evaluate the results of the suspended reinspection requirements during a normal season. Thus the Committee, at its February 24, 2000, meeting, unanimously recommended suspending § 920.155 for the 2000–2001 season. This suspension would be in effect until July 31, 2001.

Continued Suspension of Minimum Net Weight Requirements for Trays

Under the terms of the order, fresh market shipments of kiwifruit grown in California are required to be inspected and meet grade, size, maturity, pack, and container requirements. Section 920.52 authorizes the establishment of minimum size, pack, and container requirements.

Section 920.302(a)(4) of the order's rules and regulations outlines pack requirements for fresh shipments of California kiwifruit.

Section 920.302(a)(4)(iii) specifies minimum net weight requirements for fruit of various sizes packed in containers with cell compartments, cardboard fillers, or molded trays.

Prior to the 1989–1990 season, there were no minimum tray weight requirements although 73.5 percent of the crop was packed in trays. During the 1989–1990 season, minimum tray weights were mandated, as there were many new packers involved in the kiwifruit packing process and stricter regulations were viewed as necessary to provide uniform container weights for each size. However, since that season the proportion of the crop packed in trays has steadily declined.

During the 1997–1998 season, only 15.5 percent of the crop was packed into molded trays and less than 1 percent of this fruit was rejected for failure to meet minimum tray weights. As a consequence, the Committee believed that minimum tray weight requirements might no longer be necessary to maintain uniformity in the marketplace.

Prior to the 1998–1999 season handlers were required to meet the minimum net weight requirements as shown in the following chart:

Count designation fruit	Minimum net weight of fruit (pounds)
34 or larger	7.5
35 to 37	7.25
38 to 40	6.875
41 to 43	6.75
44 and smaller	6.5

The Committee met on July 8, 1998, and unanimously recommended suspension of the minimum net weight requirements for kiwifruit packed in cell compartments, cardboard fillers, or molded trays for the 1998–1999 season. Section 920.302(a)(4)(iii) was suspended for the 1998–1999 season by an interim final rule published September 3, 1998 (63 FR 14861).

Even though the fruit was shorter, more full-bodied, and heavier during the 1998–1999 season, handlers were able to reduce packing costs and to compete more effectively in the market. The industry continued to pack well-filled trays without having to spend the extra time weighing them. There was no reduction in the uniform appearance of fruit packed into trays. The consensus of the industry that season was that the absence of tray weights had no negative impact during the 1998–1999 season

due to the exceptionally heavy weight of the fruit.

The Committee, at its February 25, 1999, meeting, unanimously recommended suspending the minimum net weight requirements for the 1999–2000 season in order to evaluate the suspended requirements during a season when the fruit shape and density were normal. This suspension was implemented by a final rule published on July 29, 1999 (64 FR 41010) and is in effect until July 31, 2000.

As previously mentioned, the 1999–2000 crop was approximately three million tray-equivalents shorter than estimated due to a severe frost during the spring of 1999. This shortage of fruit resulted in limited quantities of fruit available for evaluation. Because of the uncharacteristic fruit in the 1998–1999 season and the short crop in the 1999–2000 season the Committee would like to suspend the minimum net weight requirement for another year of evaluation. Therefore, at its February 24, 2000, meeting, the Committee, once again, unanimously recommended continuing the suspension of § 920.302(a)(4)(iii) for another season, the 2000–2001 season. This suspension would be in effect until July 31, 2001, and is expected to reduce handler-packing costs, increase grower returns, and enable handlers to compete more effectively in the marketplace.

These changes address the marketing and shipping needs of the kiwifruit industry and are in the interest of handlers, growers, buyers, and consumers. The impact of these changes is expected to be beneficial to all handlers and growers regardless of size.

The Committee discussed alternatives to this change, including indefinitely suspending these requirements. While the industry continues to believe that the suspensions helped handlers reduce packing costs and compete more effectively in the marketplace, it is not yet ready to recommend permanent suspension for the 2000–2001 and future seasons. Both the 1998–1999 and 1999–2000 seasons were abnormal in some respects and the Committee would like to study the results of the suspensions during a normal season. Thus, the Committee unanimously agreed to suspend these requirements for the 2000–2001 season.

This proposed rule would relax inspection and pack requirements under the kiwifruit marketing order. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large kiwifruit handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

In addition, the Committee's meetings were widely publicized throughout the kiwifruit industry and all interested persons were invited to attend the meetings and participate in Committee deliberations. Like all Committee meetings, the February 24, 2000, meeting was a public meeting and all entities, both large and small, were able to express their views on this issue. The majority of the industry are small entities. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at the following web site: *http://www.ams.usda.gov/fv/moab.html*. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 30-day comment period is provided to allow interested persons to respond to this proposal. Thirty days is deemed appropriate because this rule would meet to be in place by August 1, 2000 as the current suspension expires on July 31, 2000, and handlers need to make operational decisions in time for the 2000–2001 season. All written comments timely received will be considered before a final determination is made on this matter.

List of Subjects in 7 CFR Part 920

Kiwifruit, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 920 is proposed to be amended as follows:

PART 920—KIWIFRUIT GROWN IN CALIFORNIA

1. The authority citation for 7 CFR part 920 continues to read as follows:

Authority: 7 U.S.C. 601–674.

§ 920.155 [Suspended in part]

2. In part 920, § 920.155 is suspended in its entirety effective August 1, 2000, through July 31, 2001.

§ 920.302 [Suspended in part]

3. In § 920.302, paragraph (a)(4)(iii) is suspended effective August 1, 2000, through July 31, 2001.

Dated: April 18, 2000.

Robert C. Keeney,

Deputy Administrator, Fruit and Vegetable Programs.

[FR Doc. 00–10064 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–02–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1724

RIN 0572–AB54

Electric Engineering, Architectural Services and Design Policies and Procedures

AGENCY: Rural Utilities Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Rural Utilities Service (RUS) is proposing to amend its regulations to revise its requirements regarding RUS approval of plans and specifications for buildings. Specifically, RUS is proposing that the requirement for RUS approval of architectural plans and specifications for buildings be eliminated and that instead the borrower's architect or engineer be required to state that the design complies with certain specific standards. This change is being made in order to provide better service to borrowers.

DATES: Written comments must be received by RUS, or bear a postmark or equivalent, no later than June 23, 2000.

ADDRESSES: Written comments should be addressed to F. Lamont Heppe, Jr., Director, Program Development and Regulatory Analysis, Rural Utilities Service, U.S. Department of Agriculture, Stop 1522, 1400 Independence Avenue, SW., Washington, DC 20250–1522. Telephone: (202) 720–9550. RUS requires a signed original and three copies of all comments (7 CFR 1700.4). Comments will be available for public inspection during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Fred J. Gatchell, Deputy Director, Electric Staff Division, Rural Utilities Service, U.S. Department of Agriculture, Stop 1569, 1400 Independence Ave., SW., Washington, DC 20250–1569. Telephone: (202) 720–1398. FAX: (202) 720–7491. E-mail: fgatchel@rus.usda.gov.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866 and,

therefore, has not been reviewed by the Office of Management and Budget (OMB).

Executive Order 12372

This proposed rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require consultation with State, local, and tribal government or the private sector. See the final rule related notice entitled ''Department Programs and Activities Excluded from Executive Order 12372,'' (50 FR 47034).

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. RUS has determined that this rule meets the applicable standards provided in Section 3 of the Executive Order. In accordance with the Executive Order and the rule: (1) All State and local laws and regulations that are in conflict with this rule will be preempted; (2) no retroactive effect will be given to this rule, and (3), in accordance with § 212(e) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. § 6912(e)), if any are more required, they must be exhausted prior to initiating litigation against the Department or its agencies.

Regulatory Flexibility Act Certification

The Administrator of RUS has determined that this rule relating to RUS electric loan program is not a rule as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and, therefore, the Regulatory Flexibility Act does not apply to this rule. RUS borrowers, as a result of obtaining federal financing, receive economic benefits that exceed any direct economic costs associated with complying with RUS regulations and requirements.

National Environmental Policy Act Certification

The Administrator of RUS has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment.

Catalog of Federal Domestic Assistance

The program described by this proposed rule is listed in the Catalog of Federal Domestic Assistance programs under No. 10.850, Rural Electrification Loans and Loan Guarantees. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402–9325, telephone number (202) 512–1800.

Information Collection and Recordkeeping Requirements

The reporting and recordkeeping requirements contained in this rule were approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) under OMB control number 0572–0118.

Send questions or comments regarding this burden or any other aspect of these collection of information, including suggestions for reducing the burden to F. Lamont Heppe, Jr., Director, Program Development and Regulatory Analysis, Rural Utilities Service, USDA, 1400 Independence Ave., Room 4034 SBldg., STOP 1522, Washington, DC 20250–1522.

Unfunded Mandates

This proposed rule contains no Federal mandates (under the regulatory provision of title II of the Unfunded Mandates Reform Act) for State, local, and tribal governments or the private sector. Thus, this proposed rule is not subject to the requirements of sections 202 and 205 of the Unfunded Mandates Reform Act.

Background

RUS has promulgated regulations pertaining to the design and construction of RUS electric borrower's systems. These regulations are contained in 7 CFR chapter XVII, Part 1724, Electric Engineering, Architectural Services and Design Policies and Procedures, which describes policies and procedures pertaining to RUS electric borrower procurement of architectural and engineering services for planning, design, and construction management of buildings and electric utility plant such as distribution and transmission lines, substations, communications and control systems, and generating plants. RUS has determined that continued review and approval of plans and specifications for buildings by RUS is not necessary. This will eliminate the burden on the borrowers of having to send the plans and specifications to RUS before issuing them to bidders. However, RUS will require that the borrower's architect or engineer state that the design complies with certain specific standards. This change is being made in order to provide better service to borrowers.

We are also correcting a date in the list of contract forms.

List of Subjects in 7 CFR Part 1724

Electric power, Loan programs—energy, Reporting and recordkeeping requirements, Rural areas.

For the reasons set forth in the preamble, RUS proposes to amend 7 CFR chapter XVII by amending part 1724 as follows:

PART 1724—ELECTRICAL ENGINEERING, ARCHITECTURAL SERVICES AND DESIGN POLICIES AND PROCEDURES

1. The authority citation for part 1724 continues to read as follows:

Authority: 7 U.S.C. 901 *et seq.*, 1921 *et seq.*, 6941 *et seq.*

2. Section 1724.54(f)(2) is revised to read as follows:

§ 1724.54 Requirements for RUS approval of plans and specifications.

* * * * *

(f) * * *

(2) Unless RUS approval is required by paragraph (a) of this section, plans and specifications for headquarters buildings do not require RUS approval. The borrower shall submit two copies of RUS Form 740g, Application for Headquarters Facilities. This form is available from Program Development and Regulatory Analysis, Rural Utilities Service, United States Department of Agriculture, Stop 1522, 1400 Independence Ave., SW., Washington, DC 20250–1522. The application must show floor area and estimated cost breakdown between office building space and space for equipment warehousing and service facilities, and include a one line drawing (floor plan and elevation view), to scale, of the proposed building with overall dimensions shown. The information concerning the planned building may be included in the borrower's construction work plan in lieu of submitting it with the application. (See 7 CFR part 1710, subpart F.) Prior to issuing the plans and specifications for bid, the borrower shall also submit to RUS a statement, signed by the architect or engineer, that the building design meets the Uniform Federal Accessibility Standards (See § 1724.51(e)(1)(i)).

* * * * *

3. Section 1724.74(d)(7) is revised to read as follows:

§ 1724.74 List of electric program standard contract forms.

* * * * *

(d) * * *

(7) RUS Form 284, Rev. 4–72, Final Statement of Cost for Architectural

Service. This form is used for the closeout of architectural services contracts.

* * * * *

Dated: April 12, 2000.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 00–10140 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–15–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 32

[Docket No. PRM–32–05]

Metabolic Solutions: Denial of Petition for Rulemaking

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Denial of petition for rulemaking.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is denying a petition for rulemaking (PRM–32–05) submitted by Metabolic Solutions. The petitioner requested that the NRC extend the regulatory distribution exemption for 1 microcurie of carbon-14 (C–14) urea to include a product being developed by its company. The product is the Erythromycin Breath Test (EBT) which uses a 111-kilobequerel (kBq) (3-microcurie) dose of C–14 erythromycin.

ADDRESSES: Submit comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Attention: Rulemakings and Adjudications Staff.

Deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

You may also provide comments via the NRC's interactive rulemaking website *(http://ruleforum.llnl.gov).* This site provides the capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher (301) 415–5905 (e-mail: cag@nrc.gov).

Copies of any comments received may be examined at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Washington, DC.

FOR FURTHER INFORMATION, CONTACT: James Smith, telephone (301) 415–6459, e-mail: jas4@nrc.gov, of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

The Petition

On May 4, 1999 (64 FR 23796), NRC noticed receipt and requested comment on the PRM filed by Metabolic Solutions Inc. The comment period closed on July 20, 1999. Notice of receipt of the Metabolic Solutions PRM resulted in the NRC receiving comment letters from two medical universities in support of the petition.

The C–14 EBT measures the activity, in-vivo, of an important liver enzyme that is the most abundant drug-metabolizing enzyme in the body. This test is currently used to determine the safety of new drugs during clinical trials; as such, it is used only as a research tool. The petitioner states that the doses associated with this test are comparable to the doses for the C–14 urea test which is exempt from the requirement for licensing pursuant to 10 CFR 30.21 (a).

Public Comments on the Petition

The notice of receipt of the PRM invited interested persons to submit comments. The two public comments received in response to the notice, from the University of Nebraska Medical Center and Johns Hopkins Medical Institutions, were in support of the petition. The two comments generally noted the low doses associated with the test and the possible economic benefit in reducing the expense of clinical trials through elimination of the need for a byproduct materials license.

Reasons for Denial

A denial is consistent with the Commission's previous decision on the C–14 urea tests to require that research be performed under a specific license (62 FR 63634), since this product is to be used only in research use. The doses are not the limiting factor for extending the distribution exemption to this test. The previous decision was based upon restrictions of such use under the common rule entitled ''Federal Policy for the Protection of Human Subjects; Notices and Rules'' (56 FR 28002). Although the NRC did not adopt the common rule, our intention is to follow the essential requirements of the rule, which have been adopted into 10 CFR 35.6, ''Provisions for Research Involving Human Subjects.'' Specifically, 10 CFR 35.6 requires a licensee that conducts research involving human research subjects to obtain informed consent and obtain approval by an Institutional Review Board. Because the common rule did not allow for exemptions for research involving minimal risk, the Commission determined that such research use should not be exempt from 10 CFR 35.6.

Dated at Rockville, Maryland, this 5th day of April, 2000.

For the U.S. Nuclear Regulatory Commission.

William D. Travers

Executive Director for Operations.

[FR Doc. 00–10147 Filed 4–21–00; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–SW–66–AD]

Airworthiness Directives; Eurocopter Deutschland GMBH Model BO–105A, BO–105C, BO–105 C–2, BO–105 CB–2, BO–105 CB–4, BO–105S, BO–105 CS–2, BO–105 CBS–2, BO–105 CBS–4, and BO–105LS A–1 Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the supersedure of an existing airworthiness directive (AD) for Eurocopter Deutschland GMBH (ECD) Model BO–105A, BO–105C, BO–105 C–2, BO–105 CB–2, BO–105 CB–4, BO–105S, BO–105 CS–2, BO–105 CBS–2, BO–105 CBS–4, and BO–105LS A–1 helicopters. That AD currently requires creating a component log card or equivalent record and determining the calendar age and number of flights on each tension-torsion (TT) strap. That AD also requires inspecting and removing, as necessary, certain unairworthy TT straps. This action would establish a life limit for certain main rotor TT straps. This proposal is prompted by a need to establish a life limit for certain TT straps because of an accident in which a main rotor blade (blade) separated from an ECD Model MBB–BK 117 helicopter due to fatigue failure of a TT strap. The same part-numbered TT strap is used on the ECD Model BO–105 helicopters. The actions specified by this AD are intended to prevent fatigue failure of the TT strap, loss of a blade, and subsequent loss of control of the helicopter.

DATES: Comments must be received on or before June 23, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99–SW–66–

AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to the Rules Docket at the following address: 9-asw-adcomments@faa.gov. Comments may be inspected at the Office of the Regional Counsel between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Charles Harrison, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, Fort Worth, Texas 76193–0110, telephone (817) 222–5128, fax (817) 222–5961.

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 summarizing 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 mailed 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. 99–SW–66–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, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 99–SW–66–AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

Discussion

On September 29, 1999, the FAA issued AD 99–19–22, Amendment 39–11357 (64 FR 54770, October 8, 1999), for ECD Model BO–105 helicopters. That AD currently requires, before further flight, creating a component log card or equivalent record, determining the calendar age and number of flights on each TT strap, and determining the age and number of flights on each TT strap. AD 99–19–22 also requires inspecting and removing, as necessary, certain unairworthy TT straps. That action was prompted by an accident in which a blade separated from an ECD Model MBB–BK 117 helicopter due to fatigue failure of a TT strap. The same part-numbered TT strap is also used on the ECD Model BO–105 helicopters. The requirements of that AD are intended to prevent failure of a TT strap, loss of a blade, and subsequent loss of control of the helicopter.

Since the issuance of that AD, we have determined the need to establish a life limit for the TT strap. We have also determined that the graduated inspection criteria and TT strap lives specified in AD 99–19–22 are no longer necessary when a life limit is established. ECD issued Alert Service Bulletin BO 105 No. ASB–BO 105–10–114, Revision 2, dated August 31, 1999 (ASB). The ASB describes procedures for determining the total accumulated installation time and number of flights on each TT strap. The ASB also specifies inspecting and replacing, as necessary, certain unairworthy TT straps. The Luftfahrt Bundesamt (LBA), which is the airworthiness authority for the Federal Republic of Germany, classified this ASB as mandatory and issued AD 1999–300/3, dated August 31, 1999, to ensure the continued airworthiness of these helicopters in the Federal Republic of Germany.

Since an unsafe condition has been identified on the MBB–BK–117 that is likely to exist or develop on the ECD Model BO–105A, BO–105C, BO–105 C–2, BO–105 CB–2, BO–105 CB–4, BO–105S, BO–105 CS–2, BO–105 CBS–2, BO–105 CBS–4, and BO–105LS A–1 helicopters registered in the United States, the proposed AD would require establishing a life limit for the TT straps effective January 1, 2001, of 120 months or 40,000 flights, whichever occurs first.

The FAA estimates that 200 helicopters of U.S. registry would be affected by this proposed AD, that it would take approximately 16 work hours per helicopter to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts would cost approximately $10,400 per helicopter. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $2,272,200.

The regulations proposed herein would not have a substantial direct effect 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, it is determined that this proposal does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the 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 is contained 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 removing Amendment 39–11357 (64 FR 54770, October 8, 1999), and by adding a new airworthiness directive (AD), to read as follows:

Eurocopter Deutschland GMBH: Docket No. 99–SW–66–AD. Supersedes AD 99–19–22, Amendment 39–11357, Docket No. 99–SW–52–AD.

Applicability: Model BO–105A, BO–105C, BO–105 C–2, BO–105 CB–2, BO–105 CB–4, BO–105S, BO–105 CS–2, BO–105 CBS–2, BO–105 CBS–4, and BO–105LS A–1 helicopters, with part number (P/N) 2604067 (Bendix) or J17322–1 (Lord) rotor tension-torsion (TT) strap, installed, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters 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, unless accomplished previously.

To prevent fatigue failure of a TT strap, loss of a main rotor blade (blade), and subsequent loss of control of the helicopter, accomplish the following:

(a) Before further flight,

(1) Create a component log card or equivalent record for each TT strap.

(2) Review the history of the helicopter and each TT strap. Determine the age since initial installation on any helicopter (age) and the number of flights on each TT strap. Enter both the age and the number of flights for each TT strap on the component log card or equivalent record. When the number of flights is unknown, multiply the number of hours time-in-service (TIS) by 5 to determine the number of flights. If a TT strap has been previously used at any time on Model BO–105LS A–3 ''SUPER LIFTER'', BO–105 CB–5, BO–105 CBS–5, BO–105 DBS–5, or any MBB–BK 117 series helicopter, multiply the number of flights accumulated on those other models by a factor of 1.6 and then add that result to the number of flights accumulated on the helicopters affected by this AD.

(3) Remove any TT strap from service if the total hours TIS or number of flights and age cannot be determined.

(b) On or before January 1, 2001, remove any TT strap that has been in service 120 months since initial installation on any helicopter or accumulated 40,000 flights (a flight is a takeoff and a landing), on any helicopter. Replace the TT strap with an airworthy TT strap.

(c) This AD revises the Airworthiness Limitations Section of the maintenance manual by establishing a life limit for the TT strap, P/N 2604067 and J17322–1, of 120 months or 40,000 flights, whichever occurs first.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Regulations Group, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Regulations Group.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Regulations Group.

(e) 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 helicopter to a location where the requirements of this AD can be accomplished.

Note 3: The subject of this AD is addressed in the Luftfahrt Bundesamt (Federal Republic of Germany) AD 1999–300/3, dated August 31, 1999.

Issued in Fort Worth, Texas, on April 17, 2000.

Mark R. Schilling,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 00–10086 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–313–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747–100, –200, –300, –400, and 747SR Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Boeing Model 747–100, –200, –300, –400, and 747SR series airplanes. This proposal would require repetitive inspections to detect cracks and corrosion around the lower bearing of the actuator attach fittings of the inboard and outboard flaps. This proposal also would require repetitive overhauls for certain attach fittings or repetitive replacement of the attach fittings with new attach fittings, as applicable, which would constitute terminating action for certain repetitive actions. This proposal is prompted by reports of cracks on the lower bearing journal of the inboard actuator attach fittings of the outboard trailing edge flaps due to stress corrosion. The actions specified by the proposed AD are intended to detect and correct cracking on the actuator attach fittings of the trailing edge flaps, which could result in abnormal operation or retraction of a trailing edge flap, and consequent reduced controllability of the airplane.

DATES: Comments must be received by June 8, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–313–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Tamara L. Anderson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Transport Airplane Directorate, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2771; fax (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 shall 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 summarizing 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 Number 99–NM–313–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, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–313–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The FAA has received reports of stress corrosion cracks on the lower

bearing journal of the number 2 and 7 inboard attach fittings of the outboard trailing edge flaps on Boeing Model 747–200 and –300 series airplanes. Each flap assembly has two attach fittings, one on each ballscrew which is attached to the flap transmission. Such cracking, if not detected and corrected, could result in abnormal operation or retraction of a trailing edge flap, and consequent reduced controllability of the airplane.

The subject actuator attach fittings on the inboard and outboard flaps on Boeing Model 747–100, –400, and 747SR series airplanes are identical to that of the affected Boeing Model 747–200 and –300 series airplanes. Therefore, all of these airplanes may be subject to the same unsafe condition.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Service Bulletin 747–57A2310, Revision 1, dated November 23, 1999. This service bulletin describes procedures for repetitive ultrasonic and detailed visual inspections (as applicable) to detect cracks and corrosion around the lower bearing of the actuator attach fittings of the inboard and outboard flaps. This service bulletin also describes procedures for repetitive overhauls for the attach fittings on the outboard flaps or repetitive replacement of the attach fittings with new attach fittings, as applicable, which would eliminate the need for certain repetitive actions. In addition, the service bulletin describes procedures for accomplishing a terminating action for the inboard flap attach fittings.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Interim Action

This is considered to be interim action. The manufacturer has advised that it currently is developing a modification that will positively address the unsafe condition addressed by this AD. Once this modification is developed, approved, and available, the FAA may consider additional rulemaking.

Cost Impact

There are approximately 1,008 airplanes of the affected design in the worldwide fleet. The FAA estimates that 206 airplanes of U.S. registry would be affected by this proposed AD.

It would take approximately 2 work hours per airplane to accomplish the proposed inspection(s), at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the inspection(s) proposed by this AD on U.S. operators is estimated to be $24,720, or $120 per airplane, per inspection cycle.

Should an operator be required to accomplish the proposed overhaul, it would take approximately 5 work hours per airplane to accomplish at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the overhaul proposed by this AD on U.S. operators is estimated to be $61,800, or $300 per airplane, per overhaul cycle.

Should an operator be required to accomplish the proposed replacement, it would take approximately 2 work hours per airplane to accomplish at an average labor rate of $60 per work hour. Required parts would cost approximately $6,623 (for each of the 4 attach fittings on the outboard flaps) and $7,566 (for each 4 attach fittings on the inboard flaps) per airplane. Based on these figures, the cost impact of the replacement proposed by this AD on U.S. operators is estimated to be $26,972 (outboard flaps) and $30,744 (inboard flaps) per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

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 proposed regulation (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the 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 is contained 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 the following new airworthiness directive:

Boeing: Docket 99–NM–313–AD.

Applicability: All Model 747–100, –200, –300, –400, and 747SR series airplanes; certificated in any category.

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 (f) 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, unless accomplished previously.

To detect and correct cracking on the actuator attach fittings of the trailing edge flaps, which could result in abnormal operation or retraction of a trailing edge flap, and consequent reduced controllability of the airplane, accomplish the following:

Attach Fittings That Have Not Been Overhauled or Replaced

(a) For attach fittings on the outboard flaps that have not been overhauled in accordance with Boeing 747 OHM 57–52–55, dated June 1, 1997, or replaced with a new fitting; and for attach fittings on the inboard actuators that have not been replaced with a new fitting: Accomplish the actions of paragraph (c) of this AD at the later of the times specified in paragraphs (a)(1) and (a)(2) of this AD.

(1) Prior to the accumulation of 8 years since date of manufacture or 8,000 total flight cycles, whichever occurs first.

(2) Within 6 months after the effective date of this AD.

Attach Fittings That Have Been Overhauled or Replaced

(b) For attach fittings on the outboard flaps that have been overhauled in accordance with Boeing 747 OHM 57–52–55, dated June 1, 1997, prior to the effective date of this AD, or replaced with a new fitting; and for attach fittings on the inboard actuators that have been replaced with a new fitting: Accomplish the actions of paragraph (c) of this AD at the later of the times specified in paragraphs (b)(1) and (b)(2) of this AD.

(1) Within 8 years or 8,000 total flight cycles after the attach fitting was overhauled or replaced, whichever occurs first.

(2) Within 6 months after the effective date of this AD.

Inspections and Corrective Action

(c) Perform a detailed visual inspection to detect corrosion around the lower bearing journal on the actuator attach fittings on the inboard and outboard flaps, and perform an ultrasonic inspection to detect cracks around the lower bearing journal of the attach fittings of the outboard flaps, in accordance with Boeing Service Bulletin 747–57A2310, Revision 1, dated November 23, 1999.

Note 2: For the purposes of this AD, a detailed inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirrors, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Note 3: Inspections and replacements accomplished in accordance with Boeing Alert Service Bulletin 747–57A2310, dated June 17, 1999, are acceptable for compliance with the requirements of paragraph (c) of this AD.

(1) If no corrosion or cracks are detected, repeat the inspections required by paragraph (c) of this AD at intervals not to exceed 18 months. Within 5 years after the initial inspections required by paragraph (c) of this AD, accomplish the actions specified in paragraph (d) or (e) of this AD.

(2) If any corrosion is detected, prior to further flight, remove the corrosion by accomplishing the actions of either paragraph (c)(2)(i) or (c)(2)(ii) of this AD.

(i) If corrosion is within the limits of the Boeing 747 Overhaul Manual, prior to further flight, accomplish the actions specified in paragraph (d) or (e) of this AD.

(ii) If corrosion is not within the limits of the Boeing 747 Overhaul Manual, prior to further flight, accomplish the actions specified in paragraph (e) of this AD.

(3) If any crack is detected, prior to further flight, accomplish the actions specified in paragraph (e) of this AD.

Overhaul

(d) Overhaul the actuator attach fittings on the outboard flaps in accordance with Boeing OHM 57–52–55, Temporary Revision 57–7, dated June 1, 1999. Repeat the overhaul of actuators on the outboard flaps as specified in Part 2 of the Work Instructions of the service bulletin thereafter at intervals not to exceed 8 years or 8,000 flight cycles, whichever occurs first. Accomplishment of the overhaul of the attach fittings on the outboard flaps constitutes terminating action for the repetitive inspection requirements of paragraph (c)(1) of this AD. Overhaul the attach fittings on the inboard flaps in accordance with Boeing OHM 57–52–35, Temporary Revision 57–8, dated June 10, 1999. Accomplishment of the overhaul of the actuators on the inboard flaps constitutes terminating action for the requirements of this AD for the inboard flap attach fittings.

Replacement

(e) Replace the attach fittings on the inboard and outboard flap actuators with new attach fittings in accordance with Boeing Service Bulletin 747–57A2310, Revision 1, dated November 23, 1999. Accomplishment of the replacement constitutes terminating action for the repetitive inspection and overhaul requirements of paragraphs (c)(1), (c)(2), and (c)(3) of this AD. Within 8 years or 8,000 flight cycles following accomplishment of the replacement, whichever occurs first, repeat the replacement or accomplish the overhaul specified in paragraph (d) of this AD.

Note 4: Replacement of the attach fitting on the inboard flaps with fittings that have been overhauled in accordance with Boeing OHM 57–52–35, Temporary Revision 57–8, dated June 10, 1999, constitutes terminating action for the requirements of this AD for the inboard flap attach fittings.

Alternative Methods of Compliance

(f) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(g) 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.

Issued in Renton, Washington, on April 18, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–10162 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–25–AD]

RIN 2120–AA64

Airworthiness Directives; Saab Model SAAB SF340A and SAAB 340B Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain Saab Model SAAB SF340A and SAAB 340B series airplanes. This proposal would require a one-time inspection to detect chafing of the wires and harnesses in the cabin compartment ceiling; repair, if necessary; and installation of protective sleeving. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent false warnings of a hot engine exhaust tailpipe and intermittent signal failure, which could result in the consequent execution of unnecessary procedures by the flightcrew.

DATES: Comments must be received by May 24, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–25–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Saab Aircraft AB, SAAB Aircraft .. Product Support, S–581.88, Linkoping, Sweden. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

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 shall 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 summarizing 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 Number 2000–NM–25–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, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–25–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Luftfartsverket (LFV), which is the airworthiness authority for Sweden, notified the FAA that an unsafe condition may exist on certain Saab Model SAAB SF340A and SAAB 340B series airplanes. The LFV advises that there has been one reported false warning indicating the engine exhaust tailpipe was hot. The warning was caused by chafed wires located in the cabin compartment ceiling. Those wires are routed through the lightening holes of the airframe. The chafing was found between the wires and the edge (edge string) of the lightening holes. The LFV further advised of two additional occurrences of similar chafing. Such false warnings could result in unnecessary procedures executed by the flightcrew.

Explanation of Relevant Service Information

Saab has issued Service Bulletin 340–92–027, dated December 10, 1999, which describes procedures for a one-time inspection to detect chafing of the wires and harnesses in the cabin compartment ceiling. The service bulletin describes procedures for repair of certain chafing. The service bulletin further describes procedures for the installation of protective sleeving on all of the harnesses routed in the inspection area. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition. The LFV classified this service bulletin as mandatory and issued Swedish airworthiness directive 1–149, dated December 10, 1999, in order to ensure the continued airworthiness of these airplanes in Sweden.

FAA's Conclusions

These airplane models are manufactured in Sweden and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the LFV has kept the FAA informed of the situation described above. The FAA has examined the findings of the LFV, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed Rule and Relevant Service Information

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for disposition of certain repair conditions, this proposal would require the repair of those conditions to be accomplished in accordance with a method approved by either the FAA, or the LFV (or its delegated agent). In light of the type of repair that would be required to address the identified unsafe condition, and in consonance with existing bilateral airworthiness agreements, the FAA has determined that, for this proposed AD, a repair approved by either the FAA or the LFV would be acceptable for compliance with this proposed AD.

Cost Impact

The FAA estimates that 288 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 36 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts for the sleeving installation would cost approximately $358 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $725,184, or $2,518 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect 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, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the 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 is contained 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 the following new airworthiness directive:

Saab Aircraft AB: Docket 2000–NM–25–AD.

Applicability: Model SAAB SF340A, serial numbers –004 through –159 inclusive; and SAAB 340B series airplanes, serial numbers –160 through –459 inclusive; certificated in any category.

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 (c) 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, unless accomplished previously.

To prevent false warning of a hot engine exhaust tailpipe and intermittent signal failure, the consequent execution of unnecessary procedures by the flightcrew, accomplish the following:

(a) Prior to the accumulation of 14,000 total flight hours, or within 4,000 flight hours after the effective date of this AD, whichever occurs later: Perform a detailed visual inspection to detect chafing of the wires and harnesses in the cabin compartment ceiling, and install protective sleeving on all of the harnesses routed in the inspection area; in accordance with Saab Service Bulletin 340–92–027, dated December 10, 1999. Except as provided by paragraph (b) of this AD, prior to further flight, repair any chafing in accordance with the service bulletin.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

(b) For any chafing detected during the inspection required by paragraph (a) of this AD for which the service bulletin specifies to contact Saab for appropriate action: Prior to further flight, repair in accordance with a method approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate; or the Luftfartsverket (LFV) (or its delegated agent). For a repair method to be approved by the Manager, International Branch, ANM–116, as required by this paragraph, the Manager's approval letter must specifically reference this AD.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(d) 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.

Note 4: The subject of this AD is addressed in Swedish airworthiness directive 1–149, dated December 10, 1999.

Issued in Renton, Washington, on April 18, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–10163 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–56–AD]

RIN 2120–AA64

Airworthiness Directives; Dassault Model Falcon 2000, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to all Dassault Model Falcon 2000, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 series airplanes. This proposal would require repetitive tests and inspections to detect discrepancies of the overwing emergency exit; and corrective action, if necessary. This proposal is prompted by issuance of mandatory continuing airworthiness information by a foreign civil airworthiness authority. The actions specified by the proposed AD are intended to prevent failure of the overwing emergency exits to open, and consequent injury to passengers or crew members during an emergency evacuation.

DATES: Comments must be received by May 24, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–56–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

Information pertaining to this proposed rule be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

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 shall 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 summarizing 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 Number 2000–NM–56–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, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–56–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, notified the FAA that an unsafe condition may exist on all Dassault Model Falcon 2000, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 series airplanes. The DGAC advises that service experience has shown that the overwing emergency exits on Dassault Falcon series airplanes may not operate correctly. This incorrect operation may be caused by interference between the emergency exit and the upper part of the airframe structure, or between the emergency exit and the interior accommodation. This condition, if not corrected, could result in failure of the overwing emergency exits to open, and consequent injury to passengers or crew members during an emergency evacuation.

Related French Airworthiness Directives

The DGAC issued French airworthiness directives 1999–213–025(B) (for Model Mystere-Falcon 50, Mystere-Falcon 900, and Falcon 900EX series airplanes), 1999–212–024(B) (for Model Fan Jet Falcon, Mystere-Falcon 20, and Mystere-Falcon 200 series airplanes), 1999–211–023(B) (for Model Falcon 10 series airplanes), and 1999–210–009(B) (for Model Falcon 2000 series airplanes); all dated May 19, 1999. These French airworthiness directives require a test of the overwing emergency exit from inside the cabin, in accordance with the applicable maintenance manual procedures.

FAA's Conclusions

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require repetitive tests and inspections to detect discrepancies of the overwing emergency exit; and corrective action, if necessary. Procedures for accomplishment of these actions are specified in the applicable aircraft maintenance manual.

Cost Impact

The FAA estimates that 767 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $46,020, or $60 per airplane, per inspection cycle.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect 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, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the 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 is contained 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 the following new airworthiness directive:

Dassault Aviation: Docket 2000–NM–56–AD.

Applicability: All Model Falcon 2000, Mystere-Falcon 900, Falcon 900EX, Fan Jet Falcon, Mystere-Falcon 50, Mystere-Falcon 20, Mystere-Falcon 200, and Falcon 10 series airplanes; certificated in any category.

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 (b) 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, unless accomplished previously.

To prevent failure of the overwing emergency exits to open, and consequent injury to passengers or crew members during an emergency evacuation, accomplish the following:

Operational Test and Inspection

(a) Within 30 days after the effective date of this AD, perform an operational test and detailed visual inspection of the overwing emergency exit from inside the cabin to detect discrepancies (including separation, tearing, wearing,

arcing, cracking) in the areas and components listed in Chapter 5 (ATA Code 52) of the applicable airplane maintenance manual (AMM). Accomplish the actions in accordance with the applicable AMM. If any discrepancy is detected during any test or inspection required by this paragraph, prior to further flight, repair in accordance with Chapter 5 (ATA Code 52) of the applicable AMM. Repeat the operational test and inspection thereafter at intervals not to exceed 13 months.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, International Branch, ANM–116.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

(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.

Note 4: The subject of this AD is addressed in French airworthiness directives 1999–213–025(B), 1999–212–024(B), 1999–211–023(B), and 1999–210–009(B); all dated May 19, 1999.

Issued in Renton, Washington, on April 18, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–10164 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 00–AAL–1]

Proposed Revision of Class E Airspace; Barrow, AK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action revises Class E airspace at Barrow, AK. The revision of instrument approaches to runway (RWY) 6 and RWY 24 at Wiley Post—Will Rogers Memorial Airport, Barrow, AK, have made this action necessary. Adoption of this proposal would result in the provision of adequate controlled airspace for Instrument Flight Rules (IFR) operations at Barrow, AK.

DATES: Comments must be received on or before June 8, 2000.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Operations Branch, AAL–530, Docket No. 00–AAL–1, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587.

The official docket may be examined in the Office of the Regional Counsel for the Alaskan Region at the same address.

An informal docket may also be examined during normal business hours in the Office of the Manager, Operations Branch, Air Traffic Division, at the address shown above and on the Internet at Alaskan Region's homepage at http://www.alaska.faa.gov/at or at address http://162.58.28.41/at.

FOR FURTHER INFORMATION CONTACT: Bob Durand, Operations Branch, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587; telephone number (907) 271–5898; fax: (907) 271–2850; email: Bob.Durand@faa.gov. Internet address: http://www.alaska.faa.gov/at or at address http://162.58.28.41/at.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 00–AAL–1.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the Operations Branch, Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of Notice of Proposed Rulemaking's (NPRM's)

An electronic copy of this document may be downloaded, using a modem and suitable communications software, from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703–321–3339) or the **Federal Register**'s electronic bulletin board service (telephone: 202–512–1661).

Internet users may reach the **Federal Register**'s web page for access to recently published rulemaking documents at http://www.access.gpo.gov/su_docs/aces/aces140.html.

Any person may obtain a copy of this NPRM by submitting a request to the Operations Branch, AAL–530, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513–7587. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should contact the individual(s) identified in the **FOR FURTHER INFORMATION CONTACT** section.

The Proposal

The FAA proposes to amend 14 CFR part 71 by revising Class E airspace at Barrow, AK, due to the revision of several instrument approach procedures to RWY 6 and RWY 24. The intended effect of this proposal is to provide additional controlled airspace for IFR operations at Barrow, AK.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 in FAA Order 7400.9G, *Airspace Designations and Reporting Points,* dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9G, *Airspace Designations and Reporting Points,* dated September 1, 1999, and effective September 16, 1999, is amended as follows:

* * * * *

Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.

* * * * *

AAL AK E5 Barrow, AK [Revised]

Barrow/Wiley Post—Will Rogers Memorial Airport, AK
(Lat. 71°17′08″ N, long. 156°45′58″ W)
Barrow VORTAC
(Lat. 71°16′24″ N, long. 156°47′18″ W)
Barrow Localizer
(Lat. 71°17′08″ N, long. 156°44′07″ W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Barrow/Wiley Post—Will Rogers Memorial Airport and within 4 miles north and 6 miles south of the Barrow Localizer back course extending from the 6.6-mile radius to 14.6 miles east of the airport; and that airspace extending upward from 1,200 feet above the surface within a 77-mile radius of the airport extending clockwise from the Barrow VORTAC 101° radial to the 240° radial and within the area bounded by a line beginning at the Barrow VORTAC 240° radial 20 miles west to lat. 71°13′ N long. 158°W, to lat. 71°23′ N long. 157°48′ W to lat. 71°25′ N long. 156°55′ W to lat. 71°20′ N long. 155°40′ W to lat. 71°14′ N 155°40′ W.

* * * * *

Issued in Anchorage, AK, on April 14, 2000.

Anthony M. Wylie,

Acting Manager, Air Traffic Division, Alaskan Region.

[FR Doc. 00–10016 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 99–AGL–57]

Proposed Realignment of Federal Airways; MI

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This action proposes to realign five Federal airways in the Gwinn, MI, area. This proposal would realign the affected Federal airways from the Marquette Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) to the Gwinn VOR/DME. The FAA is proposing this action due to the decommissioning of the Marquette VOR/DME and the commissioning of the Gwinn VOR/DME, which will be located approximately 15 nautical miles (NM) to the southeast of the present location of the Marquette Very High Frequency Omnidirectional Range/Tactical Air Navigation.

DATES: Comments must be received on or before June 16, 2000.

ADDRESSES: Send comments on this proposal in triplicate to: Manager, Air Traffic Division, AGL–500, Docket No. 99–AGL–57, Federal Aviation Administration, O'Hare Lake Office Center, 2300 East Devon Avenue; Des Plaines, IL 60018.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, O'Hare Lake Office Center, 2300 East Devon Avenue, Des Plaines, IL 60018.

FOR FURTHER INFORMATION CONTACT: Sheri Edgett Baron, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 99–AGL–57.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each

substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

An electronic copy of this document may be downloaded using a modem and suitable communications software from the FAA regulations section of the Fedworld electronic bulletin board service (telephone: 703–321–3339) or the Government Printing Office's electronic bulletin board service (telephone: 202–512–1661).

Internet users may reach the FAA's web page at http://www.faa.gov or the Superintendent of Documents's webpage at http://www.access.gpo.gov/nara for access to recently published rulemaking documents.

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267–8783. Communications must identify the docket number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should call the FAA's Office of Rulemaking, (202) 267–9677, for a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

Background

The FAA will be decommissioning the Marquette VOR/DME and will be commissioning the Gwinn VOR/DME. As a result, five Federal airways will have to be realigned from the Marquette VOR/DME to the new Gwinn VOR/DME (which is approximately 15 NM to the southeast of the present location of the Marquette VORTAC).

The Proposal

The FAA is proposing an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to realign five Federal airways due to the decommissioning of the Marquette VOR/DME, and the installation of the Gwinn VOR/DME. The Gwinn VOR/DME will be located approximately 15 NM southeast of the present location of the Marquette VORTAC. Specifically, V–7, V–133, V–224, V–316, and V–341 would be realigned from the Marquette VOR/DME to the Gwinn VOR/DME.

VOR Federal airways are published in Section 6010(a), of FAA Order 7400.9G, dated September 1, 1999, and effective September 16, 1999, which is incorporated by reference in 14 CFR 71.1. The airways listed in this document would be published subsequently in the Order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(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) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9G, Airspace Designations and Reporting Points, dated September 1, 1999, and effective September 16, 1999, is amended as follows:

Paragraph 6010—VOR Federal Airways

* * * * *

V–7 [Revised]

From Dolphin, FL; INT Dolphin 299° and Lee County, FL, 120° radials; Lee County; Lakeland, FL; Cross City, FL; Seminole, FL; Wiregrass, AL; INT Wiregrass 333° and Montgomery, AL, 129° radials; Montgomery; Vulcan, AL; Muscle Shoals, AL; Graham, TN; Central City, KY; Pocket City, IN; INT Pocket City 016° and Terre Haute, IN, 191° radials; Terre Haute; Boiler, IN; Chicago Heights, IL; INT Chicago Heights 358° and Falls, WI, 170° radials; Falls; Green Bay, WI; Menominee, MI; to Gwinn, MI. The airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

* * * * *

V–133 [Revised]

From INT Charlotte, NC, 305° and Barretts Mountain, NC, 197° radials; Barretts Mountain; Charleston, WV; Zanesville, OH; Tiverton, OH; Mansfield, OH; INT Mansfield 349° and Detroit, MI, 141° radials; Detroit; Salem, MI; INT Salem 346° and Saginaw, MI, 160° radials; Saginaw; Traverse City, MI; Escanaba, MI; Gwinn, MI; Houghton, MI; Thunder Bay, ON, Canada; International Falls, MN; to Red Lake, ON, Canada. The airspace within Canada is excluded.

* * * * *

V–224 [Revised]

From Gwinn, MI; to Schoolcraft County, MI.

* * * * *

V–316 [Revised]

From Ironwood, MI; Gwinn, MI; Sault Ste Marie, MI; thence via Sault Ste Marie 091° radial to Elliot Lake, ON, Canada, NDB; thence to Sudbury, ON, Canada, via the 259° radial to Sudbury. The airspace within Canada is excluded.

* * * * *

V–341 [Revised]

From Cedar Rapids, IA; Dubuque, IA; Madison, WI; Oshkosh, WI; Green Bay, WI; Menominee, MI; Iron Mountain, MI; Gwinn, MI; to Houghton, MI.

* * * * *

Issued in Washington, DC, on April 14, 2000.

Reginald C. Matthews,

Manager, Airspace and Rules Division.

[FR Doc. 00–10011 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01–99–069]

RIN 2115–AE47

Drawbridge Operation Regulations; Newtown Creek, Dutch Kills, English Kills and Their Tributaries, NY

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules for six New York City bridges; the Pulaski Bridge, at mile 0.6, across Newtown Creek between Brooklyn and Queens, the Greenpoint Avenue Bridge, at mile 1.3, across the Newtown Creek between Brooklyn and Queens, the Grand Street/

Avenue Bridge, at mile 3.1, across Newtown Creek (East Branch) between Brooklyn and Queens, the Metropolitan Avenue Bridge, at mile 3.4, across English Kills at Brooklyn, the Borden Avenue Bridge, at mile 1.2, across Dutch Kills at Queens, and the Hunters Point Avenue Bridge, at mile 1.4, across Dutch Kills at Queens all in New York. The bridge owner asked the Coast Guard to change the regulations to require a two-hour advance notice for openings. It is expected to relieve the bridge owner from the requirement to crew the bridges at all times by using multiple crews of drawtenders and still meet the reasonable needs of navigation.

DATES: Comments must reach the Coast Guard on or before June 23, 2000.

ADDRESSES: You may mail comments and related material to Commander (obr), First Coast Guard District, Bridge Branch, at 408 Atlantic Avenue, Boston, MA 02110–3350, or deliver them to the same address between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223–8364. The First Coast Guard District, Bridge Branch, maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the First Coast Guard District, Bridge Branch, 7 a.m. to 3 p.m., Monday through Friday, except, Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. John McDonald, Project Officer, First Coast Guard District, (617) 223–8364.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments or related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01–99–069), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know if they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the First Coast Guard District, Bridge Branch, at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

Pulaski Bridge. The Pulaski Bridge, at mile 0.6, across Newtown Creek between Brooklyn and Queens has a vertical clearance of 39 feet at mean high water and 43 feet at mean low water. The existing regulations require the draw to open on signal at all times.

Greenpoint Avenue Bridge. The Greenpoint Avenue Bridge, at mile 1.3, across the Newtown Creek between Brooklyn and Queens has a vertical clearance of 26 feet at mean high water and 31 feet at mean low water. The existing regulations require the draw to open on signal at all times.

Grand Street/Avenue Bridge. The Grand Street/Avenue Bridge, at mile 3.1 across the Newtown Creek (East Branch) between Brooklyn and Queens has a vertical clearance of 8 feet above mean high water and 12 feet at mean low water. The existing operating rules for the Grand Street/Avenue Bridge, listed at 33 CFR 117.801(e), requires the bridge to open on signal unless the drawtender is at the Borden Avenue, Hunters Point Avenue or Roosevelt Island Bridges. In this event a notice to the New York City Department of Transportation (NYCDOT) Radio Hotline, or NYCDOT Bridge Operations Office shall be given, resulting in up to a one-hour delay.

Metropolitan Avenue Bridge. The Metropolitan Avenue Bridge, at mile 3.4, across the English Kills at Brooklyn has a vertical clearance of 10 feet above mean high water and 15 feet above mean low water. The existing operating regulations require the draw to open on signal at all times.

Borden Avenue Bridge. The Borden Avenue Bridge, at mile 1.3, across the Dutch Kills has a vertical clearance of 4 feet at mean high water and 9 feet at mean low water. The existing regulations in 33 CFR 117.801(c) require the draw to open on signal if at least a one-hour advance notice is given to the drawtender at the Grand Street/Avenue Bridge, the New York City Department of Transportation Radio Hotline or NYCDOT Bridge Operations Office. In the event the drawtender is at the Roosevelt Island Bridge or the Hunters Point Avenue Bridge, up to an additional half-hour delay may occur.

Hunters Point Avenue Bridge. The Hunters Point Avenue Bridge, at mile 1.4, over the Dutch Kills has vertical clearances of 8 feet at mean high water and 13 feet at mean low water. The existing regulations for the Hunters Point Avenue Bridge in 33 CFR 117.801(d) require the draw to open on signal if at least a one-hour advance notice is given to the drawtender at the Grand Street/Avenue Bridge, the NYCDOT Radio Hotline, or NYCDOT Bridge Operations Office. In the event the drawtender is at the Roosevelt Island Bridge or the Borden Avenue Bridge, up to an additional half-hour delay may occur.

The owner of all the bridges, the New York City Department of Transportation (NYCDOT), submitted bridge opening log data to the Coast Guard for review. The bridge owner plans to operate these bridges with multiple crews of drawtenders. The two-hour advance notice should allow sufficient time for the crews to operate these bridges due to the close proximity of the bridges to each other. Recent yearly openings have been relatively low which will allow the bridge owner to utilize the roving crew concept and still meet the needs of navigation.

The total number of bridge openings at the above bridges from 1991 to 1999 are as follows:

	1991	1992	1993	1994	1995	1996	1997	1998	1999
Pulaski	584	426	224	239	206	195	291	518	550
Greenpt	1014	880	587	549	498	557	626	920	1016
Grand	419	549	224	254	239	189	37	86	91
Borden	282	107	141	0	0	105	15	37	61
Hunters	264	106	141	0	0	113	15	42	77
Metro	301	356	225	310	272	407	432	588	688

The monthly distribution of openings for the above bridges were equally balanced without any specific months when opening requests were significantly greater.

Discussion of Proposal

This proposal, if adopted will relieve the bridge owner the burden of crewing each bridge continually, and still meet the reasonable needs of navigation. A two-hour advance notice requirement for bridge openings will enable the bridge owner to utilize multiple crews of drawtenders to open these bridges for vessel traffic. The Coast Guard believes the roving drawtender concept requiring a two-hour advance notice is reasonable and should meet the needs of navigation based upon the low number of yearly openings at the bridges, the close proximity of the bridges, and the scheduling of commercial vessel transits. The bridges will still open on signal at all times provided that the advance notice is given. This proposed rule is expected to relieve the bridge owner of the burden of crewing each bridge continually and still meet the reasonable needs of navigation.

The Coast Guard proposes to change the operating regulations for the Grand Street/Avenue Bridge, Borden Avenue Bridge, Hunters Point Bridge, Metropolitan Bridge, Pulaski Bridge and the Greenpoint Bridge, to require a two-hour advance notice for openings at all times.

Paragraph (a)(1) of 33 CFR 117.801 for public and state vessels used for public safety, will be removed because it is now set out at 33 CFR 117.31 under the general operating regulations for bridges.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040, Feb. 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that the bridges will open for marine traffic but will require mariners to provide a two-hour notice.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under section 5 U.S.C. 605(b), that this proposed rule would not have a significant economic impact on a substantial number of small entities. This conclusion is based upon the fact that the bridges will still open on signal after a two-hour notice is given.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

We have analyzed this proposed rule under E.O. 13132 and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (32)(e), of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation because promulgation of drawbridge regulations have been found not to have a significant effect on the environment. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.801 is revised to read as follows:

§ 117.801 Newtown Creek, Dutch Kills, English Kills and their tributaries.

(a) The following requirements apply to all bridges across Newtown Creek, Dutch Kills, English Kills, and their tributaries:

(1) The owners of all bridges across Newtown Creek, Dutch Kills, English Kills and their tributaries listed under § 117.801, shall provide and keep in good legible condition two clearance gauges with figures not less than 12 inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

(2) Trains and locomotives shall be controlled so that any delay in opening the draw shall not exceed five minutes. If a train moving toward the bridge has crossed the home signal for the bridge before the request to open the bridge is

given, that train may continue across the bridge, but must clear the interlock before stopping.

(b) The draws of the Long Island Railroad bridges, at mile 1.1, across Dutch Kills at Queens, shall open on signal if at least six-hours advance notice is given to the Long Island Railroad Movement Bureau, except as provided in paragraph (a)(2) of this section.

(c) The draw of the Borden Avenue Bridge, mile 1.2, across Dutch Kills at Queens, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or NYCDOT Bridge Operations Office.

(d) The draw of the Hunters Point Avenue Bridge, mile 1.4, across Dutch Kills at Queens, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or the NYCDOT Bridge Operations Office.

(e) The draw of the Metropolitan Avenue Bridge, mile 3.4, across English Kills at New York City, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or the NYCDOT Bridge Operations Office.

(f) The draw of the Grand Street/ Avenue Bridge, mile 3.1, across Newtown Creek (East Branch) between Brooklyn and Queens, shall open on signal if at least a two-hour advance notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline or the NYCDOT Bridge Operations Office.

(g) The draws of the Pulaski Bridge, mile 0.6, and the Greenpoint Avenue Bridge, mile 1.3, both across the Newtown Creek between Brooklyn and Queens, shall open on signal if at least a two-hour advance notice given to the New York City Department of Transportation (NYCDOT) Radio Hotline or NYCDOT Bridge Operations Office.

Dated: April 6, 2000.

G.N. Naccara,

Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.

[FR Doc. 00–10154 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01–00–015]

RIN 2115–AA97

Safety Zone: Staten Island Fireworks, Arthur Kill

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish two temporary safety zones on the Arthur Kill for two Borough of Staten Island Fireworks displays. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic on a portion of the Arthur Kill.

DATES: Comments and related material must reach the Coast Guard on or before June 23, 2000.

ADDRESSES: You may mail comments and related material to Waterways Oversight Branch (CGD01–00–015), Coast Guard Activities New York, 212 Coast Guard Drive, room 205, Staten Island, New York 10305. The Waterways Oversight Branch of Coast Guard Activities New York maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room 205, Coast Guard Activities New York, between 8 a.m. and 3 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354–4193.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD01–00–015), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Waterways Oversight Branch at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Borough of Staten Island has submitted an Application for Approval of a Marine Event for a fireworks display on the Arthur Kill. This proposed regulation establishes a temporary safety zone in all waters of the Arthur Kill, Ward Point Bend (West), and the Raritan River Cutoff, within a 300-yard radius of the fireworks barge in approximate position 40°30′18″ N 074°15′30″ W (NAD 1983), about 250 yards northwest of Raritan Bay Channel Buoy 60 (LLNR 36319). The proposed safety zone would be effective from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on July 2, and September 2, 2000. If either event is cancelled due to inclement weather, then this proposed safety zone would be effective from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on July 3, and September 3, 2000. The proposed safety zone prevents vessels from transiting a portion of the Arthur Kill, Ward Point Bend (West), and the Raritan River Cutoff for approximately 45 minutes of the 90 minute long event, and is needed to protect boaters from the hazards associated with fireworks launched from a barge in the area. Public notifications will be made prior to the events via local notice to mariners, and marine information broadcasts.

Discussion of Proposed Rule

The proposed safety zone is for the Borough of Staten Island Fireworks displays held on the Arthur Kill. This event will be held on Sunday, July 2, and Saturday, September 2, 2000, from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.). If either event is canceled due to inclement weather, then the event will be held on Monday, July 3, and Sunday, September 3, 2000, from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.). This rule is being proposed to provide for the safety of life on navigable waters during the events and to give the marine community the opportunity to comment on this event.

The proposed size of this safety zone was determined using National Fire

Protection Association and New York City Fire Department Standards for 10 inch mortars fired from a barge, combined with the Coast Guard's knowledge of tide and current conditions in the area.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Although this regulation prevents traffic from transiting a portion of the Arthur Kill during the event, the effect of this regulation will not be significant for several reasons: commercial facilities in the Arthur Kill and the Sandy Hook Pilots Association will be notified of this proposal, recreational vessels will be able to transit through the western 50 yards of the Arthur Kill during the event, recreational vessels would not be precluded from getting underway, or mooring at, any piers or marinas currently located in the vicinity of the safety zone, and advance notifications which will be made to the local maritime community by the Local Notice to Mariners, and marine information broadcasts. Additionally, commercial vessels will normally be precluded from entering the zone for only a 45-minute period during the effective period of the safety zone.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit a portion of the Arthur Kill, Ward Point Bend (West), and the Raritan River Cutoff during the time this zone is activated.

This safety zone would not have a significant economic impact on a substantial number of small entities for the following reasons: commercial facilities in the Arthur Kill and the Sandy Hook Pilots Association will be notified of this proposal, recreational vessels will be able to transit through the western 50 yards of the Arthur Kill during these times. Recreational vessels would not be precluded from getting underway, or mooring at, any piers or marinas currently located in the vicinity of the proposed safety zone. Additionally, commercial vessels will normally be precluded from entering the zone for only a 45-minute period during the effective period of the safety zone.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354–4193.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

We have analyzed this proposed rule under E.O. 13132 and have determined that this rule does not have implications for federalism under that Order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph 34(g), of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation. This proposed rule fits paragraph 34(g) as it establishes a safety zone. A ''Categorical Exclusion Determination'' is available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, 160.5; 49 CFR 1.46.

2. Add temporary § 165.T01–015 to read as follows:

§ 165.T01–015 Safety zone: Staten Island fireworks, Arthur Kill.

(a) *Location.* The following area is a safety zone: All waters of the Arthur Kill within a 300-yard radius of the fireworks barge in approximate position 40°3018 N 074°1500 W (NAD 1983), about 250 yards northwest of Raritan Bay Channel Buoy 60 (LLNR 36319).

(b) *Effective Period.* This section is effective from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on July 2, and from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on September 2, 2000. If either event is cancelled due to inclement weather, then this section is effective from 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on July 3, and 8:15 p.m. (e.s.t.) until 9:45 p.m. (e.s.t.) on September 3, 2000.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on-scene-patrol personnel. These personnel comprise commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U. S. Coast Guard vessel by siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

Dated: April 7, 2000.

R.E. Bennis

Captain, U.S. Coast Guard, Captain of the Port, New York.

[FR Doc. 00–10153 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–15–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Region VII Tracking No. MO 098–1098a; FRL–6583–3]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the Eagle-Picher Technologies' LLC Consent Agreement as a revision to the Missouri State Implementation Plan (SIP). This Consent Agreement ensures that the operation of the newly installed emissions controls at the Chemicals Divisions in Joplin, Missouri, are permanent, enforceable, and measurable.

In the final rules section of the **Federal Register**, 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 relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received on or before May 24, 2000.

ADDRESSES: Written comments should be mailed to Kim Johnson, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

Copies of the state submittal(s) are available at the following address for inspection during normal business hours: Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Kim Johnson, at (913) 551–7975.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: April 6, 2000.

Dennis Grams,

Regional Administrator, Region 7.

[FR Doc. 00–10032 Filed 4–21–00; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 1880

[WO–880–9500–PF–24–1A]

RIN 1004–AD23

Financial Assistance, Local Governments

AGENCY: Bureau of Land Management, Interior

ACTION: Proposed rule.

SUMMARY: The Bureau of Land Management (BLM) proposes to revise its regulations governing procedures for disbursing Payments in Lieu of Taxes (PILT) to units of general local government for entitlement lands within their boundaries. This proposed rule would incorporate statutory changes to the authorizing legislation.

DATES: You should submit your comments on or before June 23, 2000. BLM may not necessarily consider comments postmarked or received by electronic mail after the above date in the decision making process on the final rule.

ADDRESSES: You may mail comments to the Bureau of Land Management, Administrative Record, Room 401 LS, 1849 C Street, NW, Washington, DC 20240. You may also hand deliver comments to Bureau of Land Management, Room 401, 1620 L Street, NW, Washington, DC 20036. For information about filing comments electronically, see the **SUPPLEMENTARY INFORMATION** section under ''Public Comment Procedures.''

FOR FURTHER INFORMATION CONTACT: Bill Howell, Budget Group, (202) 452–7721 (Commercial or FTS). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1–800–877–8339, 24 hours a day, seven days a week, to contact Mr. Howell about the proposed rule.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures
II. Background
III. Discussion of Proposed Rule
IV. Procedural Matters

I. Public Comment Procedures

How Can I Electronically File Comments?

You may comment via the Internet to *WOComment@blm.gov*. Please also include ''Attention: RIN 1004–AD23'' and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at (202) 452–5030.

Can BLM Keep My Identity Confidential?

For BLM to keep your personal information confidential, you must request confidentially and prominently state your request at the beginning of your comment. BLM will consider withholding your name, street address, and other identifying information on a case-by-case basis to the extent allowed by law. BLM will make available for public inspection in their entirety all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses.

II. Background

What Law Authorizes PILT Payments?

The Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), commonly known as the Payments in Lieu of Taxes Act (PILT), authorizes the Secretary of the Interior, through the Bureau of Land Management, to disburse Federal payments annually to counties and other units of general local government to compensate for the exemption of real estate taxes on entitlement lands within their boundaries.

Why Is BLM Issuing These Regulations?

BLM proposes to update the existing regulations to incorporate statutory changes to the PILT Act in the 103rd, 104th, and 105th Congresses (Pub. L. 103–397, October 22, 1994; Pub. L. 104–333, November 12, 1996; and Pub. L. 105–83, November 14, 1997).

III. Discussion of Proposed Rule

What Will the Proposed Rule Do?

The proposed rule would:

- Conform the existing regulations to plain language format; and
- Update the existing regulations to incorporate statutory changes to the PILT Act in the 103rd, 104th, and 105th Congresses (Pub. L. 103–397, October 22, 1994; Pub. L. 104–333, November 12, 1996; and Pub. L. 105–83, November 14, 1997); and

What Are the Statutory Changes Made to the Authorizing Legislation?

Congress made the following statutory changes to the authorizing legislation:

1. Public Law 103–397 amends the PILT Act to indicate increases to the per acre values used to compute ''6902 payments'' and to the population table used to determine each unit of general local government's population ceiling. The public law also indexes payments for inflation, increases payments for entitlement lands based on the Consumer Price Index, and authorizes payments for certain land exchanges and acquisitions.

2. Public Law 104–333 further amends the Act to redefine the meaning of ''unit of general local government'' and also stipulates which units of general local government are eligible to receive a PILT payment.

3. Public Law 105–83 amends the Act to exclude cities in Alaska from the definition of *unit of general local government* eligible to receive PILT payments.

The following Section Conversion Table amends the existing regulations to redesignate the sections as follows:

SECTION CONVERSION TABLE

Old section	New section
1881.0–1	1881.10
1881.0–3	1881.11
1881.0–5	1881.12
1881.1—1881.1–1	1881.13
1881.1–2	1881.20
1881.1–3	1881.30, 1881.40
1881.1–4	1881.51
1881.1–5	1881.52
1881.2	1881.50
1881.3	1881.56
1881.4	1881.57

Section-by-Section Analysis

Section 1881.10 What is the purpose of this subpart?

BLM proposes to remove and renumber § 1881.0–1 of the existing regulations. The purpose of this subpart is to set forth the governing procedures BLM uses for disbursing PILT payments to units of general local government for entitlement lands within their boundaries.

Section 1881.11 What is the authority for this subpart?

BLM proposes to remove and renumber § 1881.0–3 of the existing regulations. The references to the authority for promulgating these regulations continue to be the same.

Section 1881.12 How does BLM define terms used in this subpart?

BLM proposes to remove and renumber § 1881.0–5 of the existing regulations, alphabetize the remaining definitions, and add definitions of:

Unit of general local government (to conform to a statutory change to the authorizing legislation)

Section 6902 (31 U.S.C. 6902) payments (Section 1 of § 1881.1–2 in existing regulations)

Section 6904 (31 U.S.C. 6904) payments (Section 3 of § 1881.1–3 in existing regulations)

Section 6905 (31 U.S.C. 6905) payments (Section 3 of § 1881.1–3 in existing regulations)

BLM proposes to remove from the existing regulations the definitions for the terms listed below because the definitions are explained in the regulatory text or are no longer needed.

Authorized officer
Government
Money transfer

Section 1881.13 Who is eligible to receive PILT payments?

BLM proposes to remove and renumber § 1881.1–1881.1–1 of the existing regulations. This proposed section would include a statutory change made to the authorizing legislation which affects the units of general local government eligible to receive PILT payments.

Section 1881.20 How does BLM process section 6902 payments?

BLM proposes to remove and renumber § 1881.1–2 of the existing regulations. This proposed section would include a statutory change made to the authorizing legislation which would change Section 1 payments in § 1881.1–2 of the existing regulations to Section 6902 (31 U.S.C. 6902) payments. The proposed section also explains how BLM would process section 6902 payments.

Section 1881.21 What information does BLM need to calculate these payments?

This proposed section would describe what information BLM needs to calculate PILT payments. After BLM receives the required information, BLM uses the formula in 31 U.S.C. 6903(b)(1) to calculate the actual payments.

Section 1881.22 Are there any special circumstances that affect the way BLM calculates PILT payments?

This proposed section would explain how BLM calculates PILT payments if a unit of general local government reorganizes. BLM will calculate payments for the fiscal year of the reorganization as if the reorganization did not occur.

Section 1881.23 How does BLM certify payment computations?

This proposed section would explain how BLM certifies payment computations after receiving the required information from the State in which the unit of general local government is located.

Section 1881.30 How does BLM process section 6904 payments?

BLM proposes to remove and renumber § 1881.1–3 of the existing regulations. This proposed section would include a statutory change made to the authorizing legislation which would change Section 3 payments in § 1881.1–3 of the existing regulations to *Section 6904 (31 U.S.C. 6904) payments.* The proposed section also explains how BLM would process section 6904 payments.

Section 1881.31 How does BLM calculate section 6904 payments?

This proposed section would explain how BLM calculates Section 6904 payments after receiving required information from the State in which the

units of general local government are located.

Section 1881.40 How does BLM process section 6905 payments?

BLM proposes to remove and renumber § 1881.1–3 of the existing regulations. This proposed section would include a statutory change made to the authorizing legislation which would change Section 3 payments in § 1881.1–3 of the existing regulations to *Section 6905 (31 U.S.C. 6905) payments.* The proposed section also explains how BLM would process section 6905 payments.

Section 1881.41 How does BLM calculate section 6905 payments?

This proposed section would explain how BLM calculates section 6905 payments after receiving required information from the State in which the units of general local government are located.

Section 1881.50 What are the local governments' responsibilities after receiving sections 6902, 6904, and 6905 PILT payments?

BLM proposes to remove and renumber § 1881.1–4, 1881–1–5, 1881.2, and 1881.3 of the existing regulations. This proposed section would explain the local governments' responsibilities after receiving PILT payments from BLM which include distributing the payments and certifying to BLM that it made the distribution.

Section 1881.51 Are there general procedures applicable to all PILT payments?

This proposed section would explain BLM's procedures applicable to all PILT payments including minimum payments to units of general local government and how BLM pro rates payments.

Section 1881.52 May a State enact legislation to reallocate or redistribute PILT payments?

This proposed section would explain that a State may enact legislation to reallocate or redistribute PILT payments but must follow certain procedures after the legislation is enacted.

Section 1881.53 What is BLM's procedure on PILT payments to a State that enacts distribution legislation?

This proposed section would explain that BLM will not change its PILT payment if a State enacts distribution legislation procedures until the following Federal fiscal year.

Section 1881.54 What happens if a State repeals or amends distribution legislation?

This proposed section would explain the process for starting payments if a State repeals or amends distribution legislation. It would require States to notify BLM of the changes. BLM would determine compliance with 31 U.S.C. 6907 and if in compliance, BLM would begin payments the following fiscal year.

Section 1881.55 Can a unit of general local government protest the results of payment computations?

This proposed section would state that a unit of general local government can protest the results of payment computations.

Section 1881.56 How does a unit of general local government file a protest?

This proposed section would explain the process of filing a protest including the time within which the unit of general local government must file.

Section 1881.57 Can a unit of general local government appeal a rejection of a protest?

This proposed section would explain that a unit of general local government can appeal a rejection of a protest to the Interior Board of Land Appeals.

IV. Procedural Matters

Executive order 12866, Regulatory Planning and Review

This proposed regulation is not a significant regulatory action and is not subject to review by the Office of Management and Budget (OMB) under Executive Order 12866. We have determined that this proposed regulation: Does not have an annual economic impact of $100 million or more; will not have an adverse impact in a material way on the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; does not pose a serious inconsistency or interfere with an action taken or planned by another agency; does not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the right or obligations of their recipients; and will not have novel legal or policy implications. Therefore, we do not have to assess the potential costs and benefits of the rule under section 6(a)(3) of this order.

Executive Order 12866 also requires each agency to write regulations that are easy to understand. We invite your comments on how to make this proposed rule easier to understand, including answers to the following questions:

- Are the requirements in the proposed rule clearly stated?
- Does the proposed rule contain unclear technical language or jargon?
- Does the format of the proposed rule aid or reduce its clarity?
- Would the rule be easier to understand if it were divided into more sections?
- Is the description of the proposed rule in the ''Supplementary Information'' section helpful in understanding the proposed rule.

Send comments that concern how we could make this proposed rule easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street, NW, Washington, DC 20240. You may also email the comments to: Execsec@ios.doi.gov.

National Environmental Policy Act (NEPA)

This proposed rule is subject to a categorical exclusion under NEPA. The proposed rule would incorporate statutory changes to the PILT Act. The PILT Act authorizes BLM to disburse PILT payments annually to counties and other units of general local government to compensate for the exemption of real estate taxes on entitlement lands within their boundaries. BLM has determined that this action to update existing regulations to incorporate statutory changes to the authorizing legislation is a regulation of financial, technical, and legal nature under section 101(2)(C) of the National Environmental Policy Act, pursuant to 516 Departmental Manual, Chapter 2, Appendix 1, Item 1.10. The environmental effects of the regulation are too broad, speculative, or conjectural to lend themselves to meaningful analysis. Therefore, pursuant to the Council on Environmental Quality regulations (40 CFR 1508.4) and the environmental policies and procedures of the Department of the Interior, BLM has found that neither an environmental assessment nor an environmental impact statement is required.

Regulatory Flexibility Act

This proposed rule does not require a regulatory flexibility analysis. Congress enacted the Regulatory Flexibility Act of 1980 (RFA), as amended (5 U.S.C. 601–612), to ensure that Government regulations do not necessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule has a significant economic impact, either detrimental or beneficial, on a substantial number of small entities.

This proposed rule would not have significant economic impacts on small entities under the RFA (5 U.S.C. 601 *et seq.*). The proposed rule would merely update existing regulations to incorporate statutory changes to the authorizing legislation. The Acts do not affect small entities as they address transfer of funds from BLM to States. Accordingly, a regulatory flexibility analysis is not required.

Small Business Regulatory Enforcement Fairness Act

This proposed rule is not a ''major rule'' as defined by the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 804(2)). This proposed rule will not have a significant impact on the economy or on small businesses in particular. As discussed above, this proposed rule would merely update existing regulations to incorporate statutory changes to the authorizing legislation and do not affect small businesses.

Unfunded Mandates Reform Act

This proposed rule does not impose an unfunded mandate on State, local or tribal governments or the private sector of more than $100 million per year. This proposed rule does not have a significant or unique effect on State, local or tribal governments or the private sector. Therefore, we are not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*). This proposed rule would explain how BLM disburses PILT payments to States and units of general local government and update the existing regulations to incorporate statutory changes to the authorizing legislation.

Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights (Takings)

This proposed rule does not represent a government action capable of interfering with constitutionally protected property rights. Therefore, we have determined that the regulation would not cause a taking of private property. No further discussion of takings implications are required under this Executive Order.

Executive Order 13132, Federalism

We have considered the effect of the proposed rule in accordance with Executive Order 13132 and have determined that it does not have sufficient Federalism implications to warrant the preparation of a Federalism summary impact statement. The proposed rule does 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. The rule does not preempt State law. However, we consulted with the National Association of Counties staff to discuss the general framework of this rule making.

Paperwork Reduction Act

A 60-day notice was provided in the **Federal Register** (61 FR 11649) which solicited public comments on its announcement to request renewal of approval to collect certain information relating to PILT. We did not receive any comments.

The OMB has approved the information collection requirements in this proposed rule under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), and has assigned clearance number 1004–0109. BLM estimates the public reporting burden of this section to average 50 respondents reporting one time per year at 20 hours per response or 1,000 total annual hours. This estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Executive Order 12988, Civil Justice Reform

The Office of the Solicitor has determined that this proposed regulation will not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

Author

The principal author of this proposed rule is Bill Howell, Budget Group, assisted by Shirlean Beshir, Regulatory Affairs Group.

List of Subjects in 43 CFR Part 1880

Financial assistance—local governments, Land Management Bureau, Payment in lieu of taxes, Public lands, Public lands—mineral resources.

April 4, 2000.

Kathy Karpan,

Acting Principal Deputy Assistant Secretary, Land and Minerals Management.

Accordingly, for the reasons stated in the preamble and under the authority of 43 U.S.C. 1740, BLM proposes to revise 43 CFR part 1880, subpart 1881, to read as follows:

PART 1880—FINANCIAL ASSISTANCE, LOCAL GOVERNMENTS

Subpart 1881—Payments in Lieu of Taxes

Sec.

General information

1881.10 What is the purpose of this subpart?
1881.11 What is the authority for this subpart?
1881.12 How does BLM define terms used in this subpart?
1881.13 Who is eligible to receive PILT payments?

Payments to Local Governments Containing Entitlement Lands (31 U.S.C. 6902)

1881.20 How does BLM process section 6902 payments?
1881.21 What information does BLM need to calculate these payments?
1881.22 Are there special circumstances that affect the way BLM calculates PILT payments?
1881.23 How does BLM certify payment computations?

Payments to Local Governments for Acquisitions or Interest in Lands Acquired for Addition to the National Park System or National Forest Wilderness Areas (31 U.S.C. 6904)

1881.30 How does BLM process section 6904 payments?
1881.31 How does BLM calculate section 6904 payments?

Payments to Local Governments for Interest in Lands in the Redwood National Park or Lake Tahoe Basin (31 U.S.C. 6905)

1881.40 How does BLM process section 6905 payments?
1881.41 How does BLM calculate section 6905 payments?

State and Local Governments' Responsibilities After BLM Distributes Pilt Payments

1881.50 What are the local governments' responsibilities after receiving sections 6902, 6904, and 6905 PILT payments?
1881.51 Are there general procedures applicable to all PILT payments?
1881.52 May a State enact legislation to reallocate or redistribute PILT payments?
1881.53 What is BLM's procedure on PILT payments to a State that enacts distribution legislation?
1881.54 What happens if a State repeals or amends distribution legislation?
1881.55 Can a unit of general local government protest the results of payment computations?
1881.56 How does a unit of general local government file a protest?
1881.57 Can a unit of general local government appeal a rejection of a protest?

Subpart 1881—Payments in Lieu of Taxes

Authority: Public Law 94–565, 90 Stat. 2662, as amended, 31 U.S.C. 6901–6907.

General Information

§ 1881.10 What is the purpose of this subpart?

This subpart sets forth procedures the Bureau of Land Management uses in disbursing Federal payments in lieu of taxes to units of general local government for entitlement lands within their boundaries.

§ 1881.11 What is the authority for this subpart?

Public Law 94–565, 90 Stat. 2662, as amended, 31 U.S.C. 6901–6907 continues as authority for this subpart.

§ 1881.12 How does BLM define terms used in this subpart?

Entitlement land means land owned by the United States:

(1) That is in the National Park System or the National Forest System, including wilderness areas, and national forest lands in northern Minnesota described in 16 U.S.C. 577d–577d–1;

(2) That is administered by the Secretary of the Interior through the Bureau of Land Management;

(3) That is dedicated to the use of the Government for water resource development projects;

(4) On which there are semi-active or inactive installations, excluding industrial installations, that the Department of Army keeps for mobilization and reserve component training;

(5) That is a dredge disposal area under the jurisdiction of the Army Corps of Engineers;

(6) That is located in the vicinity of Purgatory River Canyon and Pinon Canyon, Colorado, and acquired by the United States after December 23, 1981, to expand the Fort Carson military installation; or

(7) That is a reserve area as defined in 16 U.S.C. 715s(g)(3), which is an area of land withdrawn from the public domain and administered, either solely or primarily, by the Secretary of the Interior, through the Fish and Wildlife Service.

Payments in lieu of taxes (PILT) means Federal payments disbursed to units of general local government to compensate for the exemption of real estate taxes on entitlement lands within their boundaries.

Section 6902 (31 U.S.C. 6902) payments means Federal payments disbursed to units of general local government containing entitlement lands.

Section 6904 (31 U.S.C. 6904) payments means Federal payments disbursed to units of general local government for acquisitions or interest in lands acquired for addition to the National Park System or National Forest Wilderness Areas.

Section 6905 (31 U.S.C. 6905) payments means Federal payments disbursed to units of general local government for lands in the Redwood National Park or Lake Tahoe Basin.

Unit of general local government means:

(1) a county, parish, township, borough, or city (other than in Alaska), where the city is independent of any other unit of general local government, that:

(i) Is within the class(es) of such political subdivision in a State that the Secretary of the Interior determines, in his discretion, to be the principal provider(s) of governmental services within the State; and

(ii) Is a unit of general local government, as determined by the Secretary of the Interior on the basis of the same principles as were used by the Secretary of Commerce on January 1, 1983, for general statistical purposes.

(2) Any area in Alaska that is within the boundaries of a census area used by the Secretary of Commerce in the decennial census, but that is not included within the boundaries of a governmental entity described under paragraph (1) of this definition.

(3) the Governments of the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

§ 1881.13 Who is eligible to receive PILT payments?

(a) Each unit of general local government containing entitlement lands may receive a PILT payment.

(b) A unit of general local government may not receive a payment for land owned or administered by a State or unit of general local government that was exempt from real estate taxes when the land was conveyed to the United States. However, a unit of general local government may receive a PILT payment for land when:

(1) A State or unit of general local government acquires from a private party to donate to the United States within eight years of acquisition;

(2) A State acquires through an exchange with the United States if the land acquired was entitlement land; or

(3) In the State of Utah, that the United States acquires for Federal land, royalties or other assets if, at the time of acquisition, a unit of general local government was entitled to receive payments in lieu of taxes from the State of Utah for the land; provided that the payment to the local government does not exceed the payment the State would have disbursed if the land had not been acquired.

Payments to Local Governments Containing Entitlement Lands (31 U.S.C. 6902)

§ 1881.20 How does BLM process section 6902 payments?

(a) The BLM:

(1) Determines the eligibility of units of general local governments, conferring when necessary, with the Bureau of the Census, officials of appropriate State and local governments, and officials of the agency administering the entitlement land;

(2) Computes the amount of the payment disbursed to each unit of general local government; and

(3) Certifies the amount of the payment disbursed to each unit of general local government.

(b) The BLM disburses a payment each fiscal year to each unit of general local government containing entitlement lands.

(c) The State of Alaska is required to distribute the payment it receives to home rule cities and general law cities (as such cities are defined by the State) that are located within the boundaries of the unit of general local government entitled to the payment.

§ 1881.21 What information does BLM need to calculate these payments?

(a) The BLM obtains the necessary data on Federal and State payments from several sources:

(1) Federal agencies provide the amount of entitlement land within the boundaries of each unit of general local government as of the last day of the fiscal year preceding the fiscal year for which BLM disburses the payment.

(2) The Governor or designated official provides the amount of money transfers (land revenue sharing payments) disbursed by the State during the previous fiscal year to eligible units of general local government under the following payment laws listed under 31 U.S.C. 6903(a)(1):

(i) The Act of June 20, 1910 (Arizona and New Mexico Enabling Acts) (ch. 310, 36 Stat 557);

(ii) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012);

(iii) The Act of May 23, 1908 (Knutson-Vandenberg Act regarding Forest Service timber sales contracts) (16 U.S.C. 500);

(iv) Section 5 of the Act of June 22, 1948 (Payments to Minnesota from northern Minnesota National Forest receipts) (16 U.S.C. 577g–l);

(v) Section 401(c)(2) of the Act of June 15, 1935 (Payments to local governments from National Wildlife Refuge System receipts) (16 U.S.C. 715s(c)(2));

(vi) Section 17 of the Federal Power Act (16 U.S.C. 810);

(vii) Section 35 of the Act of February 25, 1920 (Mineral Leasing Act) (30 U.S.C. 191);

(viii) Section 6 of the Mineral Leasing Act for Acquired Lands (30 U.S.C. 355);

(ix) Section 3 of the Act of July 31, 1947 (Materials Act of 1947) (30 U.S.C. 603); and

(x) Section 10 of the Act of June 28, 1934 (Taylor Grazing Act) (43 U.S.C. 315i).

(3) The Bureau of the Census provides statistics on the population of each unit of general local government.

(b) The BLM consults with the affected unit of general local government and the administering agency to resolve conflicts in land records and other data sources.

(c) The BLM uses the amount of actual appropriations, the formula set forth in 31 U.S.C. 6903(b)(1), which includes inflation adjustments, and Federal and State payments disbursed during the previous fiscal year to units of general local government under the land payment laws listed under 31 U.S.C. 6903(a)(1).

§ 1881.22 Are there any special circumstances that affect the way BLM calculates PILT payments?

If a unit of general local government eligible for payments under this subpart reorganizes, BLM will calculate payments for the fiscal year in which the reorganization occurred as if the reorganization had not occurred. BLM will disburse any payment due to each new unit based on the amount of eligible acreage in that unit.

§ 1881.23 How does BLM certify payment computations?

(a) The BLM will certify a computation for payment only after the Governor of the State or designated official in which the unit of general local government is located provides the BLM with:

(1) A statement of the amount of all money transfers (land revenue sharing payments) that each entitled unit of general local government has received from the State during the previous fiscal year from revenues derived from the payment law(s) listed under 31 U.S.C. 6903(a)(1);

(2) A certification, in writing, signed by a State Auditor, an independent Certified Public Accountant or an independent public accountant that the statements furnished by the Governor or designated official have been audited in accordance with auditing standards established by the U.S.Comptroller General in Standards of Audit of Governmental Organizations, Programs, Activities and Functions, available through the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, and in accordance with the Audit Guide for Payments in Lieu of Taxes issued by the Department of the Interior.

(b) The Office of the Inspector General, U.S. Department of the Interior, will provide appropriate assistance to the Director, BLM, under the provisions of sections 4 and 6 of the Inspector General Act of 1978 (5 U.S.C. Appendix), to facilitate implementing and administering the audit requirements specified in paragraph (a)(2) of this section.

(c) The Office of the Inspector General will:

(1) Develop appropriate audit guides which State auditors, independent Certified Public Accountants or independent public accountants, must use to audit the statements of the Governors or their designated officials and to certify the audits; and

(2) Furnish copies of the guides to the Governor or designated official each year. You should send questions on the use or application of this guide to the Office of Inspector General, U.S. Department of the Interior, Washington, DC 20240.

(d) The BLM may waive the requirement to certify audits if the General Accounting Office or the Office of the Inspector General verifies the information in statements the Governor or designated official furnishes or if BLM determines it is not necessary.

Payments to Local Governments for Acquisitions or Interest in Lands Acquired for Addition to the National Park System or National Forest Wilderness Areas (31 U.S.C. 6904)

§ 1881.30 How does BLM process section 6904 payments?

(a) The BLM disburses payments to qualified units of general local government provided that the administering agency supplies the following information for each qualified unit of general local government:

(1) Acreage or interests in land for which the payments are authorized; and

(2) Any other information BLM may require to certify payments to each qualified unit of general local government.

(b) BLM only disburses payments for a period of five years from the date the land was conveyed to the United States.

§ 1881.31 How does BLM calculate section 6904 payments?

BLM calculates payments by determining 1% of the fair market value of the purchased land and comparing the result to the amount of real estate taxes paid on the land in the year prior to Federal acquisition. The payment to qualified units of general local government will be the lesser of the two.

Payments to Local Governments for Interest in Lands in the Redwood National Park or Lake Tahoe Basin (31 U.S.C. 6905)

§ 1881.40 How does BLM process section 6905 payments?

(a) The BLM disburses payments to qualified units of general local government provided the administering agency supplies the following information for each qualified unit of general local government:

(1) Acreage or interests in land for which the payments are authorized; and

(2) Any other information BLM may require to certify payments to each qualified unit of general local government.

(b) BLM disburses payments until 5% of the fair market value is paid in full.

§ 1881.41 How does BLM calculate section 6905 payments?

BLM calculates payments by determining 1% of the fair market value of the purchased land and comparing the result to the amount of real estate taxes paid on the land in the year prior to Federal acquisition. The payment to qualified units of general local government will be the lesser of the two.

State and Local Governments' Responsibilities After BLM Distributes Pilt Payments

§ 1881.50 What are the local governments' responsibilities after receiving sections 6902, 6904, and 6905 PILT payments?

(a) The local government may use section 6902 payments for any governmental purpose.

(b) Within 90 days of receiving sections 6904 and 6905 payments, the local government must distribute the funds to the affected units of general local government and affected school districts. The affected units of general local government and school districts may use sections 6904 and 6905 payments for any governmental purpose.

(c) The local government must distribute sections 6904 and 6905 payments in proportion to the tax revenues assessed and levied by the affected units of general local government and school districts in the Federal fiscal year before the Federal Government acquired the entitlement lands. The Redwoods Community College District in California is an affected school district for this purpose.

(d) Within 120 days of receiving payments, the local government must certify to BLM that it has made an appropriate distribution of funds.

§ 1881.51 Are there general procedures applicable to all PILT payments?

(a) The minimum payment that the BLM will disburse to any unit of general local government is $100.00 (one hundred dollars).

(b) If Congress appropriates insufficient monies to provide full payment to each unit of general local government during any fiscal year, the BLM will reduce proportionally all payments in that fiscal year.

§ 1881.52 May a State enact legislation to reallocate or redistribute PILT payments?

A State may enact legislation to reallocate or redistribute PILT payments. If a State does enact legislation, it must:

(1) Notify the BLM if it enacts legislation which requires reallocating or redistributing payments to smaller units of general local government (see 31 U.S.C. 6907);

(2) Provide the BLM a copy of the legislation within 60 days of enactment;

(3) Provide the name and address of the State government office to which BLM should send the payment;

(4) Distribute to its smaller units of general local government within 30 days of receiving the payment; and

(5) Not reduce the payment made to smaller units of general local government to pay the cost of State legislation which reallocates or redistributes payments.

§ 1881.53 What is BLM's procedure on PILT payments to a State that enacts distribution legislation?

The BLM would:

(a) Notify the State that a single payment will be disbursed to the designated State government office beginning with the Federal fiscal year following the fiscal year in which the State enacted legislation; and

(b) Provide the State with appropriate information that identifies the entitlement lands data on which BLM bases the payment.

§ 1881.54 What happens if a State repeals or amends distribution legislation?

(a) The State must immediately notify the BLM in writing that it has repealed or amended the legislation and furnish BLM with a copy of the new law.

(b) The BLM must:

(1) Determine if the State's process complies with 31 U.S.C. 6907. If BLM determines that it does not, we must notify the designated State government office that BLM will disburse payment directly to eligible units of general local government; and

(2) Start the payments with the Federal fiscal year in which the BLM receives a copy of the State's amendatory legislation. If BLM receives a copy of the legislation after July 1, payments made directly to eligible units of general local government will not begin until the next Federal fiscal year.

§ 1881.55 Can a unit of general local government protest the results of payment computations?

Any affected unit of general local government may file a protest with the BLM.

§ 1881.56 How does a unit of general local government file a protest?

The protesting unit of general local government must:

(a) Submit evidence to indicate the possibility of error(s) in the computations or the data on which BLM bases the computations; and

(b) File the protest by the first business day of the calendar year following the end of the fiscal year for which BLM made the payments.

§ 1881.57 Can a unit of general local government appeal a rejection of a protest?

Any affected unit of general local government may appeal BLM's decision to reject a protest to the Interior Board of Land Appeals under the provisions of 43 CFR part 4.

[FR Doc. 00–10149 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–84–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 13 and 80

[WT Docket No. 00–48; RM–9499; FCC 00–105]

Maritime Communications

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission proposes to consolidate, revise and streamline Rules governing maritime communications. These rule changes address new international maritime requirements, improve the operational ability of all users of marine radios and remove unnecessary or duplicative requirements from the Commission's Rules. This proposed action will not only reduce significantly the number of regulations applicable to the maritime community, but by removing duplicative regulations, it will reduce the potential for confusion.

DATES: Comments are due July 24, 2000, Reply Comment are due August 22, 2000.

ADDRESSES: Parties who choose to file comments by paper must file an original and four copies to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th St., SW., Room TW–A325, Washington, DC 20554. Comments may also be filed using the Commission's Electronic Filing System, which can be accessed via the Internet at www.fcc.gov/e-file/ecfs.html.

FOR FURTHER INFORMATION CONTACT: Keith Fickner or Ghassan Khalek, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418–0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making,* WT Docket No. 00–48, FCC 00–105, adopted March 17, 2000, and released on March 24, 2000. The full text of this *Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037. The full text may also be downloaded at: *www.fcc.gov/Bureaus/Wireless/Notices/2000/fcc00105.doc.* Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418–0260 or TTY (202) 418–2555.

In this *Notice of Proposed Rule Making,* the Commission seeks comment on the proposals: (1) To modify the Commission's Rules to reflect revised international standards and recommendations which were endorsed by the International Maritime Organization (IMO) and the International Telecommunication Union (ITU), many at the initiation of the United States; and to reflect significant changes in IMO and ITU performance standards and regulations; (2) to allow radio-teletypewriter, data, telemetry, and telecommand transmissions on frequencies reserved for Morse code transmissions; (3) to apply the Commission's Global Maritime Distress and Safety System (GMDSS) Rules, or alternative safety measures, to the commercial fishing industry; (4) to create a new Restricted GMDSS Radio Operator License in order to provide a subordinate class of GMDSS license for radio operators aboard ships that operate exclusively within Sea Area A1

(an area extending approximately 20 miles from the coast); (5) to accept a proof of passing certificate from the United States Coast Guard training program, which includes both theoretical examinations and practical demonstrations of the candidate's ability to operate GMDSS equipment, as evidence that an applicant has met the obligations for any GMDSS operator license issued by the Commission; and (6) to remove the certification for Class A, B, and S emergency position indicating radiobeacons, which operate at 121.5 MHz and 243 MHz, due to their ineffectiveness in lifesaving operations.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act (RFA) [1] requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that ''the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities.'' [2] In this *Notice of Proposed Rule Making,* the Commission proposes to consolidate, revise, and streamline the Commission's Rules governing maritime communications. The purpose of these proposed rule changes is to address new international maritime requirements, improve the operational ability of all users of marineradios and remove unnecessary or duplicative requirements from the Commission's Rules. In an effort to clarify the existing regulations, the Commission also proposes to make minor and non-substantive modifications to Part 80 of the Commission's Rules. The proposed rule changes do not impose any additional compliance burden on small entities regulated by the Commission. Accordingly, the Commission certifies, pursuant to section 605(b) of the RFA, that the rules proposed in this *Notice of Proposed Rule Making* will not, if promulgated, have a significant economic impact upon a substantial number of small entities, as that term is defined by the RFA.[3] The Commission shall send a copy of this *Notice of Proposed Rule Making,* including a copy of this certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with the RFA. We shall also publish a copy of this certification in the **Federal Register**.

[1] 5 U.S.C. 603.

[2] 5 U.S.C. 605(b). The RFA, see 5 U.S.C. 601 et. seq., has been amended by the Contract With America Advancement Act of 1996, Public Law 104–121, 110 Stat. 847 (1996) (CWAAA). Title II of the CWAAA is the Small Business Regulatory Enforcement Fairness Act of 1996.

[3] 5 U.S.C. 605(b).

List of Subjects 47 CFR Parts 13 and 80

Communications equipment, Radio.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00–10091 Filed 4–21–00; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. RSPA–99–6355; Notice 3]

Pipeline Safety: Pipeline Integrity Management in High Consequence Areas

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes regulations to test, repair and validate through analysis the integrity of most hazardous liquid pipelines that could affect populated areas, commercially navigable waterways, and areas unusually sensitive to environmental damage. RSPA's Office of Pipeline Safety (OPS) proposes to define these areas as high consequence areas. In these proposed high consequence areas, OPS is proposing that an operator develop and follow an integrity management program that continually assesses and evaluates the integrity of those pipelines that could affect a high consequence area, through internal inspection or pressure testing, and data integration and analysis.

Through this required program, OPS expects operators to comprehensively evaluate the entire range of threats to pipeline integrity by analyzing all available information about the pipeline and consequences of a failure. This would include information on the potential for damage due to excavation, data gathered through the required integrity assessment, results of other inspections and tests required by the pipeline safety regulations, including corrosion control monitoring and cathodic protection surveys, and information about how a failure could affect the high consequence area, such as location of water intakes.

The proposed rule requires an operator to take prompt action to address the integrity issues raised by the assessment and analysis. This means an operator must evaluate and repair all defects that could reduce a pipeline's integrity according to specified risk criteria. The integrity of these pipelines would be further assured through other remedial actions, and preventive and mitigative measures.

DATES: Interested persons are invited to submit comments on this notice of proposed rulemaking (NPRM) by June 23, 2000. Late filed comments will be considered to the extent practicable.

ADDRESSES: You may submit written comments by mail or delivery to the Dockets Facility, U.S. Department of Transportation, Room PL–401, 400 Seventh Street, SW, Washington, DC 20590–0001. It is open from 10:00 a.m. to 5:00 p.m., Monday through Friday, except federal holidays. You also may submit written comments to the docket electronically. To do so, log on to the following Internet Web address: http://dms.dot.gov. Click on ''Help & Information'' for instructions on how to file a document electronically. All written comments should identify the docket and notice numbers stated in the heading of this notice. Anyone desiring confirmation of mailed comments must include a self-addressed stamped postcard.

FOR FURTHER INFORMATION CONTACT: Mike Israni, (202) 366–4571, or by e-mail: mike.israni@rspa.dot.gov, regarding the subject matter of this proposed rule, or the Dockets Facility (202) 366–9329, for copies of this proposed rule or other material in the docket. All materials in this docket may be accessed electronically at http://dms.dot.gov. General information about the RSPA/Office of Pipeline Safety programs may be obtained by accessing OPS's Internet home page at http://ops.dot.gov.

SUPPLEMENTARY INFORMATION:

Background

This proposed rulemaking is the culmination of experience gained from inspections, accident investigations and risk management and system integrity initiatives. This experience has given us the foundation for proposing a rulemaking that addresses in a comprehensive manner NTSB recommendations, Congressional mandates and pipeline safety and environmental issues raised over the years.

Accident analyses

Office of Pipeline Safety (OPS) and National Transportation Safety Board (NTSB) investigations and analyses of major pipeline incidents have emphasized the importance of ensuring safety and environmental protection in areas of population density and in areas unusually sensitive to environmental

damage. NTSB recommendations on this subject include:

• NTSB recommended that OPS require periodic testing and inspection to identify corrosion and other time-dependent damages.

• NTSB recommended that OPS establish criteria to determine appropriate intervals for inspections and tests, including safe service intervals between pressure testing.

• NTSB recommended that OPS determine hazards to public safety from electric resistance welded (ERW) pipe and establish standards for leak detection.

• NTSB recommended that OPS expedite requirements for installing automatic or remote-operated mainline valves on high-pressure lines in urban and environmentally sensitive areas to provide for rapid shutdown of failed pipeline segments.

Several incidents, including pipeline ruptures in Bellingham, Washington; Simpsonville, South Carolina; Reston, Virginia; and Edison, New Jersey have illustrated the importance of integrating and analyzing data from various sources to ensure a pipeline's integrity. Our analyses indicate that many accidents are caused by complex factors involving mechanical and control system failures, previous outside force damage, system design errors and operator error. These accidents indicate the need for operators to address the potential interrelationship among failure causes and to implement coordinated risk control actions to supplement the protection of the regulations.

We are persuaded of the urgent need to propose regulations for an overall pipeline integrity management program that requires continual assessment and evaluation through internal inspection or pressure testing, data integration and analysis, and follow-up remedial, preventive and mitigative actions.

Statutory Requirements

Congress has directed OPS to undertake a variety of activities concerning areas where the risk of a pipeline spill could have significant impact. Required actions include:

• 49 U.S.C. 60109(a)(2)—OPS is to prescribe standards establishing criteria for identifying gas pipeline facilities located in high-density population areas and hazardous liquid pipelines that cross waters where a substantial likelihood of commercial navigation exists, located in a high-density population area, or in an area unusually sensitive to environmental damage (USAs).

• 49 U.S.C. 60102(f)(2)—OPS is to prescribe additional standards requiring the periodic inspection of pipelines in USAs and high-density population areas. The regulations are to prescribe when an instrumented internal inspection device, or similarly effective inspection method, should be used to inspect the pipeline.

• 49 U.S.C. 60102(j)—OPS is to survey and assess the effectiveness of emergency flow restricting devices (EFRDs) and other procedures, systems, and equipment used to detect and locate hazardous liquid pipeline ruptures, and to prescribe regulations on the circumstances where an operator of a hazardous liquid pipeline facility must use an EFRD or such other procedure, system, or equipment.

Risk Management Initiatives

Although the pipeline safety regulations have a demonstrated record in addressing risks to the nation's pipelines, safety programs based only on compliance with the regulations may overlook the interrelationships among failure causes and the benefits of coordinated risk control activities.

To study and evaluate if comprehensive and integrated approaches to safety and environmental protection could work, OPS created the Risk Management Demonstration Program and the Systems Integrity Inspection (SII) Pilot Program. These programs encourage and evaluate operator-developed safety and environmental management processes that incorporate operator- and pipeline-specific information and data to identify, assess, and address pipeline risks, in conjunction with compliance with existing pipeline safety regulations. These programs, along with the Oil Spill Response Plan Review and Exercise Program, have helped OPS refine its regulatory oversight to ensure that pipeline operators have effective processes to identify the most important risks to the public and the environment, and to develop and implement cost-effective preventive and mitigative actions to manage these risks. OPS's interim assessment of the benefits of risk management processes, after four years of experience with the demonstration program, indicates the validity of focusing resources and establishing higher levels of protection in areas where a pipeline spill could have significant consequences.

Operator-Developed Integrity Management Programs

In evaluating the operators who applied for the Risk Management and SII Programs, OPS found that liquid operators have made progress in developing and implementing formalized management systems to identify and address the most significant integrity threats to their pipeline systems. These programs are designed to supplement the protections that the pipeline safety regulations provide. OPS further found that liquid operators generally have more experience than natural gas operators with using internal inspection devices.

In the Risk Management Demonstration Program, participants perform systematic and comprehensive risk assessments to identify the specific nature and location of the most significant risks posed by operation of their pipeline system. An essential feature of these risk assessments is the integration of information from many diverse sources to fully understand the integrity threats at specific locations on the pipeline. Environmental consequences and the impact on nearby population are explicitly considered in these risk assessments. Through formal, risk-based decision making processes, these companies can use the risk assessment results to identify projects and activities that address potential system integrity threats, thereby preventing pipeline failures. The risk management process also examines the consequences of potential releases and explores opportunities to minimize the environmental and public safety and health impacts should a failure occur. Participants are using these risk-based programs to comprehensively investigate all potential sources of risk, and implement risk control activities to prevent these risks or mitigate their consequences. These programs supplement the public and environmental protections the pipeline safety regulations provide.

The SII pilot program is focused on developing a more integrity-based approach to OPS inspections. Instead of basing inspections on a checklist approach to compliance with the regulations, the program focuses the inspection process on how an operator controls the integrity of the pipeline. In this program, OPS is working with the operator to better understand the most significant integrity threats and assure that programs actually address these risks. Similar to the Risk Management Program, the SII program focuses on how operators evaluate their system and make sound integrity management decisions.

Although OPS has consulted with a limited number of operators who have applied for these programs, OPS discussions with other pipeline companies during standard inspections, in industry forums and through working groups have indicated that integrated

risk-based programs are becoming more common, particularly within the hazardous liquid industry. OPS has found that many liquid companies are using diagnostic tools and developing more sophisticated and mature integrity management systems.

The hazardous liquid pipeline companies in the Risk Management and SII programs use internal inspection in their integrity management programs because of its powerful diagnostic capability. Examples of how these programs use internal inspection include:

- Comparing multiple internal inspection runs over the same line to determine corrosion growth rates;
- Testing new inspection techniques to detect seam flaws and stress corrosion cracking;
- Overlaying internal inspection log results with Geographic Information System data to correlate locations of metal loss with cathodic protection system performance, environmentally sensitive areas, and other geo-spatial data;
- Integrating hydrostatic pressure testing with internal inspection where appropriate;
- Using probabilistic techniques to optimize the frequency at which internal inspection and pressure testing is conducted;
- Using probabilistic approaches to prioritize and define the extent of anomaly excavation and repair; and
- Developing more sophisticated analytical tools to evaluate internal inspection results.

New High Impact Inspection Format (NHIF)

OPS is also working to improve overall pipeline integrity through the inspection process. OPS is gaining value from the approach taken in the Risk Management and SII programs, particularly benefitting from evaluating pipelines on a ''systems'' basis. Therefore, last year, OPS implemented this approach through a new high impact inspection format, evaluating pipeline systems as a whole rather than in small segments. A system-wide approach is a more effective and, in most cases, more efficient means of evaluating pipeline integrity. As part of the ''systems'' approach, we are evaluating how pipeline operators integrate information about their pipeline to determine the best means of addressing risk. We will build on this experience in developing detailed inspection guidelines to evaluate compliance with the requirements we are proposing in this rule.

As noted previously, accident and investigation analyses have identified several critical pipeline safety issues that appear to either cause or significantly contribute to pipeline accidents. As part of our NHIF process, we are evaluating how pipeline companies are addressing these issues and are noting the best industry practices we observe. Effectively managing these critical issues often relates to integrating information about different problems and examining their relationship in contributing to the potential for a failure.

Public Meeting

On November 18 & 19, 1999, OPS hosted a public meeting in Herndon, VA to gather information on current pipeline assessment methods and integrity management programs so that OPS could develop a regulatory process to require testing and other means of identifying and repairing defects and further evaluating pipeline integrity in areas where a pipeline release posed the greatest safety or environmental harm. Topics discussed included the key elements of an effective integrity management program, the extent to which operators now have integrity management programs, and how to validate the effectiveness of such programs.

The Breakout Sessions

At the meeting, OPS held breakout sessions to specifically discuss some key issues about how to better protect high consequence areas through an integrity management process.

1. The Characteristics of High Consequence Areas

In addition to areas already given greater protection in the regulations or covered by the proposed USA definition (discussed later in this document), attendees suggested OPS consider areas in proximity to large bodies of water used for transportation or recreation; industries that impact public health and welfare, such as water treatment facilities and power plants; and major corridors such as road ways, rail roads and power lines.

Several pipeline companies described approaches they use in their risk assessments and integrity evaluations to identify locations where a pipeline failure might have significant human health and safety impacts. Some participants maintained that defining actual impact zones would be preferable to the classic population corridor used in the gas regulations. For liquid lines, it was suggested that a more useable definition of non-rural areas than currently exists in the regulations may be desirable to provide greater clarity. Some participants suggested that OPS let operators test a definition of high consequence areas for a trial period.

2. Key Elements of an Integrity Management Program

There was a general belief that many of the components of effective integrity management are already in the regulations, the major exception being effective integration of information in support of decision making. Attendees also pointed out that the Risk Management Program Standard or API standard 1129 could be used to define the elements of an integrity management program. Participants said that a successful integrity management program must be embodied within an environment, safety, and health management system framework. Several companies described elements of their environment, safety, and health management systems and emphasized the importance of policy, leadership, and continuous improvement to program success. Public representatives identified the need for thoroughness in assessing risks and the importance of better data to monitor leak and failure history. Public communication and local safety and planning agencies' participation in identifying risks were also emphasized as key program elements.

3. The Elements OPS Should Review/Evaluate/Inspect

Participants suggested that operators have a documented integrity management plan that has goals and performance measures so that regulators could review the plan, and evaluate performance against that plan. Some participants said that the review should be performance-based. It was also suggested that OPS review the results of the operator's audit of its own program. Concerns were raised over how OPS would assure staff expertise to adequately conduct performance-based inspections, and how OPS would establish a uniform standard against which to measure company performance.

4. Types of Information a Company Should Integrate To Ensure Pipeline Integrity

Attendees listed a variety of information, emphasizing location-specific information from sources such as close interval surveys, patrols, in-line inspection data, top-side anomaly information, maintenance history, third party excavation activity, physical pipe inspections, incident and leak history.

5. Key Questions for OPS to Ask During an Inspection.

Participants emphasized that OPS should focus on the key location-specific issues an operator identifies, examine the process an operator uses to address these issues, and examine changes since the last inspection. Several attendees suggested using SII Program Protocols in crafting an approach to reviewing operator programs.

Other Pre-NPRM Meetings

Due to the complexity of the issues, OPS requested participants submit additional information and comments by December 20, 1999. We then extended the comment period to January 17, 2000 (64 FR 71713) to allow adequate time for commenters to prepare and submit information. OPS also established an electronic public discussion forum to get ideas on requirements for an effective integrity management programs. We posted a draft conceptual model for a pipeline integrity management process on the OPS web-site. The comments and information we received from the public meeting and electronic forum helped us in drafting this proposed rule. We discuss these comments later in this document.

OPS also hosted a number of smaller meetings and conference calls to make sure we considered the broadest range of comments and information in drafting this NPRM. Discussion items included the areas that should be considered high consequence areas, reasonable milestones for completing benchmark or baseline testing, developing industry standards to support a rule, how a rule should acknowledge differences between the gas and liquid pipeline industries as well as among individual operators, and how best to involve affected communities. These topics were discussed with Interstate Natural Gas Association of America (INGAA) representatives on January 12, American Petroleum Institute (API) representatives on January 13 and National Association of Pipeline Safety Representatives (NAPSR) on January 14, February 15, and March 3. Discussions with public interest representatives on January 19 and February 29 included the National League of Cities; Safe Bellingham; the City of Fredericksburg, Virginia; the Environmental Defense Fund; the City of Austin, Texas; the Pipeline Reform Coalition; and the national organization of Local Emergency Planning Committees (LEPC's). OPS met with the NTSB on February 8. Minutes from each of these sessions are in the Docket.

These meetings again showed how hazardous liquid and gas pipeline operators' experience differed in developing and implementing a risk-based integrity approach to pipeline safety.

Comments Received in the Docket

For reasons discussed later in this document, at this time we are applying this proposed rule to certain hazardous liquid operators *i.e.,* those hazardous liquid operators operating 500 or more miles of pipeline used in transportation. Therefore, we will discuss only those comments relevant to this action. Later this year, when we issue proposed system integrity rules that apply to those hazardous liquid operators not covered by this initial action and to all natural gas transmission pipeline operators, we will discuss the other comments.

We received comments relevant to this action from the following sources:

Trade Associations:
American Petroleum Institute
American Society of Safety Engineers

Interstate Hazardous Liquid Pipeline Operators:
BP Amoco Pipeline Company
All American Pipeline, L.P.
Tosco Corporation
Enbridge (U.S.) Inc.
Air Products and Chemicals, Inc.

Engineering firm: Advanced Technology Corporation

Engineering Consultant: Foy Milton, P.E.

State Regulators:
New York State Department of Public Service
State of Florida Department(s) of Community Affairs

Federal Agency: U.S. Department of Interior, Fish and Wildlife Service

Citizen Group: SAFE Bellingham

We discuss the comments under the applicable heading below. Commenters generally supported the idea of providing further protection for critical areas. Operators and industry groups requested regulations that allow flexibility. SAFE Bellingham urged stronger federal regulation of pipelines, to include requirements for pressure testing, internal inspection, leak detection systems, safety management practices and audits, valve location and safety condition reporting.

As discussed later in this document, this proposal specifically requires an integrity assessment done by internal inspection, pressure testing or an equivalent technology within specified time frames established by specified risk criteria. The proposed program must comprehensively evaluate all threats to pipeline safety in high consequence areas. Among the required elements of an integrity management program are a continuous process to assess and maintain pipeline integrity, an analysis that integrates all information about the pipeline, information on how a failure would affect a high consequence area, and measures to prevent and mitigate pipeline failures, such as installing emergency flow restricting devices (EFRDs) and establishing or modifying systems that monitor pressure and detect leaks.

Scope

The New York State Department of Public Service commented that the integrity management program should apply to all transmission pipeline facilities, not just those in areas deemed high consequence. At our recent meeting, NTSB also recommended that pipeline integrity management requirements, including testing, be applied system-wide, not just in high consequence areas.

Pipeline safety regulations apply to the entire pipeline to protect the public and the environment from a pipeline release. We have decided to focus this immediate initiative on pipelines in areas where additional protection is the most critical—the populated areas, unusually sensitive environmental areas, and commercially navigable waterways. We believe operators should take necessary steps to develop and maintain an effective integrity management program for their pipeline system-wide. However, based on available data, OPS is proposing additional measures, particularly pipeline testing and evaluation, for those areas where additional protection is clearly warranted at this time. We will continue to consider whether integrity-related actions for the rest of the pipeline should be required.

We also intend to look at additional protection for other environmentally sensitive and vital resources, such as designating additional areas of national importance, cultural resources, sensitive environmental resources that do not meet the USA filtering criteria, wetlands and water bodies, and other transportation networks.

Nonetheless, many of the proposed measures for high consequence areas may benefit other parts of the pipeline system. For example, the proposed rule requires an operator to analyze and integrate various data about the integrity of the entire pipeline. This analysis is likely to benefit other segments of the pipeline system. The preventive and

mitigative measures that the rule proposes an operator take to protect the high consequence area might also yield benefits beyond the segment in the critical area. Many operators will choose to extend the internal inspection or testing beyond the pipeline segment in or near the high consequence areas.

Specification vs. Performance

Foy Milton recommended against a subjective performance-based rule, asserting the advantages of specification-type standards (uniformity of application, ease of understanding). Other commenters stated that regulatory requirements that set performance standards for pipeline operators are the most effective.

The proposed rule uses both performance and specification-based language. Specification-type standards do not provide for selection of the most effective processes and technologies as they become available. OPS needs to create incentives for operators to invest in the development of new technology. Because internal inspection technology and other integrity monitoring equipment have evolved considerably in recent years and are expected to continue to improve, we want to encourage operators to use and make recommendations on how to improve the best available technologies and processes, rather than specifying only currently available technologies. Thus, the performance-based parts of the rule provide for operators to develop customized programs that address pipeline-specific characteristics, are fully integrated into company safety and environmental protection programs, and use the best available technologies to inspect and repair pipelines.

The specification parts of the rule ensure uniformity among integrity management programs so that they all, at minimum, address key issues, such as baseline and continual inspection or testing, data integration, and remedial, preventive and mitigative measures.

High Consequence Areas

OPS received several comments on how to define high consequence areas. Commenters said that these areas should be limited to populated areas, unusually sensitive areas, and commercially navigable waterways. API recommended that these areas be defined as high population areas of greater than 100,000 people, based on U.S. Census data, other populated areas including non-rural areas, and unusually sensitive environmental areas. API argued that expansion beyond these areas would dilute industry resources and reduce the impact of any rule on public safety and environmental protection. API suggested that both subcategories of populated areas be similarly considered in conducting risk assessments, but might be treated differently for prevention activities.

Air Products and Chemicals, Inc. expressed the opinion that high consequence areas can differ dramatically depending on the nature of the product in the pipeline. They offered the example that a sensitive estuary might be a high consequence environment for under water hazardous liquid pipelines, but would be a very low consequence environment for an under water hydrogen pipeline.

Fish and Wildlife Service stated high consequence areas should include high population areas and areas designated as critical habitats for threatened and endangered species, areas of national significance, areas migratory birds concentrate, wetlands and riparian areas, areas of recreational significance, and areas of tribal subsistence, ceremonial use, or historic value. All American Pipeline stated it considers all areas along its pipeline as high consequence areas, but distinguishes areas that have a higher consequence than others based on: proximity to populated places and waterways, potential to impact USAs or drinking water resources, and policies and regulations of local, county government bodies, and local political climate. New York State Department of Public Service stated that creating a high consequence area definition would be difficult, and perhaps, unnecessary. Rather, a model properly developed and applied to the entire pipeline system would distinguish high consequence components that are given higher priority for repair or remedial action.

Participants at the public meeting said the high consequence area definition should include both safety and environmental impacts. The hazardous liquid industry breakout groups agreed that the definition should include a population component and USAs.

We are focusing this rulemaking on areas where we have determined a pipeline failure could pose the greatest threat to public safety, the environment, and water commerce. We are designating these areas ''high consequence areas''. Our proposed definition does not take the type of product into account in defining the high consequence area. However, an operator needs to consider product type when determining which risk factors apply in establishing schedules for pipeline integrity assessments and other forms of evaluation.

High consequence areas will be identified on OPS's National Pipeline Mapping System and made available to the public on the Internet.

High Population Areas and Other Populated Areas

OPS agreed with commenters that the population definitions should follow the U.S. Census Bureau's work. OPS is, therefore, proposing that the population portion of the high consequence area definition follow the Census Bureau's definitions and delineations of populated areas. The U.S. Census Bureau is the expert on, and the collector of, population data. It has used its collected data to create maps of populated areas in the United States that anyone may access.

To protect the public from a potential pipeline failure, we are proposing a definition of high consequence area that encompasses two population tiers: high population areas and other populated areas. These are areas in the United States that have significant population densities.

High population areas are areas of the United States with moderate to high population densities. The U.S. Census Bureau calls these places ''Urbanized Areas'', and defines them as areas that contain 50,000 or more people and have a population density of at least 1,000 people per square mile.

Other population areas are areas the U.S. Census Bureau identifies as ''Places'', and defines them as areas that contain a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area.

Although an operator must assess and evaluate the integrity of pipelines that could affect either population area, an operator might give different inspection priorities to the areas.

The U.S. Census Bureau has created digital data layers and maps of high population areas (Urbanized Areas) and other populated areas (Places). OPS has obtained these data layers and will make them available on our National Pipeline Mapping System home page http://www.npms.rspa.dot.gov. The National Pipeline Mapping System will allow an operator, member of the public, or other government agency to view and download this data and to view pipelines in relation to these populated areas.

Unusually Sensitive Areas (USAs)

We are also including unusually sensitive environmental areas (USAs) in our proposed high consequence area definition. These will be the same drinking water and ecological resource

areas that we recently proposed as unusually sensitive to environmental damage if there is a hazardous liquid pipeline release (64 FR 73464; December 30, 1999). The **Federal Register** notice gives more details of the proposed definition (proposed section 195.6).

The proposed USA definition was created through a series of public workshops and our collaboration with a wide range of federal, state, public, and industry stakeholders. The identification of USAs is based on a multi-step process that begins by designating and assessing environmentally sensitive areas (ESAs), determining which of these ESAs are potentially more susceptible to permanent or long term damage from a hazardous liquid release (areas of primary concern), and finally identifying filtering criteria to determine which areas of primary concern can be reached by a release and sustain permanent or long-term damage. The areas that result are the proposed USAs.

OPS is conducting a pilot test to determine if the proposed definition can be used to identify and locate unusually sensitive drinking water and ecological resources using available data from government agencies and environmental organizations. Texas, California, and Louisiana were the states chosen for the test due to the large number of hazardous liquid pipelines and the considerable drinking water and ecological resources that exist in these states. OPS is using the results to evaluate whether the proposed definition identifies the majority of unusually sensitive areas and whether environmental data is accessible and appropriate to support the proposed definition. Once OPS finishes the test, receives technical review from federal and state water and ecological experts and gets public comment on the proposed definition, it will go forward with a final rule.

In addition, OPS believes that other sensitive and vital resources may need to be considered in this regulation. OPS requests comments on whether this regulation should cover additional areas of national importance, cultural resources, sensitive environmental resources that do not meet the USA filtering criteria, including certain wetlands and water bodies, and other transportation networks. OPS currently protects some of these resources in accordance with requirements for spill response planning of the Oil Pollution Act of 1990.

We will be working with the other Federal agencies to help define and identify any additional resources that should be considered in this or future regulations. OPS is holding a technical workshop April 27–28 to gather technical comments.

Commercially Navigable Waterways

OPS is including commercially navigable waterways in the proposed high consequence area definition. Because these waterways are critical to interstate and foreign commerce and supply vital resources to many American communities, are a major means of commercial transportation, and are a part of a national defense system, a pipeline release in these areas could have significant impacts.

We are proposing to define commercially navigable waterways as those waterways ''where a substantial likelihood of commercial navigation exists.''

Oak Ridge National Laboratory and Vanderbilt University have created a geographic database of navigable waterways in and around the United States. The database, called the National Waterways Network, was created with input from the National Waterway GIS Design Committee which is comprised of members from the U.S. Army Corps of Engineers, the U.S. DOT's Bureau of Transportation Statistics (BTS), the Volpe National Transportation Systems Center, the Maritime Administration, the Military Traffic Management Command, the Tennessee Valley Authority, the U.S. Environmental Protection Agency, the U.S. Bureau of Census, the U.S. Coast Guard, and the Federal Railroad Administration. The database includes commercially navigable waterways and non-commercially navigable waterways. The database can be downloaded from the BTS website: http://www.bts.gov/gis/ntatlas/networks.html.

OPS will place a map and database of the commercially navigable waterways portion of the National Waterways Network database on the National Pipeline Mapping System. Operators will be able to determine which areas of their pipeline intersect commercially navigable waterways, and the public and other government agencies will be able to view pipelines in relation to commercially navigable waterways.

Emergency Flow Restricting Devices (EFRDs)

OPS has been concerned for some time with the issue of the optimum placement of emergency flow restricting devices (EFRDs) to limit commodity release after the location of the release has been identified. EFRD means a check valve or remotely controlled valve.

A 1991 Departmental study titled ''Emergency Flow Restricting Devices Study'' (1991 EFRD Study) recommended that OPS seek public input on the placement of EFRDs in urban areas, at water crossings, at other critical areas affected by commodity release, and areas in close proximity to the public outside of urban areas. The 1991 Study concluded remote control and check valves are the only effective EFRDs. A copy of the 1991 EFRD Study is filed in Docket No. PS–133.

In response to 49 U.S.C. 60102(j), OPS issued an advance notice of proposed rulemaking (ANPRM) (59 FR 2802, Jan. 19, 1994) asking questions concerning the performance of leak detection equipment and location of EFRDs. Those responding were generally against requiring EFRDs. Some endorsed the selective use of EFRDs in high risk areas based on an operator's particular pipeline system.

Although the number of responses was small, there was sufficient information to give guidance in considering the circumstances under which hazardous liquid pipeline operators should have EFRDs. In addition, past accidents, such as the 1986 Mounds View, Minnesota accident involving two deaths and one injury where it took one hour and 40 minutes to isolate the ruptured section, and the 1988 Maries County, Missouri accident where the installation of a check valve would have substantially reduced the 20,554 barrel (863,268 gallons) spill, demonstrated the need to propose regulations requiring the selective use of EFRDs.

In October 1995, we held a public workshop to discuss the issues involved in developing regulations on EFRDs. Participants were generally against installing EFRDs except in very limited situations. Participants had concerns about the costs and effectiveness of these mitigative features.

Because environmental sensitivity of the location is a factor when considering installing an EFRD, we have previously deferred proposing requirements until there was a USA definition. Since we now have a proposed USA definition, and because an EFRD can minimize a spill in a high consequence area, we have decided to include a proposal for EFRDs in this rulemaking. The rule proposes that a required element of an integrity management program is for an operator to take preventive and mitigative measures to protect a high consequence area. The operator must conduct a risk analysis to determine what additional protections are needed. Installing EFRDs is one of several

mitigative measures the operator could take to protect a high consequence area.

We are inviting comments on any needed further guidance to operators on when EFRDs should be installed. We also invite comment on the criteria for evaluating the decision on whether to install an EFRD or to take other measures, and if in certain limited circumstances the use of EFRDs should be mandatory. OPS is particularly interested in how the operator has determined that the measures would minimize the amount of product that could be released, how the measures would mitigate permanent damage to the environment, and how public safety has been protected.

Integrity Assessment Tools

Experts in the use of internal inspection and pressure testing, API and technology vendors have provided information on the current state of technology for in-line inspection tools and pressure testing. This information will help operators determine the integrity assessment methods that will be most effective for their systems.

1. Current Capabilities of Internal Inspection Devices

Internal inspection is one of the most useful tools in an integrity management program. Operators should select tools based on their particular requirements. At least two types of tools should be used: (1) Geometry pigs for detecting changes in circumference and (2) magnetic flux leakage pigs for determining wall anomalies, or wall loss due to corrosion. Both high resolution and low resolution tools have their place in pipeline integrity assessment.

Corrosion/Metal Loss

With respect to corrosion, high-resolution tools can identify anomalies and, with the use of engineering critical assessments, use a conservative evaluation of the potential for the anomaly to have affected remaining pipe strength (or affected the pressure capacity of the pipeline segment). This assessment uses analytical techniques that consider a conservative approximation of the anomaly which estimates average depth of metal loss. Based on the evaluation of in-line inspection results, a prioritized listing of potential defects is developed to guide the initiation of the field digging, inspection, confirmation and the necessary repair program. Once in the field, additional calculations based on actual profile of metal loss are used to confirm the need and type of appropriate repair. It is the combination of the technological capabilities of the inspection tool, the expertise in performing engineering critical assessments and the field confirmation program that assure corrosion anomalies that pose a threat to the pipeline's integrity have been identified, assessed and addressed.

High Resolution Versus Low Resolution

High-resolution tools can distinguish between internal and external corrosion and provide more extensive information to more accurately assess the potential for an anomaly to pose a risk. Due to the significantly higher costs of high-resolution tools, however, they are used for only those pipeline segments that, based on their unique mix of risk factors, justify the additional cost and analysis. For instance, on an older line with a higher probability of corrosion or a line with limited access for excavations, the operating company may find an advantage to spending more money on data collection and analysis to reduce the number of repairs required or to safely delay repairs until access to the site is possible (*i.e.* acquisition of permits or during winter when marshy areas are frozen). Conversely, on a line segment that has a lower expected risk, the low resolution tool may produce an appropriate field engineering assessment.

Mechanical Damage

In-line inspection tools to measure dents or geometric deformations are common and are typically run routinely following installation of new pipelines. Technology has advanced such that geometry tools can normally withstand even the most extreme pipeline conditions. The tool is able to pass restrictions (*e.g.* deformations) of up to 25%, and with the high sensitivity of gauging systems now on the market and large number of sensing fingers, current tools can detect even very small ovalities (0.6%). OPS is concerned about improving the technology capability to detect gouges in dents. Following an inspection run, a preliminary study of recorded data is performed in the field, enabling operators to react quickly to the inspection results and investigate anomalies of concern.

Crack Detection

Since the early 1990's, pipeline operators have successfully field tested internal inspection tools capable of non-destructively identifying fatigue cracks and stress corrosion cracking in the longitudinal seam. Research and development continues on these tools to strive for reliable identification of other types of seam defects, such as hook cracks. With the use of ultrasonic and MFL (transverse orientation) technology, pipeline segments that have experienced fatigue cracking can now be inspected. Cracks with a potential to rupture can be identified and repaired prior to growing to a critical stage. This is particularly important as this type of defect could survive initial and subsequent pressure tests but then with pressure cycling, grow over time to a critical stage and leak or rupture.

2. Pressure Testing

The purpose of a pressure test is to remove defects that might impair the integrity of the pipeline during operation. Defects might exist as a result of the manufacturing process or damage to the pipe during shipping or even construction. The defects are identified by failure of the pipe during the test; the defective pipe is removed; new pipe is installed; and the pipe is tested again until no failure occurs. The pressure test provides a margin of safety for the pipeline by being conducted at a pressure higher than the maximum pressure at which pipeline safety regulations allow the pipeline to be operated. An operator must test to a minimum of 1.25 times maximum operating pressure because research has shown that at that level of pressure all critical defects can be identified and eliminated.

An operator using hydrostatic pressure testing as its integrity assessment tool will also need to confirm the quality and effectiveness of its corrosion protection program for the affected segments of the pipeline. We expect that additional guidance on pressure testing as an integrity assessment method will be provided in the forthcoming industry consensus standard on pipeline integrity discussed later in this document.

3. New Technologies

Although the proposed rule considers internal inspection, and in some instances, pressure testing, as the preferred integrity assessment tools, use of new technologies will also be allowed. OPS wants to encourage operators to use innovative evaluation methods and new technologies for their pipeline integrity management program. Thus, the proposed rule allows an operator to use new technology as its assessment tool if the operator demonstrates that this new technology can provide an equivalent level of protection in assessing the integrity of the pipeline, *i.e.* detecting wall loss, changes in pipe circumference and other defects.

Communications

Although communications with the public is an important part of a pipeline integrity management program, the proposed rule does not address communications requirements. OPS has determined that the significance of this issue warrants further discussions with all the stakeholders before it proposes to require a communications plan as part of an integrity management program. Industry and public interest group representatives, such as the National League of Cities, the Environmental Defense Fund, and the National Organization of Local Emergency Planning Committees, are working to develop some models on communications and public education that can be pilot tested to determine what kind of information is most beneficial to local officials in preventing and responding to pipeline spills.

OPS is considering proposing requirements for how operators are to communicate with local officials about results of risk assessment processes and measures to prevent and mitigate damage to pipelines in case of a failure. We are also considering requirements on how operators should provide the public access to this information. OPS invites comments on how local officials could use and benefit from risk assessment information, how the consequences of potential pipeline failures should be characterized, how risk control actions should be described and what performance indicators would be meaningful.

API Standard on Pipeline Integrity

Commenters also urged the development of an industry standard, and OPS basing the rule on such a standard. API recently recommended a consensus standard be developed for pipeline system integrity in high consequence areas under American National Standards Institute (ANSI) consensus procedures. API has established a working group of technical experts to coordinate with OPS for the development of an ANSI pipeline integrity program standard. The new standard would define the requirements of a pipe integrity program that can affect high consequence areas.

The working group intends for this standard to:

- Establish the basic elements of a company pipe integrity program;
- Establish integrity requirements that are pipeline segment specific and system-wide specific;
- Establish a standard for system- or segment-specific historical information, such as leak history, close interval surveys, one-call system, previous pressure testing and in-line inspections, including integrating such information as part of risk-control decisions;
- Establish a standard for pipe integrity assurance activities;
- Establish standards for the engineering assessment of information, for example, evaluating remaining wall thickness using repair criteria;
- Define the documentation process and provide a process for auditing company integrity programs.

While technical experts are working on the standard, minutes of the meetings will be posted on the OPS Website so that the public can make comments to OPS as the process is ongoing. When this API standard is finalized, OPS will then consider adopting it, providing a public notice and comment period prior to incorporating it into a final regulation on pipeline system integrity.

As will be explained in the next section, the proposed rule gives an operator an option to develop its own criteria in establishing integrity assessment (inspection or testing) schedules and intervals, and in establishing evaluation intervals. We expect that an industry consensus standard, once developed, will give operators guidance on this option.

The Proposed Rule

OPS has decided to implement integrity management requirements for hazardous liquid and natural gas transmission operators in several steps. Natural gas and liquid have different physical properties, pose different risks and the configuration of the systems differ. OPS must examine how best to structure effective system integrity requirements for each part of the pipeline transportation system.

Which Operators Are Covered?

In this first rulemaking, OPS is proposing to apply the system integrity program requirements to liquid operators operating 500 or more miles of pipeline used in hazardous liquid transportation. This proposed rule applies to all pipelines, regardless of date of construction. This initial action will cover approximately 87 percent of all the hazardous liquid pipelines in the United States. Based on the volume which these operators transport, they have the greatest potential to adversely affect the environment. While these hazardous liquid operators have been developing and using integrity management programs to manage risks on their systems, and have extensive experience with use of internal inspection devices, this proposed rule will provide direction on how they must protect critical areas. Further, it will assure that these protections will be put in place, with an operator being required to test 50 percent of the pipeline mileage in the most critical areas within three and a half years and the balance of the mileage within seven years. As proposed, an operator will then have to repair defects and implement preventive and mitigative measures.

In the next rulemaking in this integrity series, we plan, later this year, to propose system integrity program requirements for the remaining hazardous liquid operators. Proposed system integrity requirements for natural gas transmission operators will then follow.

OPS is proposing to add new sections on High Consequence Areas and Pipeline Integrity Management to subpart F. The proposed new section 195.450 titled ''Definitions'' defines high consequence areas (described earlier in this document) and emergency flow restricting devices.

The proposed new section 195.452 titled ''Pipeline integrity Management in High Consequence Areas'' would apply to each operator with 500 or more pipeline miles used in hazardous liquid transportation. This rule proposes requirements to test, repair and validate through analysis the integrity of hazardous liquid pipelines in high consequence areas, *i.e.,* populated areas, areas unusually sensitive to environmental damage and commercially navigable waterways.

What Must an Operator Do?

The rule proposes that, no later than one year after the effective date of the final rule, an operator would have to have a written integrity management program. The program would include a plan for baseline assessment (internal inspection, or pressure testing, or equivalent alternative technology) of all pipelines that could affect a high consequence area, and a framework addressing required program elements, including continual integrity assessment and evaluation. In the first year after the effective date of a final rule, we would expect the framework to indicate how decisions will be made to implement each required element. We recognize that an integrity management program is a dynamic program that an operator will modify and improve, based on evaluation of the program's effectiveness in reducing risk and protecting high consequence areas.

What Must Be in the Baseline Assessment Plan?

The proposed baseline assessment plan must include the methods selected to assess the integrity of the pipeline. OPS expects an operator to make the best use of current and innovative technology in assessing the integrity of pipelines. Methods could include internal inspection, pressure testing or equivalent alternative technology. An internal inspection tool would have to be capable of detecting corrosion and deformation anomalies including dents, gouges and grooves. If pressure testing is used, an operator would also have to confirm the quality and effectiveness of its corrosion protection program and test to a minimum of 1.25 times the maximum operating pressure. To encourage innovation, the proposed rule also allows an operator to use new technology for the baseline assessment, if the operator demonstrates that this new technology can provide an equivalent level of protection in assessing the integrity of the pipeline.

The proposed baseline assessment would also include a schedule for completing the integrity assessment of all pipelines that could affect a high consequence area and an explanation of the assessment methods the operator selected and an evaluation of risk factors the operator considered in establishing the assessment schedule for the pipelines.

When Must the Baseline Assessment Be Completed?

The proposed rule requires an operator to initially assess all pipelines that could affect a high consequence area by seven (7) years from the effective date of the final rule. The proposed rule further requires that at least 50 percent of that mileage must be assessed by three and one half years from the effective date of the final rule. As explained in the previous section, the integrity assessment would be by internal inspection, pressure test or alternative equivalent technology. We request comments on whether seven years is an adequately protective minimum period to complete the baseline assessment of all pipelines in high consequence areas and whether three and a half years is an adequately protective minimum period to complete 50 percent of the assessments.

The proposed rule allows an operator to use an integrity assessment method conducted five years before the effective date of the final rule as the baseline assessment if the method is at least equivalent to the requirements for internal inspection, pressure testing or alternative technology. An operator would have to maintain for review during inspection the results of the baseline assessment, including assessments conducted five years before the rule's effective date.

What Are the Criteria for Establishing an Assessment Schedule?

For both the baseline and continual assessments, the proposed rule requires that an operator select one of two options. In option 1, the proposed rule requires that an operator base the integrity assessment schedule on certain risk factors. These risk factors include, but are not limited to, pipe material, pipe manufacturing information, local environmental factors that could impact the pipeline (*e.g.,* corrosivity of soil, subsidence, climatic), existing or projected activities in the area, coating type, product transported, repair history, all previous data/results from pressure testing or internal inspection, geo-technical hazards, corrosion history and pipeline leak history. OPS has also proposed guidance (in an Appendix C) on assigning priorities to these risk factors.

In option 2, the proposed rule permits an operator to base the integrity assessment schedule on risk factors the operator considers essential in risk or consequence evaluation, provided that the operator demonstrates that the factors provide an equivalent level of safety and environmental protection to option 1.

This option gives an operator the choice to use risk factors that are most closely suited to the operator's pipeline. We expect that once an industry consensus standard is developed, the standard can provide further guidance for this option.

What Are the Elements of an Integrity Management Program?

The proposed rule gives the minimum elements that an operator must include in its integrity management program. Elements include: (1) A baseline assessment plan meeting the requirements previously described; (2) a continual process of assessment and evaluation to maintain a pipeline's integrity; (3) an analysis that integrates all available information about the integrity of the pipeline or the consequences of a failure; (4) criteria for repair actions to address integrity issues raised by the assessment method and data analysis; (5) identification of preventive and mitigative measures to protect the high consequence area; (6) methods to measure the program's effectiveness; and (7) a process for review of integrity assessment results and data analysis by a person qualified to evaluate the results and data. Each of these elements is described in the proposed rule.

An integrity management program must be an evolving program that an operator continually improves as the operator gains experience from evaluating the effectiveness of the program in reducing risk and protecting high consequence areas. OPS expects that the initial program will consist of a framework that specifies the criteria for making decisions to implement each of the required elements. The program will change once actual decisions are made and actions implemented.

What Remedial Action Must Be Taken?

The proposed rule requires an operator to take prompt action to address all pipeline integrity issues raised by the assessment method and data integration analysis. An operator must evaluate, and repair all defects that could reduce a pipeline's integrity. In establishing an evaluation and repair schedule, the rule proposes that an operator follow 49 CFR 195.401(b), which requires that if a condition on the pipeline is of such a nature that it presents an immediate hazard, the operator may not operate the affected part of the system until it has corrected the unsafe condition. For all other conditions, the rule proposes that an operator base the schedule for evaluation and repair on the risk factors used for establishing an assessment schedule and on specified criteria if the operator uses an internal inspection tool. An operator would have to maintain for review during inspection documents on remedial actions planned or taken. We invite comments on whether the rule should contain specific time lines for conducting repairs.

Integration of Data

The proposed rule requires an operator to periodically evaluate the integrity of the pipeline that could affect a high consequence area by analyzing all available information about the integrity of the pipeline or the consequences of a failure. This information includes: (1) Information critical to determining the potential for, and preventing, damage due to excavation, including current and planned damage prevention activities, and development or planned development along the pipeline; (2) data gathered through the required integrity assessment; (3) information about how a failure would affect the high consequence area, such as location of water intake valves; (4) data gathered in conjunction with other inspections and

tests required in Part 195, including, corrosion control monitoring and cathodic protection surveys.

Through this requirement, OPS expects operators to analyze the entire range of threats to pipeline integrity in high consequence areas, by integrating information from diverse sources. This analysis will be done in conjunction with the periodic evaluation discussed below.

Preventive and Mitigative Measures To Protect the High Consequence Area

The proposed rule requires an operator to take measures to prevent and mitigate the consequences of a pipeline failure that could affect a high consequence area. These measures include conducting a risk analysis of the pipeline to determine if public safety or environmental protection would be enhanced by additional risk control actions. Required risk actions OPS proposes an operator consider include implementing damage prevention best practices, having better monitoring of cathodic protection where corrosion is a concern, establishing shorter inspection intervals, repairing defects other than those required by this proposed rule, installing EFRDs on the pipeline, establishing or modifying the systems that monitor pressure and detect leaks, providing additional training to personnel on response procedures, conducting drills with local emergency responders and adopting other management controls. The proposal would further require an operator to identify and implement other needed site-specific measures. As proposed, an operator would have to maintain for review during inspection records on any actions planned or implemented.

What Is a Continual Evaluation of a Pipeline's Integrity?

The proposed rule requires that an operator must not only complete the baseline integrity assessment, but must continue to assess (by pressure testing, internal inspection, or new technology that provides an equivalent level of protection in assessing integrity) and evaluate the integrity of each pipeline that could affect a high consequence area. The integrity assessment must be done at specified intervals, as determined by one of two options.

The evaluation must be done as frequently as needed to assure pipeline integrity by a person qualified to evaluate the results and other related data. The evaluation will consider the past and present integrity assessment results, data integration analysis, and decisions about repair, preventive and mitigative actions. In this evaluation, we propose to require an operator to consider information, such as:

- Pipeline design features;
- Construction practices and information;
- Operating and accident history;
- Maintenance and surveillance records, including cathodic protection records;
- Previous inspection and testing results;
- Damage prevention and other prevention program effectiveness;
- Mitigation feature effectiveness.

In establishing the integrity assessment intervals, an operator must choose one of two options. In option one, the rule proposes that an operator establish intervals not to exceed ten (10) years for assessing the pipeline's integrity. We invite comment on whether ten years is an adequately protective minimum period for integrity assessments.

To establish the intervals, an operator would have to consider the risk factors previously listed for establishing an assessment schedule, the analysis of the results from the last integrity assessment, and the data integration analysis. An operator would also have to consider several factors concerning internal inspection results if that was the previous assessment method. We provide further guidance on analyzing internal inspection results in proposed Appendix C. We invite comment on whether we should specify what the evaluation interval should be.

In option 2, the proposed rule allows an operator to establish intervals to assess the pipeline's integrity based on criteria the operator demonstrates provide an equivalent level of safety and environmental protection to option 1. This option gives an operator the choice of using innovative evaluation methods. We expect that an industry consensus standard would provide guidance for this option, should an operator choose not to develop its own criteria. We invite comment on other necessary guidance for this option. We also request comments on whether the standards in the proposed rule are clear and if there are ways we can make the standards more clear.

Methods To Measure the Program's Effectiveness

Another required element of the proposed rule is that the integrity management program include methods to measure whether the program is effective in assessing and evaluating the integrity of the pipelines and in protecting the high consequence areas. Again, the proposal is performance-based to encourage the operator to choose the most effective risk control measures. Measures could focus on the operator's performance system-wide (the integrity of the pipeline in the high consequence area versus other pipelines in the system) or industry-wide (integrity management of the operator's pipelines in high consequence areas compared to high consequence areas across industry).

What Records Must Be Kept?

The proposed rule requires that an operator maintain for inspection its written integrity management program. This proposed requirement is not any different from the procedural manual an operator is required to maintain for operations, maintenance and emergencies. An operator would also be required to maintain for review during inspections documents that support the decisions and analyses made and actions taken to implement each element of the integrity management program. These documents would include, at minimum, results of the baseline and periodic assessments, results of analyses and evaluations, records of defects detected and repairs made to those defects, records of other remedial actions planned or taken, and records of preventive and mitigative actions planned or taken.

Appendix C

In this proposed rule, we are also adding a new Appendix C to Part 195. This Appendix provides guidance on how to prioritize risk factors in determining assessment frequency, how to analyze smart pig inspection results, how to prioritize metal loss features, and what types of smart pigs to use to find pipeline anomalies. In addition, this Appendix includes risk indicator tables for leak history, volume or line size, age of the pipeline, and product transported, to help determine if the pipeline segment should fall into a high, medium or low risk category.

By using the risk factors prioritization and risk indicator tables, an operator should be able to establish the priority for assessing (by internal inspection, pressure testing, or new technology) the integrity of pipeline segments. An operator can apply weights or values to the risk factors and then with the help of the risk tables and other analyses, determine which segments need immediate attention.

Regulatory Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

The Department of Transportation (DOT) does not consider this action to

be a significant regulatory action under section 3(f) of Executive Order 12866 (58 FR 51735; October 4,1993). Therefore, it was not forwarded to the Office of Management and Budget. This proposed rule is not significant under DOT's regulatory policies and procedures (44 FR 11034: February 26, 1979).

A regulatory evaluation of this proposal was prepared and placed in the docket of this action. This section summarizes the findings of that evaluation.

Numerous investigations by the Office of Pipeline Safety (OPS) and the National Transportation Safety Board (NTSB) have highlighted the importance of protecting the public and environmentally sensitive areas from pipeline failures. NTSB has made several recommendations to ensure the integrity of pipelines near populated and environmentally sensitive areas. These recommendations included requiring periodic testing and inspection to identify corrosion and other damage, establishing criteria to determine appropriate intervals for inspections and tests, determining hazards to public safety from electric resistance welded pipe and requiring installation of automatic or remote-operated mainline valves on high-pressure lines to provide for rapid shutdown of failed pipelines.

Congress also directed OPS to undertake additional safety measures in areas that are densely populated or unusually sensitive to environmental damage. These statutory requirements included having OPS prescribe standards for identifying pipelines in high density population areas, unusually sensitive environmental areas, and commercially navigable waters; issue standards requiring periodic inspections using internal inspection devices on pipelines in densely-populated and environmentally sensitive areas; and survey and assess the effectiveness of emergency flow restricting devices, and prescribe regulations on circumstances where an operator must use the devices.

This proposed rulemaking is a comprehensive response to NTSB's recommendations, Congressional mandates, as well as pipeline safety and environmental issues raised over the years.

This proposal focuses on a systematic approach to integrity management to reduce the potential for hazardous liquid pipeline failures in populated and environmentally sensitive areas, and commercially navigable waterways. This proposed rulemaking requires pipeline operators to develop and follow an integrity management program that continually assesses and evaluates, through internal inspection or pressure testing and data integration, the integrity of those pipelines that could affect what we propose to designate as high consequence areas *i.e.,* populated areas, areas unusually sensitive to environmental damage and commercially navigable waterways. The integrity of the pipelines would be further assured through remedial actions and preventive and mitigative measures.

This initial proposed rule covers hazardous liquid pipeline operators operating 500 or more miles of pipeline used in transportation. Later this year, OPS intends to propose integrity management program requirements for the liquid operators not covered by this proposed rule and for natural gas transmission operators. OPS chose to start with this group of hazardous liquid operators because they had the greatest potential to adversely affect the environment, based on the volume of product they transport. Further, by focusing first on these liquid operators, OPS is addressing requirements for an estimated 86.7 percent of hazardous liquid pipelines. It is estimated that 29.3 thousand miles (of the 157,000 miles of hazardous liquid pipeline in the U.S.) will be impacted by this proposed rule.

In discussions between OPS officials and several hazardous liquid pipeline operators, the operators agreed that pipeline operators subject to this proposal were developing integrity management programs and would likely have performed initial integrity testing voluntarily over the same period given in this proposal. The cost of developing the necessary program is estimated to cost the pipeline industry approximately $1.5 million with an additional annual cost of $66,000. (The program begins with a baseline assessment plan and a framework that addresses each required program element. The framework initially indicates how decisions will be made to implement each element. As decisions are made and operators evaluate the effectiveness of the program in protecting high consequence areas, the program will be continually updated and improved.)

The proposal requires a baseline assessment of applicable pipelines through internal inspection, pressure test, or use of new technology capable of comparable performance. The baseline assessment must be completed within seven years after a final rule becomes effective. After this baseline assessment, an operator is further required to periodically retest and evaluate the pipeline to ensure its integrity. It is estimated that the cost of periodic retesting will generally not occur until the sixth year unless the baseline test indicates significant defects that would require earlier retesting.

One of the many preventive or mitigative actions an operator may take is to install EFRD's. OPS could not estimate the total cost of installing EFRD's because OPS does not know how many operators will install them. OPS requests information from the public on how many operators are likely to install EFRD's and their potential benefit. OPS also requests information on the cost of other preventive and mitigative measures operators are likely to take. Periodic integrity assessment (internal inspection, hydrostatic testing, or an equivalent method, required at a maximum of 10 years after baseline assessment) is estimated to cost the industry $7.9 million in years 6–7 after implementation of a final rule and then $3.4 million thereafter.

The benefits to this proposal can not easily be quantified but can be described in qualitative terms. Issuance of this proposed rule ensures that all operators will perform at least to a baseline safety level and will contribute to an overall higher level of safety and environmental performance nationwide. It will lead to greater uniformity in how risk is evaluated and addressed and will provide more clarity in discussion by government, industry and the public about safety and environmental concerns and how they can be resolved.

Much of the proposed rule is written in performance-based language. A performance-based approach provides several advantages: Encouraging development and use of new technologies; supporting operators' development of more formal, structured risk evaluation programs and OPS's evaluation of the programs; and providing greater ability for operators to customize their long-term maintenance programs.

The proposal has also stimulated the pipeline industry to begin developing a supplemental consensus standard to support risk-based approaches to integrity management. The proposal has further fostered development of industry-wide technical standards, such as repair criteria to use following an internal inspection.

Our emphasis on an integrity-based approach encourages a balanced program, addressing the range of prevention and mitigation needs and avoiding reliance on any single tool or overemphasis on any single cause of failure. This orientation will lead to

addressing the most significant risks in populated areas, unusually sensitive environmental areas, and commercially navigable waterways. Commercially navigable waterways are included because of their importance as a supply route of vital resources to many American communities as well as their role in the national defense system. This integrity-based approach is the best opportunity to improve industry performance and assure that these high consequence areas get the protection they need. It also addresses the interrelationships among failure causes and benefits the coordination of risk control actions, beyond what a solely compliance-based approach would achieve.

The proposed rule provides for a validation process, which gives the regulator a better opportunity to influence the methods of assessment and the interpretation of results. OPS will provide a beneficial challenge to the adequacy of an operator's decision process. Requiring operators to use the integrity management process, and having regulators validate the adequacy and implementation of this process, should expedite the operators' rates of remedial action, thereby strengthening the pipeline system and reducing the public's exposure to risk.

A particularly significant benefit is the quality of information that will be gathered as a result of this proposal to aid operators' decisions about providing additional protections. Two essential elements of the proposed integrity management program are that an operator continually assess and evaluate the pipeline's integrity, and perform an analysis that integrates all available information about the pipeline's integrity. The process of planning, assessment and evaluation will provide operators with better data on which to judge a pipeline's condition and the location of potential problems that must be addressed.

Integrating this data with the environmental and safety concerns associated with high consequence areas will help prompt operators and the Federal and state governments to focus time and resources on potential risks and consequences that require greater scrutiny and the need for more intensive preventive and mitigation measures. If baseline and periodic assessment data is not evaluated in the proper context, it is of little or no value. It is imperative that the information an operator gathers is assessed in a systematic way as part of the operator's ongoing examination of all threats to the pipeline integrity. The proposed rule is intended to accomplish that.

The public has expressed concern about the danger hazardous liquid pipelines pose to their neighborhoods. The proposed integrity management process leads to greater accountability to the public for both the operator and the regulator. This accountability is enhanced through our choice of a map-based approach to defining the areas most in need of additional protection—the visual depiction of the populated areas, unusually sensitive environmental areas, and commercially navigable waterways in need of protection focuses on the safety and environmental issues in a manner that will be easily understandable to everyone. The proposed system integrity requirements and the sharing of information about their implementation and effectiveness will assure the public that operators are continually inspecting and evaluating the threats to pipelines that pass through or close to populated areas to better ensure that the pipelines are safe.

OPS has not provided quantitative benefits for the continual integrity management evaluation required in this proposed rule. OPS does not believe, however, that requiring this comprehensive process, including the re-assessment of pipelines in high consequence areas at a minimum of once every 10 years, will not be an undue burden on hazardous liquid operators covered by this proposal. OPS believes the added security this assessment will provide and the generally expedited rate of strengthening the pipeline system in populated and important environmental areas and commercially navigable waterways, is benefit enough to promulgate these proposed requirements.

A copy of the complete draft regulatory evaluation is available for reading in the public docket.

Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) OPS must consider whether a rulemaking would have a significant impact on a substantial number of small entities. This proposed rulemaking was designed to impact only hazardous liquid operators operating 500 or more miles of pipeline. Because of this limitation on pipeline mileage, only 66 hazardous liquid pipeline operators (large national energy companies) covering 86.7 percent of regulated liquid transmission lines are impacted by this proposed rule. Based on this, and the evidence discussed above, I certify that this proposed rule will not have a significant impact on a substantial number of small entities.

Paperwork Reduction Act

This notice of proposed rulemaking contains information collection requirements. As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the Department of Transportation has submitted a copy of the Paperwork Reduction Act Analysis to the Office of Management and Budget for its review. The name of the information collection is ''Pipeline Integrity Management in High Consequence Areas.'' The purpose of this information collection is designed to require operators of hazardous liquid pipelines to develop a program to provide direct integrity testing and evaluation of hazardous liquid pipelines in high consequence areas.

Sixty-six hazardous liquid operators will be subject to this proposed rule. It is estimated that 59 of these operators will have to develop integrity management plans taking approximately 430 hours per plan. Additionally, all 66 operators will be required to update their plans annually. This will take approximately 33 hours per plan.

Organizations and individuals desiring to submit comments on the information collection should direct them to the Office of Information and Regulatory Affairs, OMB, Room 10235, New Executive Office Building, Washington, DC 20503: Attention Desk Officer for the Department of Transportation. Comments must be sent within 30 days of the publication of this NPRM. Comments can also be sent to the Department of Transportation either by mail or electronically. See the **ADDRESSES** section of this NPRM.

The Department considers comments by the public on this proposed collection of information in:

Evaluating whether the proposed collection is necessary for the proper performance of the functions of the Department, including whether the information would have a practical use;

Evaluating the accuracy of the Department's estimate of the burden of the proposed collection of information, including the validity of assumptions used;

Enhancing the quality, usefulness and clarity of the information to be collected; and minimizing the burden of 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.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of

information unless a valid OMB control number is displayed. The valid OMB control number for this information collection will be published in the **Federal Register** after it is approved by the OMB. For more details, see the Paperwork Reduction Analysis available for copying and review in the public docket.

Executive Order 13084

This proposed rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13084 (''Consultation and Coordination with Indian Tribal Governments''). Because this proposed rule does not significantly or uniquely affect the communities of the Indian tribal governments and does not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13084 do not apply.

Executive Order 13132

This proposed rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 (''Federalism''). This proposed rule does not propose any regulation that:

(1) Has substantial direct effects on the States, the relationship between the national government and the States, or the distribution of power and responsibilities among the various levels of government;

(2) Imposes substantial direct compliance costs on States and local governments; or

(3) Preempts state law.

Therefore, the consultation and funding requirements of Executive Order 13132 (64 FR 43255; August 10, 1999) do not apply. Nevertheless, in a November 18–19, 1999 public meeting, OPS invited National Association of Pipeline Safety Representatives (NAPSR), which includes State pipeline safety regulators, to participate in a general discussion on pipeline integrity. Again in January, and February 2000, OPS held conference calls with NAPSR, to receive their input before proposing an integrity management rule.

Unfunded Mandates

This rule does not impose unfunded mandates under the Unfunded Mandates Reform Act of 1995. It does not result in costs of $100 million or more to either State, local, or tribal governments, in the aggregate, or to the private sector, and is the least burdensome alternative that achieves the objective of the rule.

National Environmental Policy Act

We have analyzed the proposed rule for purposes of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and have preliminarily determined that this action would not significantly affect the quality of the human environment. The Environmental Assessment determined that the combined impacts of the initial baseline assessment (testing or internal inspection), the subsequent periodic assessments, and additional preventive and mitigative measures that may be implemented in high consequence areas will result in positive environmental impacts. The number of incidents and the environmental damage from failures in high consequence areas is likely to be reduced. However, from a national perspective, the impact is not expected to be significant for the pipeline operators covered in the proposed rule, primarily because most of these operators are already voluntarily performing most of the activities proposed by the rule.

Operators covered by the proposed rule already have internal inspection and testing programs. These operators typically consider the pipeline's proximity to populated areas and environmental resources when making decisions about where and when to inspect and test pipelines. As a result, some high consequence areas have already been recently assessed, and a large fraction of remaining locations would have been assessed in the next several years, without the provisions of the rule. The primary effect of the proposed rule—accelerating testing and inspection in some high consequence areas—only shifts the improved integrity assurance forward for a few years for most high consequence areas. Because pipeline failure rates are low, shifting the time at which high consequence areas are assessed forward by a few years, has only a small effect on the likelihood of pipeline failure in these locations.

Neither internal inspection nor pressure testing provide protection against all threats to pipeline integrity—specifically they do not prevent outside force damage, the most significant contributor to hazardous liquid pipeline failures. The proposed rule does require operators to conduct an integrated assessment of all the potential threats to pipeline integrity, and to consider additional preventive or mitigative risk control measures to provide enhanced protection. If there is a vulnerability to a particular failure cause—like third party damage—these assessments should result in additional risk controls to address these threats. However, without knowing the specific high consequence area locations, the specific risks present at these locations, and the existing operator risk controls (including those that surpass the current minimum regulatory requirements), it is difficult to determine the impact of this requirement.

A number of liquid operators covered by the proposed rule already perform integrity evaluations or formal risk assessments that consider the environmental sensitivity and impacts on population. These evaluations have already led to additional risk controls beyond existing requirements to improve protection for these locations. Thus, it is expected that additional risk controls resulting from the proposed integrated evaluation will be limited and customized to site-specific conditions that the operator may not have previously recognized. For many high consequence areas, it is probable that operators will determine the existing preventive and mitigative activities provide adequate protection, and that the small additional risk reduction benefits of additional risk controls are not justified by their cost.

The primary benefit of the proposed rule will be to establish requirements for conducting integrity assessments and periodic evaluations of integrity in high consequence areas. In effect, this will codify the integrity management programs and assessments many operators are currently implementing. It will also require operators who have little, or no, integrity assessment and evaluation programs to raise their level of performance. Thus, the proposed rule is expected to ensure a more consistent, and overall higher level of protection for high consequence areas across the industry.

The Environmental Assessment of this proposal is available for review in the docket.

Impact on Business Processes and Computer Systems

We do not want to impose new requirements that would mandate business process changes when the resources necessary to implement those requirements would otherwise be applied to ''Y2K'' or related computer problems. This proposed rule does not mandate business process changes or require modifications to computer systems. Because this proposed rule does not affect organizations' ability to respond to those problems, we are not delaying the effectiveness of the requirements.

List of Subjects in 49 CFR Part 195

Petroleum products, Pipeline safety, Reporting and recordkeeping requirements.

In consideration of the foregoing, OPS proposes to amend part 195 of title 49 of the Code of Federal Regulations as follows:

PART 195—[AMENDED]

1. The authority citation for part 195 continues to read as follows:

Authority: 49 U.S.C. 60102, 60104, 60108, and 60109; and 49 CFR 1.53.

Subpart F—Operation and Maintenance

2. New §§ 195.450 and 195.452 would be added under new undesignated center headings of ''High Consequence Areas'' and ''Pipeline Integrity Management'' respectively, in subpart F to read as follows:

* * * * *

High Consequence Areas

§ 195.450 Definitions.

High consequence area means:

(1) An unusually sensitive area, as defined in § 195.6,

(2) A high population area, which means an urbanized area, as defined and delineated by the Census Bureau, that contains 50,000 or more people and has a population density of at least 1,000 people per square mile,

(3) An other populated area, which means a place, as defined and delineated by the Census Bureau, that contains a concentrated population, such as an incorporated or unincorporated city, town, village, or other designated residential or commercial area, or

(4) A commercially navigable waterway, which means a waterway where a substantial likelihood of commercial navigation exists.

Emergency flow restricting device or EFRD means a check valve or remote control valve.

(1) Check valve means a valve that permits fluid to flow freely in one direction and contains a mechanism to automatically prevent flow in the other direction.

(2) Remote control valve or RCV means any valve that is operated from a location remote from where the valve is installed. Operation of the RCV is usually by the supervisory control and data acquisition (SCADA) system. The linkage between the pipeline control center and the RCV may be by fiber optics, microwave, telephone lines, or satellite.

Pipeline Integrity Management

§ 195.452 Pipeline Integrity Management in High Consequence Areas.

(a) *Which operators must comply?* This section applies to each operator who operates 500 or more miles of pipeline used in hazardous liquid transportation.

(b) *What must an operator do?* No later than [insert date one year after the effective date of the final rule], an operator must develop and follow a written integrity management program that includes—

(1) A plan for baseline assessment of all pipelines that could affect a high consequence area (see paragraph (c) of this section); and

(2) A framework addressing each element of the integrity management program, including continual integrity assessment and evaluation (see paragraphs (f) and (j) of this section). The framework must initially indicate how decisions will be made to implement each element. In carrying out this section, an operator must follow best industry practices (BIP) unless the section specifies otherwise or the operator demonstrates that the deviation is backed by a reliable engineering evaluation.

(c) *What must be in the baseline assessment plan?* The written baseline assessment plan must include—

(1) The methods selected to assess the integrity of the pipeline (pressure test conducted to a minimum of 1.25 times maximum operating pressure, internal inspection tool capable of detecting corrosion and deformation anomalies including dents, gouges and grooves,[2] or new technology that the operator demonstrates can provide an equivalent level of protection in assessing the integrity of the pipeline);

(2) A schedule for completing the integrity assessment of all pipelines that could affect a high consequence area; and

(3) An explanation of the assessment methods selected and evaluation of risk factors considered in establishing the assessment schedule for the pipelines.

(d) *When must the baseline assessment be completed?* (1) An operator must initially assess the integrity (by pressure test conducted to a minimum of 1.25 times maximum operating pressure, internal inspection tool capable of detecting corrosion and deformation anomalies including dents, gouges and grooves, or new technology that the operator demonstrates can provide an equivalent level of protection in assessing the integrity of the pipeline) of all pipelines that could affect a high consequence area by [insert date seven (7) years from the effective date of the final rule]. At least 50 percent of that mileage must be assessed by [insert date 42 months from the effective date of the final rule].

(2) An operator may use an integrity assessment method conducted after [insert date five years before the effective date of the final rule] as the baseline assessment if the method meets the requirements of this section.

(e) *What are the criteria for establishing an assessment schedule* (For both the baseline and continual assessments)? An operator must select one of the following options:

(1) *Option 1.* An operator must base the integrity assessment schedule on risk factors including, but not limited to, pipe material, pipe manufacturing information, local environmental factors that could impact the pipeline (*e.g.*, corrosivity of soil, subsidence, climatic), existing or projected activities in the area, coating type, product transported, repair history, all previous data/results from pressure testing or internal inspection, geo-technical hazards, corrosion history and pipeline leak history. See appendix C to this part for guidance on assigning priorities to these risk factors.

(2) *Option 2.* An operator must base the integrity assessment method and assessment schedule on risk factors the operator considers essential in risk or consequence evaluation, and that the operator demonstrates can provide an equivalent level of safety and environmental protection to option 1 (paragraph (e)(1) of this section).

(f) *What are the elements of an integrity management program?* An integrity management program is an evolving program that the operator will continually improve based on experience. A written integrity management program must, at minimum, include the following elements:

(1) A baseline assessment plan meeting the requirements of paragraph (c) of this section;

(2) A continual process of assessment and evaluation to maintain a pipeline's integrity (see paragraph (j) of this section);

(3) An analysis that integrates all available information about the integrity of the pipeline or the consequences of a failure (see paragraph (h) of this section);

(4) Criteria for repair actions to address integrity issues raised by the

[2] A magnetic flux leakage or ultrasonic internal inspection survey shall not be used for a segment constructed of low frequency electric resistance-welded pipe (ERW pipe) and lapwelded pipe susceptible to longitudinal seam failures.

assessment method and data analysis (see paragraph (g) of this section);

(5) Identification of preventive and mitigative measures to protect the high consequence area (see paragraph (i) of this section);

(6) Methods to measure the program's effectiveness (see paragraph (k) of this section); and

(7) A process for review of integrity assessment results and data analysis by a person qualified to evaluate the results and data.

(g) *What remedial action must be taken?* An operator must take prompt action to address all pipeline integrity issues raised by the assessment method and data integration analysis. An operator must evaluate and repair all defects that could reduce a pipeline's integrity. In establishing an evaluation and repair schedule, an operator must comply with § 195.401(b), which requires that if a condition on the pipeline is of such a nature that it presents an immediate hazard, the operator may not operate the affected part of the system until it has corrected the unsafe condition. For all other conditions, an operator must base the schedule for evaluation and repair on the risk factors listed in paragraph (e)(1) of this section and on the following criteria if the assessment method is by internal inspection:

(1) Data that reflects a change since last surveyed has priority over all other data.

(2) Data that could indicate mechanical damage that is located on the top half of the pipe has priority over the same located on the bottom.

(3) Data that indicates anomalies abrupt in nature has priority over locations that are smooth.

(4) Data that indicates anomalies longitudinal in orientation has priority over transverse data.

(5) Data that indicates anomalies over a large area has priority over that contained within a smaller area. See appendix C to this part for further guidance on analyzing internal inspection results.

(h) *Integration of data.* In periodically evaluating the integrity of the pipeline (paragraph (j) of this section), an operator must analyze all available information about the integrity of the pipeline or the consequences of a failure. This information includes—

(1) Information critical to determining the potential for, and preventing, damage due to excavation, including current and planned damage prevention activities, and development or planned development along the pipeline;

(2) Data gathered through the integrity assessment required under this section.

(3) Data gathered in conjunction with other inspections and tests required by this Part, including, corrosion control monitoring and cathodic protection surveys; and

(4) Information about how a failure would affect the high consequence area, such as location of water intake valves.

(i) *Preventive and mitigative measures to protect the high consequence area.* An operator must take measures to prevent and mitigate the consequences of a pipeline failure that could affect a high consequence area. These measures include conducting a risk analysis of the pipeline to determine if public safety or environmental protection would be enhanced by additional risk control actions. Such actions include, but are not limited to, implementing damage prevention best practices, better monitoring of cathodic protection where corrosion is a concern, establishing shorter inspection intervals, making repairs other than those required by this section, installing EFRDs on the pipeline, establishing or modifying the systems that monitor pressure and detect leaks, providing additional training to personnel on response procedures, conducting drills with local emergency responders and adopting other management controls.

(j) *What is a continual evaluation of a pipeline's integrity?* (1) After completing the baseline integrity assessment, an operator must continue to assess at specified intervals (by pressure test conducted to a minimum of 1.25 times maximum operating pressure, internal inspection tool capable of detecting corrosion and deformation anomalies including dents, gouges and grooves, or new technology that the operator demonstrates can provide an equivalent level of protection in assessing the integrity of the pipeline), and periodically evaluate the integrity of each pipeline that could affect a high consequence area. An operator must conduct a periodic evaluation as frequently as needed to assure pipeline integrity. The evaluation must consider the past and present integrity assessment results, data integration analysis (paragraph (h) of this section), and decisions about repair, preventive and mitigative actions (paragraphs (g) and (i) of this section).

(2) An operator must choose one of the following options in establishing the integrity assessment intervals.

(i) *Option 1.* An operator must establish intervals not to exceed 10 years for assessing the pipeline's integrity. To establish the intervals, an operator must use the applicable risk factors listed in paragraph (e)(1) of this setion, the analysis of the results from last integrity assessment, and data from the integration analyses. If the previous assessment method was by internal inspection, an operator must also consider the factors specified in paragraph (g) of this section. (See appendix C to this part for further guidance on analyzing internal inspection results.)

(ii) *Option 2.* An operator must establish intervals to assess the pipeline's integrity based on criteria the operator demonstrates provide an equivalent level of safety and environmental protection to option 1 (paragraph (j)(2)(i) of this section).

(k) *Methods to measure program's effectiveness.* The program must include methods to measure whether the program is effective in assessing and evaluating the integrity of the pipelines and in protecting the high consequence areas.

(l) *What records must be kept?* An operator must maintain for review during an inspection—(1) A written integrity management program in accordance with paragraph (b) of this section.

(2) Documents to support the decisions and analyses made and actions taken to implement each element of the integrity management program.

3. A new appendix C would be added to part 195 to read as follows:

Appendix C To Part 195—Prioritizing Risk Factors

This appendix gives guidance on how to prioritize risk factors in determining assessment frequency, how to analyze smart pig inspection results, how to prioritize metal loss features, and what types of smart pigs to use for finding pipeline anomalies. In addition, this appendix includes risk indicator tables for leak history, volume or line size, age of pipeline, and product transported, to help determine if the pipeline segment falls into a high, medium or low risk category.

By using the risk factors prioritization and risk indicator tables, an operator can determine the priority for testing pipeline segments. An operator can determine which segments need immediate attention by applying weights or values to the risk factors, and then referring to the risk tables and other methods described below. The integrity assessment interval for a relatively lower-risk pipeline segment is not to exceed 10 years.

I. Risk factors for establishing frequency of assessment in order of priority.[1]

- Population areas (high population areas may be given priority over other populated areas), unusually sensitive environmental areas, and commercially navigable waters.

[1] US DOT study on instrumented Internal Inspection devices, Nov. 1992. Order of priority was determined from a survey of users.

• Results from previous testing/inspection. (See ''Analyzing Smart Pig Inspection Results''.)
• Leak History. (See leak history risk table.)
• Known corrosion or condition of pipeline. (See ''metal loss features prioritization''.)
• Cathodic protection history.
• Type and quality of pipe coating (disbonded coating results in corrosion).
• Age of pipe (older pipe shows more corrosion—may be uncoated or have an ineffective coating) and type of pipe seam. (See Age of Pipe risk table.)
• Product transported (highly volatile, highly flammable and toxic liquids present a greater threat for both people and the environment. Natural gas presents a greater hazard to the public because it is flammable)(see Product transported risk table.)
• Pipe wall thickness (thicker walls give a better safety margin).
• Size (higher volume release if the pipe ruptures).
• Location related to potential ground movement (e.g., seismic faults, rock quarries, and coal mines); climatic (permafrost causes settlement—Alaska); geologic (landslides or subsidence).
• Security of throughput (effects on customers if there is failure requiring shutdown).
• Time since the last in-line inspection/pressure testing.

II. Analyzing Smart Pig Inspection Results.[2]

(a) The criteria an operator should use to analyze smart pig inspection results to minimize pipeline failure risks include, but are not limited to the following:
• Smart pig data that reflects a change since last surveyed should have priority over all others.
• Smart pig data that is reflective of mechanical damage and is on the top half of the pipe should have priority over the same located on the bottom.
• Smart pig data that is abrupt in nature should have priority over those locations that are smooth.
• Smart pig data that is longitudinal in orientation should have priority over that which is transverse.
• Smart pig data that cover a large area should have priority over that contained within a smaller area.

(b) An operator should review smart pig results for any condition that could be lead to an ''immediate concern'' on the pipeline. These conditions may require further investigation to determine whether they adversely affect the safe operation of the pipeline system. These conditions include, but are not limited to:
• Severe localized corrosion pitting >80% of the original wall thickness of the pipe. The mandatory repair is required in a period not exceeding x months.
• Dents with associated metal loss. The mandatory repair is required in a period not exceeding x months.
• Casing shorts and close foreign pipeline crossings with associated metal loss.
• Girth weld anomalies. Depending on the length of the affected area of the weld.

(c) An operator must further evaluate the immediate concern conditions to determine priority for their excavation, verification and remediation.

III. Metal Loss Feature Prioritization.[3]

An operator must prioritize all metal loss features to determine remedial actions for the pipeline system.

(a) Metal loss features that calculate, using ASME B31G, a remaining strength working pressure that is less than the *original design working pressure* of the pipe must be considered ''priority metal loss features''. These features must be further evaluated according to paragraph III.(b) of this appendix.

(b) Features that calculate a pressure that is less than the pipeline's *maximum allowable working pressure* require remediation. All of these features must be further evaluated according to paragraph III.(c) of this appendix.

(c) Features that calculate a pressure that is less than the pipeline's *normal operating pressure* require immediate investigation and remediation.

IV. Types of Pigs to use.

An operator should select equipment based on the particular situation. At least two types of pigs should be used—

(a) *Geometry pigs* for detecting changes in circumference, e.g., bends, dents, buckles or wrinkles, due to construction flaws or soil movement, or other outside force damage; and

(b) *Magnetic Flux Leakage pigs* for determining pipe wall anomalies, e.g. wall loss due to corrosion.

V. Risk indicator tables for leak history, volume or line size, age of pipeline, and product transported.

LEAK HISTORY

Risk indicator	Leak history (Time-dependent defects)[1]
High	>3 Spills in last 10 years.
Low	≤3 Spills in last 10 years.

[1] Time-dependent defects are those that result in spills due to corrosion, gouges, or problems developed during manufacture, construction or operation, etc.

LINE SIZE OR VOLUME TRANSPORTED

Risk indicator	Line size (inches)
High	≥ 18.
Moderate	10–16 nominal diameters.
Low	≤ 8 nominal diameter.

AGE OF PIPELINE

Risk indicator	Age (Pipeline condition dependent[1])
High	> 25 years.
Low	≤ 25 years.

[1] Depends on pipeline's coating & corrosion condition, and steel quality, toughness, welding.

PRODUCT TRANSPORTED

Risk indicator	Considerations	Product examples
High	(Highly volatile and flammable)	(Propane, butane, Natural Gas Liquid (NGL), ammonia)
	Highly toxic	(Benzene, high Hydrogen Sulfide content crude oils)
Medium	Flammable—flashpoint <100F	(Gasoline, JP4, low flashpoint crude oils)
Low	Non-flammable—flashpoint 100+F	(Diesel, fuel oil, kerosene, JP5, most crude oils)

Considerations: The degree of acute and chronic toxicity to humans, wildlife, and aquatic life; reactivity; and, volatility, flammability, and water solubility determine the Product Indicator. Comprehensive Environmental Response, Compensation and Liability Act Reportable Quantity values may be used as an indication of chronic toxicity. National Fire Protection Association health factors may be used for rating acute hazards.

Issued in Washington DC on April 17, 2000.

Stacey L. Gerard,

Director, Office of Policy, Regulations and Training, Office of Pipeline Safety.

[FR Doc. 00–9934 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–60–P

[2] Presention by H. Noel Duckworth (Pipeline Consultant) at the Pipeline Integrity public meeting on 11/18/1999.

[3] Guidelines to review smart pig inspection used by a hazardous liquid pipeline operator.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Parts 222 and 229

[Docket No. FRA–1999–6439, Notice No. 6; Docket No. FRA–1999–6440]

RIN 2130–AA71

Use of Locomotive Horns at Highway-Rail Grade Crossings

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Public Hearings.

SUMMARY: This document provides notice of additional public hearings to be held in Chicago, Illinois and Madison, Wisconsin regarding FRA Docket Nos. 1999–6439 and 1999–6440. On January 13, 2000 (65 FR 2230), FRA published a Notice of Proposed Rulemaking (NPRM) on the Use of Locomotive Horns at Highway-Rail Grade Crossings (Docket No. FRA–1999–6439). On the same date FRA released a Draft Environmental Assessment (DEIS) (Docket No. FRA–1999–6440) pertaining to the proposals contained in the NPRM. In both documents, FRA stated that public hearings would be held in a number of locations throughout the country. On February 15, 2000 (65 FR 7483), March 22, 2000 (65 FR 15298), and March 29, 2000 (65 FR 16559) FRA published in the **Federal Register** documents regarding the locations of combined hearings on the NPRM and DEIS to be held in various cities. This document provides notice of two additional public hearings to be held in Chicago and Madison, Wisconsin. This document provides information pertaining to those hearings as well as repeating information previously published regarding hearings to be held after the date of this document.

DATES: *Public Hearings:* Public hearings will be held in:

1. Chicago, Illinois area on the following dates:
   Western Springs, Illinois on April 25, 2000, beginning at 12 noon;
   Chicago, Illinois on April 26, 2000, beginning at 9 a.m.;
   Saint Xavier University campus on April 26, 2000, beginning at 5 p.m;
   Des Plaines, Illinois on April 27, 2000; beginning at 9 a.m.;
2. Berea, Ohio on May 1, 2000, beginning at 6 p.m; and
3. Madison, Wisconsin on May 3, 2000, beginning at 9 a.m.

Please see **SUPPLEMENTARY INFORMATION** below for further information concerning participation in the public hearings.

ADDRESSES: *Public Hearings:* Public hearings will be held at the following locations:

1. *Chicago, Illinois:* On April 25, 2000, beginning at 12 noon, at Lyons Township High School, South Campus, The Little Theater, 4900 Willow Springs Road, Western Springs, Illinois;
   On April 26, 2000, beginning at 9 a.m., at The Field Museum of Natural History (James Simpson Theater) 1400 South Lake Shore Drive, Chicago, Illinois 60605;
   On April 26, 2000, beginning at 5 p.m, at Saint Xavier University (McGuire Hall) 3700 West 103rd Street, Chicago, Illinois 60655;
   On April 27, 2000, beginning at 9 a.m., at the Federal Aviation Administration (The Minnesota Room), 2300 East Devon Avenue, Des Plaines, Illinois 60018; and
2. *Berea, Ohio:* Baldwin-Wallace College, Kleist Center for Art and Drama, 95 E. Bagley Road, Berea, Ohio 44017; and
3. *Madison, Wisconsin:* The Madison Concourse Hotel and Governor's Club (Madison Wisconsin Room), 1 West Dayton Street, Madison, Wisconsin 53703.

FRA Docket Clerk: Docket Clerk, Office of Chief Counsel, Mail Stop 10, FRA, 1120 Vermont Avenue, NW, Washington, DC 20590. E-mail address for the FRA Docket Clerk is renee.bridgers@fra.dot.gov.

FOR FURTHER INFORMATION CONTACT: Ron Ries, Office of Safety, FRA, 1120 Vermont Avenue, NW,Washington, DC 20590 (telephone: 202–493–6299); or Mark Tessler, Office of Chief Counsel, FRA, 1120 Vermont Avenue, NW, Washington, DC 20590 (telephone: 202–493–6038).

SUPPLEMENTARY INFORMATION: Any person wishing to provide testimony at one of the public hearings should notify FRA's Docket Clerk at the address above at least three working days prior to the date of the hearing. The notification should also provide either a telephone number or e-mail address at which the person may be contacted. If a participant will be representing an organization, please indicate the name of the organization.

FRA will attempt to accommodate all persons wishing to provide testimony, however depending on the number of people wishing to participate, FRA may find it necessary to limit the length of oral comments to accommodate as many people as possible. Participants may wish to submit a complete written statement for inclusion in the record, while orally summarizing the points made in that statement.

Issued in Washington, DC on April 18, 2000.

Michael T. Haley,

Deputy Chief Counsel, Federal Railroad Administration.

[FR Doc. 00–10155 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018–AF79

Endangered and Threatened Wildlife and Plants; Notice of Proposed Critical Habitat Determination for the Plant *Silene spaldingii* (Spalding's Catchfly) and Reopening of Comment Period

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of critical habitat determination and reopening of comment period.

SUMMARY: We, the U.S. Fish and Wildlife Service, propose a critical habitat determination for *Silene spaldingii* (Spalding's catchfly) pursuant to the Endangered Species Act of 1973, as amended (Act) and reopen the comment period on the proposed rule to list this species. On December 3, 1999, we proposed to list *S. spaldingii* as a threatened species. The proposed rule stated that we would publish a critical habitat determination for *S. spaldingii* in the **Federal Register** subsequent to the proposed rule. We now propose that designation of critical habitat is prudent for *S. spaldingii.* We request comments on this proposed prudency determination and reopen the comment period for the proposed listing. We will make the final prudency determination with the final listing determination for *S. spaldingii.* If this final determination is that a critical habitat designation is prudent, we will develop a proposal to designate critical habitat for *S. spaldingii* as soon as feasible, considering our workload priorities and budgetary capabilities.

DATES: Comments from all interested parties must be received by June 23, 2000. Public hearing requests must be received by June 8, 2000.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Supervisor, Snake River Basin Office, U.S. Fish and Wildlife Service,

1387 S. Vinnell Way, Room 368, Boise, Idaho 83709. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert Ruesink, Supervisor, at the above address (telephone 208/378–5243; facsimile 208/378–5262).

SUPPLEMENTARY INFORMATION:

Background

Silene spaldingii is a long-lived perennial herb currently known from a total of 52 populations that are primarily restricted to mesic (neither extremely wet nor extremely dry) grasslands (prairie or steppe vegetation) that make up the Palouse region (a Pacific Northwest bunchgrass habitat type). Seven populations occur in west-central Idaho; 7, in northeastern Oregon; 9, in western Montana; 28, in eastern Washington; and 1, in adjacent British Columbia, Canada. This taxon is threatened by a variety of factors including habitat destruction and fragmentation from agricultural and urban development, grazing and trampling by domestic livestock and native herbivores, herbicide treatment, and competition from nonnative plant species.

Critical habitat is defined in section 3 of the Act as: (i) The specific areas within the geographical area occupied by a species, at the time it is listed in accordance with the Act, on which are found those physical or biological features (I) essential to the conservation of the species and (II) that may require special management considerations or protection; and (ii) specific areas outside the geographic area occupied by a species at the time it is listed, upon a determination that such areas are essential for the conservation of the species. ''Conservation'' means the use of all methods and procedures needed to bring the species to the point at which listing under the Act is no longer necessary.

Critical habitat designation, by definition, directly affects only Federal agency actions through consultation under section 7(a)(2) of the Act. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or destroy or adversely modify its critical habitat.

Section 4(a)(3) of the Act, as amended, and implementing regulations (50 CFR 424.12) require that, to the maximum extent prudent and determinable, we designate critical habitat at the time the species is determined to be endangered or threatened. Our regulations (50 CFR 424.12(a)(1)) state that the designation of critical habitat is not prudent when one or both of the following situations exist—(1) the species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of threat to the species, or (2) such designation of critical habitat would not be beneficial to the species.

In the December 3, 1999, proposed rule, we did not propose a critical habitat determination for *Silene spaldingii*. We stated that we would publish a critical habitat determination for *S. spaldingii* in the **Federal Register** subsequent to the proposed rule. The Final Listing Priority Guidance for FY 1999/2000 (64 FR 57114) states that the processing of critical habitat determinations (prudency and determinability decisions) and proposed or final designations of critical habitat ''will no longer be subject to prioritization under the Listing Priority Guidance. Critical habitat determinations, which were previously included in final listing rules published in the **Federal Register**, may now be processed separately, in which case stand-alone critical habitat determinations will be published as notices in the **Federal Register**. We will undertake critical habitat determinations and designations during FY 2000 as conservation efforts demand and in light of resource constraints.'' As explained in detail in the Listing Priority Guidance, our listing budget is currently insufficient to allow us to immediately complete all of the listing actions required by the Act.

We now propose that designation of critical habitat is prudent for *Silene spaldingii*. In the last few years, a series of court decisions have overturned Service determinations regarding a variety of species that designation of critical habitat would not be prudent (*e.g., Natural Resources Defense Council* v. *U.S. Department of the Interior* 113 F. 3d 1121 (9th Cir. 1997); *Conservation Council for Hawaii* v. *Babbitt*, 2 F. Supp. 2d 1280 (D. Hawaii 1998)). Based on the standards applied in those judicial opinions, we believe that designation of critical habitat would be prudent for *S. spaldingii*.

Due to the small number of populations, *Silene spaldingii* is vulnerable to unrestricted collection, vandalism, or other disturbance. We are concerned that these threats might be exacerbated by the publication of critical habitat maps and further dissemination of locational information. However, at this time we do not have specific evidence for *S. spaldingii* of taking, vandalism, collection, or trade of this species or any similarly situated species. Consequently, consistent with applicable regulations (50 CFR 424.12(a)(1)(i)) and recent case law, we believe that the identification of critical habitat is unlikely to increase the degree of threat to this species of taking or other human activity.

In the absence of a finding that identification of critical habitat would increase threats to a species, if any benefits would result from a critical habitat designation, then a prudent finding is warranted. In the case of this species, designation of critical habitat may provide some benefits. The primary regulatory effect of critical habitat is the section 7 requirement that Federal agencies refrain from taking any action that destroys or adversely modifies critical habitat. While a critical habitat designation for habitat currently occupied by this species would not be likely to change the section 7 consultation outcome because an action that destroys or adversely modifies such critical habitat would also be likely to result in jeopardy to the species, in certain instances, section 7 consultation might be triggered only if critical habitat is designated. Examples could include unoccupied habitat or occupied habitat that may become unoccupied in the future. Designating critical habitat may also provide some educational or informational benefits. Therefore, we propose that designation of critical habitat is prudent for *Silene spaldingii*. However, deferral of a critical habitat designation for *S. spaldingii* would allow us to concentrate our limited resources on higher priority critical habitat and other listing actions, without delaying the final listing decision. We anticipate in FY 2000 and beyond giving higher priority to critical habitat designation, including designations deferred pursuant to the Listing Priority Guidance, such as the designation for this species, than we have in recent fiscal years.

We plan to employ a priority system for deciding which outstanding critical habitat designations should be addressed first. We will focus our efforts on those designations that will provide the most conservation benefit, taking into consideration the efficacy of critical habitat designation in addressing the threats to the species, and the magnitude and immediacy of those threats. We will make the final critical habitat determination with the final listing determination for *Silene spaldingii*. If this final critical habitat determination is that designation of

critical habitat is prudent, we will develop a proposal to designate critical habitat for *S. spaldingii* as soon as feasible, considering our workload priorities and budgetary capabilities. Unfortunately, for the immediate future, most of Region 1's listing budget must be directed to complying with numerous court orders and settlement agreements, as well as due and overdue final listing determinations.

Public Comments Solicited

We intend that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, we are soliciting comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning this proposed prudency determination and the proposed listing of *Silene spaldingii* as threatened. We are particularly seeking comments concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to this species;

(2) The location of any additional populations of this species and the reasons why any habitat should or should not be determined to be critical habitat pursuant to section 4 of the Act;

(3) Additional information concerning the range, distribution, and population size of this species; and

(4) Current or planned activities in the subject area and their possible impacts on this species.

We will take into consideration for any decision on this proposal the comments and additional information we receive, and such communications may lead to a final regulation that differs from this proposal.

National Environmental Policy Act

We have determined that an environmental assessment and environmental impact statement, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Act. We published a notice outlining our reasons for this determination in the **Federal Register** on October 25, 1983 (48 FR 49244).

Required Determinations

This rule does not contain any information collection requirements for which Office of Management and Budget (OMB) approval under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, is required. An information collection related to the rule pertaining to permits for endangered and threatened species has OMB approval and is assigned clearance number 1018–0094. This rule does not alter that information collection requirement. For additional information concerning permits and associated requirements for threatened plants, see 50 CFR 17.72.

Authority

The authority for this action is the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: April 5, 2000.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 00–10049 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register
Vol. 65, No. 79
Monday, April 24, 2000

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

April 19, 2000.

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, DC 20503 *and* to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 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.

Rural Business-Cooperative Service

Title: Research on Rural Cooperative Opportunities and Problems.

OMB Control Number: 0570–0028.

Summary of Collection: The Rural Business-Cooperative Service (RBS) was established by Public Law 103–350; the Department of Agriculture Reorganization Act of 1994. The mission of RBS is to improve the quality of life in rural America by financing community facilities and businesses, providing technical assistance and creating effective strategies for rural development. The primary objective of this funding is to encourage research through cooperative agreements on critical issues vital to the development and sustainability of cooperatives as a means of improving the quality of life in America's rural communities. RBS will collect information through research proposals prepared by applicants, who may be public or private colleges or universities, research foundations maintained, by a college or university, or private nonprofit organizations.

Need and Use of the Information: RBS will collect project proposal information from applicants to determine (1) eligibility; (2) the specific purpose for which the funds will be utilized; (3) time frames or dates by which activities surrounding the use of funds will be accomplished; (4) feasibility of the project; (5) applicants' experience in managing similar activities; and (6) the effectiveness and innovation used to address critical issues vital to the development and sustainability of cooperatives as a means of improving the quality of life in America's rural communities. Without the collection of information, there would be no basis on which to award funds or monitor project progress.

Description of Respondents: Not-for-profit institutions.

Number of Respondents: 50.

Frequency of Responses: Recordkeeping; Reporting: On occasion; Quarterly.

Total Burden Hours: 1,140.

Foreign Agricultural Service

Title: Market Access Program.

OMB Control Number: 0551–0027.

Summary of Collection: The Market Access Program (MAP) is authorized by section 203 of the Agricultural Trade Act of 1978, as amended. The primary objective of the MAP is to encourage the development, maintenance and expansion of commercial export markets for U.S. agricultural products through cost-share assistance to eligible trade organizations that implement a foreign market development program. Personnel of the Foreign Agricultural Service (FAS) administer the MAP. Prior to initiating program activities, participants must submit detailed applications to FAS, which include country strategies, constraints, goals, and benchmarks, proposed activities, estimated budgets, and performance measurements.

Need and Use of the Information: FAS will collect information to manage, plan, evaluate, and account for government resources. The information will be used for the allocation of funds, program management, planning and evaluation. If information is not available which provides evidence taxpayer funds are being disbursed in accordance with authorizing legislation, ethical standards, and standard Government rules and regulations, regulatory offices such as the General Accounting Office (GAO) or the Office of the Inspector General (OIG) would likely recommend terminating the program.

Description of Respondents: Not-for-profit institutions; Business or other for-profit; State, Local or Tribal Government.

Number of Respondents: 70.

Frequency of Responses: Recordkeeping; Reporting Annually.

Total Burden Hours: 62,830.

Rural Utilities Service

Title: 7 CFR 1717 Subpart Y, Settlement of Debt Owed by Electric Borrowers.

OMB Control Number: 0572–0116.

Summary of Collection: The Rural Utilities Service (RUS) makes mortgage loans and loan guarantees to electric systems to provide and improve electric service in rural areas pursuant to the Rural Electrification Act of 1936, as amended (7 U.S.C. 901 *et seq.*) (RE Act). The Rural Utilities Service makes mortgage loans and loan guarantees to electric systems to provide and improve electric service in rural areas. Only those electric borrowers that are unable to fully repay their debts to the government and who apply to RUS for relief will be affected by this collection

of information. The information collected will be similar to that which any prudent lender would require to determine whether debt settlement is required and the amount of relief that is needed.

Need and Use of the Information: RUS will collect information to determine the need for debt settlement; the amount of debt the borrower can repay; the future scheduling of debt repayment; and, the range of opportunities for enhancing the amount of debt that can be recovered.

Description of Respondents: Not-for-profit institutions; Business or other for-profit.

Number of Respondents: 1.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 3,000.

Rural Utilities Service

Title: Inventory of Work Orders.

OMB Control Number: 0572–0019.

Summary of Collection: The Rural Utilities Service (RUS) is a credit agency of the U.S. Department of Agriculture (USDA). It makes mortgage loans and loan guarantees to finance electric, telecommunications, and water and waste facilities in rural areas. RUS manages loan programs in accordance with the Rural Electrification Act (RE Act) of 1936, 7 U.S.C. 901 *et seq.*, as amended and as prescribed by the Office of Management and Budget (OMB) Circular A–129, Policies for Federal Credit Programs and Non-Tax Receivables, which states that agencies must, based on a review of a loan application, determine that an applicant complies with statutory, regulatory, and administrative eligibility requirements for loan assistance. RUS Form 219, Inventory of Work Orders, is one of the documents the borrower submits to RUS to support actual expenditures and an advance of loan funds.

Need and Use of the Information: RUS will collect information to monitor the activities of the borrower to ensure that funds are being used for RUS purposes. If the information were not collected, RUS would be unable to determine whether borrowers were appropriating loan funds for the purposes specified at the inception of he loan contract.

Description of Respondents: Not-for-profit institutions; Business or other for-profit.

Number of Respondents: 750.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 10,125.

Rural Housing Service

Title: 7 CFR 1942–A, Community Facility Loans.

OMB Control Number: 0575–0015.

Summary of Collection: The Rural Housing Service (RUS) is a credit agency within the Rural Development mission area of the U.S. Department of Agriculture (USDA). The Community Programs Division of the RHS administers the Community Facilities program under 7 CFR part 1942, subpart A. Rural Development provides loan and grant funds through the Community Facilities program to finance many types of projects varying in size and complexity, from large general hospitals to small fire trucks. The facilities financed are designed to promote the development of rural communities by providing the infrastructure necessary to attract residents and rural jobs. RUS will collect information using several forms.

Need and Use of the Information: RUS will collect information to determine applicant/borrower eligibility, project feasibility, and to ensure borrowers operate on a sound basis and use loan and grant funds for authorized purposes. Failure to collect proper information could result in improper determinations of eligibility, improper use of funds, and/or unsound loans.

Description of Respondents: Not-for-profit institutions; Business or other for-profit; State, Local or Tribal Government.

Number of Respondents: 3,020.

Frequency of Responses: Recordkeeping; Reporting: On occasion; Annually.

Total Burden Hours: 61,076.

William McAndrew,

Departmental Clearance Officer.

[FR Doc. 00–10139 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–01–M

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Unified Federal Policy for Ensuring a Watershed Approach to Federal Land and Resource Management

AGENCIES: Office of the Secretary, USDA; Office of the Secretary, Interior.

ACTION: Proposed policy; extension of comment period.

SUMMARY: On February 22, 2000, the Department of Agriculture and the Department of the Interior published a proposed unified Federal policy for ensuring a watershed approach to Federal land and resource management (65 FR 8834). In response to comments from the public requesting additional time to fully analyze the issues and prepare comprehensive comments, the Departments of Agriculture and the Interior are extending the comment period to May 24, 2000.

DATES: Comments must be received by May 24, 2000.

ADDRESSES: You may send or hand deliver written comments to: USDA-Forest Service, Content Analysis Enterprise Team, Attn: UFP, Building 2, Suite 295, 5500 Amelia Earhart Drive, Salt Lake City, UT 84116. You may also fax comments to (801) 517–1021 or submit comments electronically to cleanwater/wo__caet-slc@fs.fed.us. Comments are available for public inspection and copying at the address above during regular business hours (8:00 a.m. to 5:00 p.m., Monday through Friday, except Federal holidays). You are encouraged to call (801) 517–1037 to arrange a time to inspect the comments received. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1–800–877–8339. All comments will also be available electronically for public inspection at the close of the comment period via the Internet at http://www.cleanwater.gov/ufp.

FOR FURTHER INFORMATION CONTACT: Eric Janes, Rangelands, Soil and Water Group, Bureau of Land Management, Department of the Interior or Karen Solari, Watershed and Air Management Staff, Forest Service, Department of Agriculture, at (801) 517–1037. A copy of the proposed unified Federal policy is available via the Internet at http://www.cleanwater.gov/ufp or a copy may be obtained by calling the USDA-Forest Service Content Analysis Enterprise Team at (801) 517–1037. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service at 1–800–877–8339.

For the Department of Agriculture.

Dated: April 19, 2000.

James R. Lyons,

Under Secretary, Natural Resources and Environment.

For the Department of the Interior.

Dated: April 14, 2000.

Sylvia V. Baca,

Assistant Secretary, Land and Minerals Management.

[FR Doc. 00–10148 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–11–P

DEPARTMENT OF AGRICULTURE

Forest Service

Coeur d'Alene River Ranger District Small Sales EIS, Idaho Panhandle National Forests, Kootenai and Shoshone Counties, ID

AGENCY: Forest Service, USDA.

ACTION: Notice; intent to prepare environmental impact statement.

SUMMARY: The Forest Service will prepare an environmental impact statement (EIS) to analyze and disclose the environmental effects of expanding the Lookout Pass Ski & Recreation Area. The proposal would implement revised portions of the Lookout Pass Master Development Plan approved by the Idaho Panhandle National Forest (IPNF) on June 10, 1997. A Special Use Permit would be required for the proposed action, which would authorize additional development, construction, and operation of ski area facilities on National Forest System lands.

DATES: Comments concerning the scope of the analysis should be received in writing by May 22, 2000.

ADDRESSES: Send written comment to Barry Dutton, Land & Water Consulting Inc., P.O. Box 8254, Missoula, MT 59807.

FOR FURTHER INFORMATION CONTACT: Barry Dutton or Nancy Winslow at Land and Water Consulting Inc., (406) 721–0354, or Glenn Truscott at the Coeur d'Alene River Ranger District, (208) 644–2318.

SUPPLEMENTARY INFORMATION: The proposed activities are located adjacent to the existing ski area, approximately 6 miles east of Mullan, Idaho, and adjacent to Interstate 90 at the Idaho/Montana border. The new project area is on the north and south flanks of Runt Mountain at the upper ends of the St. Regis and Coeur d'Alene Rivers. The existing ski area is on the east side of Runt Mountain, which is also in the headwaters of the St. Regis and Coeur d'Alene Rivers.

Lookout Pass Ski Area currently covers approximately 202 acres on Runt Mountain. The ski area and proposed expansion project straddle the Montana-Idaho border and the boundary between the Lolo and Idaho Panhandle National Forests. The Idaho Panhandle National Forests have been designated the lead regulatory agency for the project. The proposed action would increase the ski area by 364 acres, to a total of approximately 566 acres.

The proposed expansion would include 11 new ski runs (covering approximately 145 acres), 6,800 feet of new chair lifts, one primitive road between ski runs (for tree removal, chair lift construction, and possibly skier use), and 1 acre of new parking. The existing lodge would be expanded by 4,000 square feet. A 6,400 square-foot guest services building would be added to provide meeting rooms, a U.S. Forest Service interpretive center, child care facilities, caretaker's quarters, and overnight lodging. The rental show would be enlarged by 1,100 square feet and 960 feet would be added to the maintenance building. The existing fueling station would be upgraded, and 20 recreational vehicle (RV) hook-ups would be added to the existing parking lot. Approximately 1 acre of the of the rope tow and beginner areas would be regraded and revegetated. The septic system that serves the lodge, guest services building, and rental shop would be expanded. Water would be supplied by an existing well near the base area.

The proposed action would add approximately 920 vertical feet of skiing on the south side of Runt Mountain in the Lolo National Forest. In addition, 1,240 vertical feet of skiing would be added on the north side of Runt Mountain in the Idaho Panhandle National Forests. New ski runs would be classified as expert and advanced-intermediate. Two new chair lifts would serve the new ski runs: one on the north side of runt Mountain and one on the south side of Runt Mountain. The power line to the ski area has sufficient capacity to meet the anticipated needs of the proposed expansion.

All of the proposed buildings, RV hookups, new parking, and septic systems would be located in the existing base area adjacent to Interstate 90. Disturbed soil areas outside the base area would include primitive trails between runs (for timber harvest, construction, and possibly skier use), lift tower foundations, lift stations, buried water lines, and buried power lines. Limited soil disturbance would occur during stump removal on ski runs.

There would be no private land development associated with the proposed expansion. All of the proposed development would occur entirely within National Forest System lands. No inventoried roadless areas would be affected by the proposed expansion.

The USDA Forest Service is the lead agency for this proposal. District Ranger Susan Jeheber-Matthews is the responsible official.

The Forest Service believes it is important at this early stage to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft 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 *Wisconsin Heritages, Inc.* v. *Harris,* 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period on the draft EIS 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 the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specified as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. 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.

Dated: April 11, 2000.

Susan Jeheber-Matthews,

District Ranger.

[FR Doc. 00–10065 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Pleasant Valley Station Plant, Notice of Finding of No Significant Impact

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of Finding of No Significant Impact.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS), pursuant to the National Environmental Policy Act of 1969, as amended, the

Council on Environmental Quality regulations (40 CFR parts 1500–1508), and RUS Environmental Policies and Procedures (7 CFR part 1794), has made a Finding of No Significant Impact (FONSI) with respect to a project proposed by Great River Energy (GRE) of Elk River, Minnesota. The proposed project will have a total of three combustion turbine units, two 155 MW and one 124 MW unit, including a new 345/161 kV substation and other associated transmission facilities. The proposed plant will be constructed in the Pleasant Valley Township in Mower County, Minnesota. The construction site is located in the northwest quarter of Section 19, Pleasant Valley Township, Mower County, Minnesota. The primary purpose of the facility is to meet GRE?s peak electrical load. The facility will require approximately 24 acres of land. However, GRE wants to purchase up to 160 acres in order to provide sufficient construction lay-down area and to maintain an appropriate distance between the facility and its neighbors. The primary fuel for the facility will be natural gas via the Northern Natural Gas (NNG) pipeline. Presently the NNG pipeline is located approximately two miles north from the plant site. The power generated from the facility will be distributed through a new substation, which will be built on the plant site; a short tap line, approximately 500 feet in length, to an existing 345–kV transmission line. In addition, a 161–kV transmission line will be built to an existing substation located in north Austin. Between five and seven miles of the 161–kV line will need a new rights-of-way; much of the remainder of the transmission line, approximately 17 miles long, will follow an existing 69–kV transmission line.

RUS has concluded that the impacts from the proposed project would not be significant and that the proposed action is not a major federal action significantly affecting the quality of the human environment. Therefore, an Environmental Impact Statement will not be prepared.

FOR FURTHER INFORMATION CONTACT: Nurul Islam, Environmental Protection Specialist, Rural Utilities Service, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW, Washington, DC 20250–1571, telephone: (202) 720–1414. His e-mail address is nislam@rus.usda.gov. Information is also available from Mr. Tim Seck, Environmental Project Leader, GRE, 17845 East Highway 10, PO Box 800, Elk River, Minnesota 55330–0880, telephone (612) 241–2278, or E-mail tseck@grenergy.com.

SUPPLEMENTARY INFORMATION: RUS, in accordance with its environmental policies and procedures, required that GRE prepare an Environmental Analysis (EVAL) to evaluate the potential impacts of the proposed project. The EVAL, which includes input from federal, state, and local agencies, has been reviewed and accepted as RUS's Environmental Assessment (EA) for the project in accordance with 7 CFR 1794.41. RUS and GRE published notices of the availability of the EA and solicited public comments per 7 CFR 1794.42. Two federal agencies, Bureau of Indian Affairs and Federal Aviation Administration, have responded but no objections were raised. No comments were received from the public. Based on the EA, RUS has concluded that the proposed action will not have a significant effect to various resources, including important farmland, floodplains, wetlands, cultural resources, threatened and endangered species and their critical habitat, air and water quality, and noise. RUS has also determined that there would be no disproportionately high and adverse human health or environmental effects on minority populations and low-income populations as a result of the construction of the project.

Copies of the EA and FONSI can be reviewed at the headquarters of GRE and the RUS, at the addresses provided above in this notice.

Dated: April 18, 2000.

Blaine D. Stockton, Jr.,

Assistant Administrator-Electric, Electric Program, Rural Utilities Service.

[FR Doc. 00–10141 Filed 4–21–00; 8:45 am]

BILLING CODE 3410–15–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Florida Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Florida Advisory Committee to the Commission will convene at 1 p.m. and YBrickell, Miami, Florida 33131. The purpose of the meeting is to provide new member orientation, discuss affirmative action in Florida, and the Governor's ''One Florida Plan.''

Persons desiring additional information, or planning a presentation to the Committee, should contact Bobby D. Doctor, Director of the Southern Regional Office, 404–562–7000 (TDD 404–562–7004). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, April 17, 2000.

Lisa M. Kelly,

Special Assistant to the Staff Director.

[FR Doc. 00–10044 Filed 4–21–00; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Maine Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Maine Advisory Committee to the Commission will convene at 2 p.m. and adjourn at 6:30 p.m. on Thursday, May 11, 2000, at the Holiday Inn By The Bay, 88 Spring Street, Portland, Maine 04101. The Committee will plan the press release of its report, Limited English Proficient Students in Maine: An Assessment of Equal Educational Opportunities, and discuss future program activities. In addition, the Committee will be briefed by invited civil rights advocates on the status of civil rights issues in Maine.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Gerald Talbot, 207–287–5984, or Ki-Taek Chun, Director of the Eastern Regional Office, 202–376–7533 (TDD 202–376–8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, April 17, 2000.

Lisa M. Kelly,

Special Assistant to the Staff Director.

[FR Doc. 00–10046 Filed 4–21–00; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the North Carolina Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the North Carolina Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 5 p.m. on Thursday, May 18, 2000, at the North Carolina A&T State University, Hodgin Hall, Room 108, Greensboro, North Carolina 27411. The purpose of the meeting is to plan future activities and review civil rights issues.

Persons desiring additional information, or planning a presentation to the Committee, should contact Bobby D. Doctor, Director of the Southern Regional Office, 404–562–7000 (TDD 404–562–7004). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, April 17, 2000.

Lisa M. Kelly,

Special Assistant to the Staff Director.

[FR Doc. 00–10045 Filed 4–21–00; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Bureau Of Export Administration

President's Export Council Subcommittee On Export Administration; Notice of Partially Closed Meeting

The President's Export Council Subcommittee on Export Administration (PECSEA) will meet on May 24, 2000, 2:00 p.m., at the U.S. Department of Commerce, Herbert C. Hoover Building, Room 3407, 14th Street between Pennsylvania and Constitution Avenues, NW, Washington, DC. The PECSEA provides advice on matters pertinent to those portions of the Export Administration Act, as amended, that deal with United States policies of encouraging trade with all countries with which the United States has diplomatic or trading relations and of controlling trade for national security and foreign policy reasons.

Open Session

1. Opening remarks by the Chairman.
2. Presentation of papers or comments by the public.
3. Update on Administration export control initiatives.
4. Task Force reports.

Closed Session

5. Discussion of matters properly classified under Executive Order 12958, dealing with the U.S. export control program and strategic criteria related thereto.

A limited number of seats will be available for the open session. Reservations are not accepted. To the extent time permits, members of the public may present oral statements to the PECSEA. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials, to PECSEA members, the PECSEA suggests that public presentation materials or comments be forwarded before the meeting to the address listed below: Ms. Lee Ann Carpenter, OSIES/EA/BXA MS: 3876, U.S. Department of Commerce, 14th St. & Constitution Ave., NW, Washington, DC 20230.

A Notice of Determination to close meetings, or portions of meetings, of the PECSEA to the public on the basis of 5 U.S.C. 552(c)(1) was approved October 25, 1999, in accordance with the Federal Advisory Committee Act. A copy of the Notice of Determination is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, DC. For more information, contact Ms. Lee Ann Carpenter on (202) 482–2583.

Dated: April 18, 2000.

Iain S. Baird,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 00–10114 Filed 4–21–00; 8:45 am]

BILLING CODE 3510–JT–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–801]

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From Germany; Final Results of Antidumping Duty New-Shipper Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of Antidumping Duty New-Shipper Review.

SUMMARY: On January 21, 2000, the Department of Commerce published the preliminary results of the new-shipper review of the antidumping duty order on antifriction bearings (other than tapered roller bearings) and parts thereof from Germany. This review covers one manufacturer/exporter, MPT Prazisionsteile GmbH Mittweida. The merchandise covered by this review is ball bearings and parts thereof from Germany. The period of review is May 1, 1998, through April 30, 1999. We gave interested parties an opportunity to comment on the preliminary results of review but received no comments. The final results do not differ from the preliminary results of review, in which we found that the respondent did not make sales in the United States at prices below normal value.

EFFECTIVE DATE: April 24, 2000.

FOR FURTHER INFORMATION CONTACT: Davina Hashmi at (202) 482–5760 or Robin Gray at (202) 482–4023, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW, Washington, DC 20230.

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. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR part 351 (1999).

Background

On January 21, 2000, the Department published in the **Federal Register** the preliminary results of its new-shipper review of antifriction bearings (other than tapered roller bearings) and parts thereof from Germany. *Preliminary Results of the New-Shipper Review,* 65 FR 3416 (January 21, 2000). We invited parties to comment on our preliminary results of review. We received no comments. The Department has now completed the new-shipper review in accordance with section 751 of the Act.

Scope of Review

The merchandise covered by this review includes all antifriction bearings that employ balls as the rolling element. Imports of these products are classified under the following categories: Antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof,

and housed or mounted ball bearing units and parts thereof.

Imports of these products are classified under the following Harmonized Tariff Schedules (HTS) subheadings: 3926.90.45, 4016.93.00, 4016.93.10, 4016.93.50, 6909.19.5010, 8431.20.00, 8431.39.0010, 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.10, 8482.99.35, 8482.99.6590, 8482.99.70, 8483.20.40, 8483.20.80, 8483.50.8040, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.80, 8708.70.6060, 8708.70.8050, 8708.93.30, 8708.93.5000, 8708.93.6000, 8708.93.75, 8708.99.06, 8708.99.31, 8708.99.4960, 8708.99.50, 8708.99.5800, 8708.99.8080, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 8803.90.90. The HTS item numbers are provided for convenience and customs purposes. They are not determinative of the products subject to the order. The written descriptions remain dispositive.

Size or precision grade of a bearing does not influence whether the bearing is covered by the order. This order covers all the subject bearings and parts thereof (inner race, outer race, cage, rollers, balls, seals, shields, etc.) outlined above with certain limitations. With regard to finished parts, all such parts are included in the scope of this order. For unfinished parts, such parts are included if (1) they have been heat-treated, or (2) heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by this order are those that will be subject to heat treatment after importation.

The ultimate application of a bearing also does not influence whether the bearing is covered by the order. Bearings designed for highly specialized applications are not excluded. Any of the subject bearings, regardless of whether they may ultimately be utilized in aircraft, automobiles, or other equipment, are within the scope of this order.

Verification

Pursuant to section 782(i) of the Act, we verified information provided by MPT using standard verification procedures, including the examination of relevant sales and financial records, as well as the selection of original documentation containing relevant information. Our verification results are outlined in the public version of the verification report, dated December 2, 1999, and located in the public file in the Central Records Unit, room B–099 of the Department's main building.

Final Results of the Review

We received no comments from interested parties on our preliminary results. In addition, we have determined that no changes to our analysis are warranted for purposes of these final results. The weighted-average dumping margin for the period May 1, 1997, through April 30, 1998, is as follows:

Company	Margin
MPT	0.00%

Because the weighted-average dumping margin is zero, we will instruct the Customs Service to liquidate entries made during this review period without regard to antidumping duties for the subject merchandise that MPT exported.

Cash-Deposit Requirements

The following deposit requirements shall be effective upon publication of this notice of final results of administrative review for all shipments of ball bearings from Germany, entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash-deposit rate for MPT will be 0.00 percent; (2) for previously investigated or reviewed companies, 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 or any previous review or the original less-than-fair-value 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 68.89 percent, the all-others rate.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice 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 double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 14, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–10191 Filed 4–21–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–505]

Certain Malleable Cast Iron Pipe Fittings From Brazil: Final Results of Antidumping Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Final Results of Antidumping Administrative Review.

SUMMARY: On February 8, 2000, the Department of Commerce published the preliminary results of administrative review of the antidumping duty order on certain malleable cast iron pipe fittings from Brazil. This review covers one producer/exporter, Industria de Fundiçao Tupy Ltda., during the period May 1, 1998, through April 30, 1999.

Based on our analysis of comments received, we have made changes in the margin calculations. Therefore the final results differ from the preliminary results. The final weighted-average dumping margin is listed below in the section entitled ''Final Results of the Review.''

EFFECTIVE DATE: April 24, 2000.

FOR FURTHER INFORMATION CONTACT: Thomas Schauer or Richard Rimlinger, Office of AD/CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–0410 or (202) 482–4477, respectively.

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 (1999).

Background

On February 8, 2000, the Department published in the **Federal Register** the preliminary results of administrative review of the antidumping duty order on certain malleable cast iron pipe fittings from Brazil. *See Certain Malleable Cast Iron Pipe Fittings From Brazil: Preliminary Results of Antidumping Administrative Review,* 65 FR 6153 (preliminary results). Industria de Fundiçao Tupy Ltda. (Tupy) submitted its case brief on March 9, 2000. No interested parties submitted rebuttal briefs. The Department has conducted this administrative review in accordance with section 751 of the Act.

Scope of Review

Imports covered by this review are shipments of certain malleable cast iron pipe fittings, other than grooved, from Brazil. In the original antidumping duty order, these products were classifiable in the Tariff Schedules of the United States, Annotated, under item numbers 610.7000 and 610.7400. These products are currently classifiable under item numbers 7307.19.00 and 7307.19.90 of the Harmonized Tariff Schedule of the United States (HTSUS).

The HTSUS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

Analysis of Comment Received

Comment: Tupy contends that the Department made a clerical error by neglecting to convert two variables from a per-kilogram basis to a per-piece basis.

Department's Position: We agree with Tupy and have changed our calculations so that all prices, revenues, and expenses are on a per-piece basis.

Changes Since the Preliminary Results

Based on our analysis of the clerical error comment received, we have corrected the programming error in our preliminary results described above.

Final Results of Review

As a result of our analysis of the correction, we determine a final weighted-average margin of 0.00 percent for Tupy for the period May 1, 1998, through April 30, 1999.

Because the weighted-average dumping margin is zero, we will instruct the Customs Service to liquidate entries made during this review period without regard to dumping duties for the subject merchandise that Tupy exported.

Cash-Deposit Requirements

The following deposit requirement shall be effective upon publication of this notice of final results of review for all shipments of certain malleable cast iron pipe fittings from Brazil, entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash-deposit rate for Tupy will be 0.00 percent; (2) for previously investigated or reviewed 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 or any previous reviews 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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash-deposit rate will continue to be 5.64 percent, the ''all-others'' rate established in the LTFV investigation.

The deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice 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 double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 14, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

[FR Doc. 00–10190 Filed 4–21–00; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 032800A]

Small Takes of Marine Mammals Incidental to Specified Activities; Offshore Seismic Activities in the Beaufort Sea

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of receipt of application and proposed authorization for a small take exemption; request for comments.

SUMMARY: NMFS has received a request from Western Geophysical/Western Atlas International of Houston, Texas (Western Geophysical) for an authorization to take small numbers of marine mammals by harassment incidental to conducting seismic surveys in the Beaufort Sea in state and Federal waters. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to authorize Western Geophysical to incidentally take, by harassment, small numbers of bowhead whales and other marine mammals in the above mentioned areas during the open water period of 2000.

DATES: Comments and information must be received no later than May 24, 2000.

ADDRESSES: Comments on the application should be addressed to Donna Wieting, Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910–3225. A copy of the application, the Technical Monitoring Plan, and a list of references used in this document may be obtained by writing to this address or by telephoning one of the contacts listed here.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, (301) 713–2055, ext 128, Brad Smith, (907) 271–5006.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, notice of a proposed authorization is provided to the public for review.

Permission may be granted if NMFS finds that the taking will have no more than a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses and that the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

On April 10, 1996 (61 FR 15884), NMFS published an interim rule establishing, among other things, procedures for issuing incidental harassment authorizations (IHAs) under section 101(a)(5)(D) of the MMPA for activities in Arctic waters. For additional information on the procedures to be followed for this authorization, please refer to that document.

Summary of Request

On February 14, 2000, NMFS received an application from Western Geophysical requesting an authorization for the harassment of small numbers of several species of marine mammals incidental to conducting seismic surveys during the open water season in the south central Beaufort Sea between western Camden Bay and Harrison Bay off Alaska. Weather permitting, the survey is expected to take place between approximately July 1 and mid- to late-October, 2000. However, only a small portion of this area will be surveyed this year. A detailed description of the work proposed for 2000 is contained in the application (Western Geophysical, 2000) which is available upon request (see **ADDRESSES**).

Description of Habitat and Marine Mammals Affected by the Activity

A detailed description of the Beaufort Sea ecosystem and its associated marine mammals can be found in several documents (Corps of Engineers, 1999; NMFS, 1999; Minerals Management Service (MMS), 1992, 1996) and does not need to be repeated here.

Marine Mammals

The Beaufort/Chukchi Seas support a diverse assemblage of marine mammals, including bowhead whales (*Balaena mysticetus*), gray whales (*Eschrichtius robustus*), beluga (*Delphinapterus leucas*), ringed seals (*Phoca hispida*), spotted seals (*Phoca largha*) and bearded seals (*Erignathus barbatus*). Descriptions of the biology and distribution of these species and of others can be found in NMFS (1999), Western Geophysical (2000), the annual monitoring reports for seismic surveys in the Beaufort Sea (LGL Ltd. and Greeneridge Sciences Inc, 1997, 1998, and 1999) and several other documents (Corps of Engineers, 1999; Lentfer, 1988; MMS, 1992, 1996; Hill *et al.*, 1999). Please refer to those documents for information on these species.

Potential Effects of Seismic Surveys on Marine Mammals

Disturbance by seismic noise is the principal means of taking by this activity. Support vessels and aircraft may provide a potential secondary source of noise. The physical presence of vessels and aircraft could also lead to non-acoustic effects on marine mammals involving visual or other cues.

Seismic surveys are used to obtain data about formations several thousands of feet deep. The proposed seismic operation is an ocean bottom cable (OBC) survey. For this activity, OBC surveys involve dropping cables from a ship to the ocean bottom, forming a patch consisting of 4 parallel cables 8.9 kilometers (km) (5.5 miles (mi)) long, separated by approximately 600 meters (m) (1,968 feet (ft)) from each other. Hydrophones and geophones, attached to the cables, are used to detect seismic energy reflected back from underground rock strata. The source of this energy is a submerged acoustic source, called a seismic airgun array, that releases compressed air into the water, creating an acoustical energy pulse that is directed downward toward the seabed. The source level planned for this project—a maximum of 247 dB re 1 μPa-m or 22.3 bar-meters (zero to peak), or a maximum of 252 dB (re 1 μPa-m or 39 bar-meters (peak-to-peak)—will be from an airgun array with a air discharge volume of 1,210 in^3. In addition to this seismic source, Western Geophysical also plans to use a 40-in^3 airgun with a source level of 210 dB (re 1 μPa-m), a Sub-bottom Profiler, a Geo-pulse unit, and two side-scan sonar units, one of 100 kHz and a one of 500 kHz unit.

It is anticipated that the seismic vessel will sail along pre-plotted source lines arranged orthogonally to the OBCs. Each source line will be 5 km (3.1 mi) long and adjacent source lines will be approximately 500 m (1,640 ft) apart. There will be 34 source lines for each seismic patch. The overall grid of source lines for a given patch will be 4.7 km by 16.5 km (2.9 mi by 10.2 mi) and the source line for one patch will overlap with those for adjacent patches. Western Geophysical anticipates completing 18 patches during the 2000 open-water season.

After sufficient data have been recorded to allow accurate mapping of the rock strata, the cables are lifted onto the deck of a cable-retrieval vessel, moved to a new location (ranging from several hundred to a few thousand feet away), and placed onto the seabed again. For a more detailed description of the seismic operation, please refer to Western Geophysical (2000).

Depending upon ambient noise conditions and the sensitivity of the receptor, underwater sounds produced by open water seismic operations may be detectable a substantial distance away from the activity. Any sound that is detectable is (at least in theory) capable of eliciting a disturbance reaction by a marine mammal or of masking a signal of comparable frequency (Western Geophysical, 2000). An incidental harassment take is presumed to occur when marine mammals in the vicinity of the seismic source, the seismic vessel, other vessels, or aircraft react to the generated sounds or to visual cues.

Seismic pulses are known to cause strong avoidance reactions by many of the bowhead whales occurring within a distance of a few kilometers, including changes in surfacing, respiration and dive cycles, and may sometimes cause avoidance or other changes in bowhead behavior at considerably greater distances (Richardson *et al.*, 1995; Rexford, 1996; MMS, 1997). Results from the 1996–1998 BP and Western Geophysical seismic program monitoring indicate that most migrating bowheads deflected seaward to avoid an area within about 20 km (12.4 mi) of an active nearshore seismic operation, with the exception of a few closer sightings when there was an island or very shallow water between the seismic operations and the whales (Miller *et al.*, 1998, 1999). The available data do not provide an unequivocal estimate of the distance at which approaching bowheads begin to deflect, but this may be on the order of 35 km (21.7 mi). It is also uncertain how far beyond (west of) the seismic operation the seaward deflection persists (Miller *et al.*, 1999). Although very few bowheads approached within 20 km (12.4 mi) of

the operating seismic vessel, the number of bowheads sighted within that area returned to normal within 12–24 hours after the airgun operations ended (Miller *et al.*, 1999). Because recent seismic work have been conducted in shallow water, have been limited to a confined area at any one time, and have employed smaller arrays of airguns than those that were often used in the past, Western Geophysical believes that avoidance distances around nearshore seismic operations conducted this year will likely be less than those around some of the seismic operations conducted before 1996.

Although some limited masking of low-frequency sounds (e.g., whale calls) is a possibility, the intermittent nature of seismic source pulses (1 second in duration every 16 to 24 seconds, less than 7 percent)) will limit the extent of masking. Bowhead whales are known to continue calling in the presence of seismic survey sounds, and their calls can be heard between seismic pulses (Greene *et al.*, 1999, Richardson *et al.*, 1986). Masking effects are expected to be absent in the case of belugas, given that sounds important to them are predominantly at much higher frequencies than are airgun sounds (Western Geophysical, 2000).

Hearing damage is not expected to occur during the project. It is not positively known whether the hearing systems of marine mammals very close to an airgun would be at risk of temporary or permanent hearing impairment, but temporary threshold shift is a theoretical possibility for animals within a few hundred meters of the source (Richardson *et al.*, 1995). However, planned monitoring and mitigation measures (described later in this document) are designed to avoid sudden onsets of seismic pulses at full power, to detect marine mammals occurring near the array, and to avoid exposing them to sound pulses that have any possibility of causing hearing impairment. Moreover, bowhead whales avoid an area many kilometers in radius around ongoing seismic operations, precluding any possibility of hearing damage.

When the received levels of noise exceed some behavioral reaction threshold, cetaceans will show disturbance reactions. The levels, frequencies, and types of noise that will elicit a response vary between and within species, individuals, locations, and seasons. Behavioral changes may be subtle alterations in surface, respiration, and dive cycles. More conspicuous responses include changes in activity or aerial displays, movement away from the sound source, or complete avoidance of the area. The reaction threshold and degree of response are related to the activity of the animal at the time of the disturbance. Whales engaged in active behaviors, such as feeding, socializing, or mating, are less likely than resting animals to show overt behavioral reactions, unless the disturbance is directly threatening.

Bowhead Whales

Studies conducted prior to 1996 (Reeves *et al.*, 1984, Fraker *et al.*, 1985, Richardson *et al.*, 1986, Ljungblad *et al.*, 1988) have reported that, when an operating seismic vessel approaches within a few kilometers, most bowhead whales exhibit strong avoidance behavior and changes in surfacing, respiration, and dive cycles. In these studies, bowheads exposed to seismic pulses from vessels more than 7.5 km (4.7 mi) away rarely showed observable avoidance of the vessel, but their surface, respiration, and dive cycles appeared altered in a manner similar to that observed in whales exposed at a closer distance (Western Geophysical, 2000). In three studies of bowhead whales and one of gray whales during this period, surfacing-dive cycles were unusually rapid in the presence of seismic noise, with fewer breaths per surfacing and longer intervals between breaths (Richardson *et al.*, 1986; Koski and Johnson, 1987; Ljungblad *et al.*, 1988; Malme *et al.*, 1988). This pattern of subtle effects was evident among bowheads 6 km to at least 73 km (3.7 to 45.3 mi) from seismic vessels. However, in the pre-1996 studies, active avoidance usually was not apparent unless the seismic vessel was closer than about 6 to 8 km (3.7 to 5.0 mi)(Western Geophysical, 2000).

Inupiat whalers believe that migrating bowheads are sometimes displaced at distances considerably greater than suggested by pre-1996 scientific studies (Rexford, 1996) previously mentioned in this document. Also, whalers believe that avoidance effects can extend out to distances on the order of 30 miles, and that bowheads exposed to seismic also are ''skittish'' and more difficult to approach. The ''skittish'' behavior may be related to the observed subtle changes in the behavior of bowheads exposed to seismic pulses from distant seismic vessels (Richardson *et al.*, 1986).

Gray Whales

The reactions of gray whales to seismic pulses are similar to those documented for bowheads during the 1980s. Migrating gray whales along the California coast were noted to slow their speed of swimming, turn away from seismic noise sources, and increase their respiration rates. Malme *et al.* (1983, 1984, 1988) concluded that approximately 50 percent of the migrating gray whales showed avoidance when the average received pulse level was 170 dB (re 1 μPa). By some behavioral measures, clear effects were evident at average pulse levels of 160+dB; less consistent results were suspected at levels of 140–160 dB. Recent research on migrating gray whales showed responses similar to those observed in the earlier research when the source was moored in the migration corridor 2 km (1.2 mi) from shore. However, when the source was placed offshore (4 km (2.5 mi) from shore) of the migration corridor, the avoidance response was not evident on track plots (Tyack and Clark. 1998).

Beluga

The beluga is the only species of toothed whale (Odontoceti) expected to be encountered in the Beaufort Sea. Belugas have poor hearing thresholds at frequencies below 200 Hz, where most of the energy from airgun arrays is concentrated. Their thresholds at these frequencies (as measured in a captive situation), are 125 dB re 1 μPa or more depending upon frequency (Johnson *et al.*, 1989). Although not expected to be significantly affected by the noise, given the high source levels of seismic pulses, airgun sounds sometimes may be audible to beluga at distances of 100 km (62.1 mi)(Richardson and Wursig, 1997), and perhaps further if actual low-frequency hearing thresholds in the open sea are better than those measured in captivity (Western Geophysical, 2000). The reaction distance for beluga, although presently unknown, is expected to be less than that for bowheads, given the presumed poorer sensitivity of belugas than that of bowheads for low-frequency sounds (Western Geophysical, 2000).

Ringed, Largha and Bearded Seals

No detailed studies of reactions by seals to noise from open water seismic exploration have been published (Richardson *et al.*, 1995). However, there are some data on the reactions of seals to various types of impulsive sounds (LGL and Greeneridge, 1997, 1998, 1999a; J. Parsons as quoted in Greene, *et al.* 1985; Anon., 1975; Mate and Harvey, 1985). These studies indicate that ice seals typically either tolerate or habituate to seismic noise produced from open water sources.

Underwater audiograms have been obtained using behavioral methods for three species of phocinid seals, ringed, harbor, and harp seals (*Pagophilus*

groenlandicus). These audiograms were reviewed in Richardson *et al.* (1995) and Kastak and Schusterman (1998). Below 30–50 kHz, the hearing threshold of phocinids is essentially flat, down to at least 1 kHz, and ranges between 60 and 85 dB (re 1 μPa @ 1 m). There are few data on hearing sensitivity of phocinid seals below 1 kHz. NMFS considers harbor seals to have a hearing threshold of 70–85 dB at 1 kHz (60 FR 53753, October 17, 1995), and recent measurements for a harbor seal indicate that, below 1 kHz, its thresholds deteriorate gradually to 97 dB (re 1 μPa @ 1 m) at 100 Hz (Kastak and Schusterman, 1998).

While no detailed studies of reactions of seals from open-water seismic exploration have been published (Richardson *et al.*, 1991, 1995), some data are available on the reactions of seals to various types of impulsive sounds (see LGL and Greeneridge, 1997, 1998, 1999a; Thompson *et al.* 1998). These references indicate that it is unlikely that pinnipeds would be harassed or injured by low frequency sounds from a seismic source unless they were within relatively close proximity of the seismic array. For permanent injury, pinnipeds would likely need to remain in the high-noise field for extended periods of time. Existing evidence also suggests that, while seals may be capable of hearing sounds from seismic arrays, they appear to tolerate intense pulsatile sounds without known effect once they learn that there is no danger associated with the noise (see, for example, NMFS/Washington Department of Wildlife, 1995). In addition, they will apparently not abandon feeding or breeding areas due to exposure to these noise sources (Richardson *et al.*, 1991) and may habituate to certain noises over time. Since seismic work is fairly common in Beaufort Sea waters, pinnipeds have been previously exposed to seismic noise and may not react to it after initial exposure.

For a discussion on the anticipated effects of ships, boats, and aircraft on marine mammals and their food sources, please refer to the application (Western Geophysical, 2000). Information on these effects is preliminarily adopted by NMFS as the best information available on this subject.

Numbers of Marine Mammals Expected to Be Taken

Western Geophysical estimates that the following numbers of marine mammals may be subject to Level B harassment, as defined in 50 CFR 216.3:

Species	*Population Size*	*Harassment Takes in 2000*	
		Possible	*Probable*
Bowhead	8,200		
160 dB criterion	-	1,020	<500
20 km criterion	-	2,500	1,275
Gray whale	26,600	<10	0
Beluga	39,258	250	<150
Ringed seal*	1-1.5 million	400	<200
Spotted seal*	>200,000	10	<2
Bearded seal*	>300,000	50	<15

* Some individual seals may be harassed more than once

Effects of Seismic Noise and Other Activities on Subsistence Needs

The disturbance and potential displacement of marine mammals by sounds from seismic activities are the principle concerns related to subsistence use of the area. The harvest of marine mammals (mainly bowhead whales, but also ringed and bearded seals) is central to the culture and subsistence economies of the coastal North Slope communities. In particular, if migrating bowhead whales are displaced farther offshore by elevated noise levels, the harvest of these whales could be more difficult and dangerous for hunters. The harvest could also be affected if bowheads become more skittish when exposed to seismic noise.

Nuiqsut is the community closest to the area of the proposed activity, and it harvests bowhead whales only during the fall whaling season. In recent years, Nuiqsut whalers typically take two to four whales each season (Western Geophysical, 2000). Nuiqsut whalers concentrate their efforts on areas north and east of Cross Island, generally in water depths greater than 20 m (65 ft). Cross Island, the principle field camp location for Nuiqsut whalers, is located within the general area of the proposed 2000 seismic area. Thus, the possibility and timing of potential seismic operations in the Cross Island area requires Western Geophysical to provide NMFS with either a Plan of Cooperation with North Slope Borough residents or measures that have been or will be taken to avoid any unmitigable adverse impact on subsistence needs. Western Geophysical's application has identified those measures that will be taken to minimize any adverse effect on subsistence. In addition, the timing of seismic operations in and east of the Cross Island area will be addressed in a Conflict and Avoidance Agreement (C&AA) with the Nuiqsut whalers and the AEWC (Western Geophysical, 2000).

Whalers from the village of Kaktovik search for whales east, north, and west of the village. Kaktovik is located 60 km (37.3 mi) east of the easternmost end of Western Geophysical's planned 2000 seismic exploration area. The westernmost reported harvest location was about 21 km (13 mi) west of Kaktovik, near 70°10 N′, 144° W (Kaleak, 1996). That site is approximately 40 km (24.7 mi) east of the closest part of Western Geophysical's planned seismic exploration area for 2000 (Western Geophysical, 2000).

Whalers from the village of Barrow search for bowhead whales much further from the planned seismic area, >200 km (>125 mi) west (Western Geophysical, 2000).

The location of the proposed seismic activity is south of the center of the westward migration route of bowhead whales, but there is some overlap. Seismic monitoring results from 1996–1998 indicate that most bowheads avoid the area within about 20 km (12.4 mi) around the array when it is operating, and some avoid the area within 30 km (18.6 mi). In addition, bowheads may be able to hear the sounds emitted by the seismic array out to a distance of 50 km (31.1 mi) or more, depending on the ambient noise level and the efficiency of sound propagation along the path between the seismic vessel and the whale (Miller *et al.*, 1997.

Western Geophysical (2000) believes it is unlikely that changes in migration

route will occur at distances greater than 25 km (15.5 mi) from an array of maximum volume of 1,210 in^3 operating in water less than 30 m (100 ft) deep. However, subtle changes in behavior might occur out to longer distances. Inupiat whalers believe that bowheads begin to divert from their normal migration path more than 35 miles away (MMS, 1997).

It is recognized that it is difficult to determine the maximum distance at which reactions occur (Moore and Clark, 1992). As a result, Western Geophysical will participate in a C&AA with the whalers to reduce any potential interference with the hunt. Also, it is believed that the monitoring plan proposed by Western Geophysical (2000) will provide information that will help resolve uncertainties about the effects of seismic exploration on the accessibility of bowheads to hunters.

Many Nuiqsut hunters hunt seals intermittently year round. However, during recent years, most seal hunting has been during the early summer in open water. In summer, boat crews hunt ringed, spotted, and bearded seals. The most important sealing area for Nuiqsut hunters is off the Colville delta, extending as far west as Fish Creek and as far east as Pingok Island. This area overlaps with the westernmost portion of the planned seismic area. In this area, during summer, sealing occurs by boat when hunters apparently concentrate on bearded seals. However, these subsistence hunters have not perceived any interference between recent open-water seismic activities in the Alaskan Beaufort Sea. Therefore, because Western Geophysical is proposing similar mitigation and consultation procedures this year, it is unlikely that seismic activities would have more than a negligible impact on Nuiqsut seal hunting.

Mitigation

For the second year, Western Geophysical will reduce its airgun array from the 1,500 in^3 used in 1998 to 1,210 in^3. This reduction in source level will result in lower received levels and, therefore, smaller safety ranges and fewer takes by harassment than those in 1998. However, because the 1,210 in^3 array is a subset (with some minor variations) of the 1,500 in^3 array (with four guns not firing), NMFS again this year proposes to limit Western Geophysical's active airguns so that they do not exceed a capacity of 1,210 in^3 during the 2000 open water seismic survey.

Vessel-based observers will monitor marine mammal presence in the vicinity of the seismic array throughout the seismic program. To avoid the potential for injury to seals, Western Geophysical proposes to immediately power down the seismic source if seals are sighted within the area delineated by the 190 dB isopleth. In water depth less than 10 m (33 ft), Western Geophysical will establish safety zones 240 m (787.4 ft) from the array when the array is operating at 5 m (16.4 ft) depth and 90 m (295.3 ft) from the array when it is operating at 2.3 m (7.5 ft) depth. In water depth greater than 10 m (33 ft), Western Geophysical will establish safety zones 260 m (853 ft) from the array when the array is operating at 5 m (16.4 ft) depth and 150 m (492 ft) from the array when it is operating at 2.3 m (7.5 ft) depth.

To avoid the potential for injury to whales, Western Geophysical will immediately power down the seismic source if bowhead, gray, or beluga whales are sighted within the area delineated by the 180 dB isopleth. In water depth less than 10 m (33 ft), Western Geophysical will establish safety zones 750 m (2,460.6 ft) from the array when the array is operating at 5 m (16.4 ft) depth and 360 m (1,181.1 ft) from the array when it is operating at 2.3 m (7.5 ft) depth. In water depth greater than 10 m (33 ft), Western Geophysical will establish safety zones 1000 m (3281 ft) from the array when the array is operating at 5 m (16.4 ft) depth and 600 m (1968.5 ft) from the array when it is operating at 2.3 m (7.5 ft) depth.

Different safety radii will be established for shallow-hazard survey operations. Received levels of sounds from a single 40 in^3 airgun operating at a depth of 1 m (3 ft) are expected to diminish below 190 and 180 dB (re 1 μPa RMS) at distances of 22 m (72.2 ft), and 100 m (328.1 ft), respectively. These estimates are based on extensive measurements of sounds from operations with a single airgun and a small array of airguns in the same area during 1996–97 (Western Geophysical, 2000). Because the GeoPulse and the sub-bottom profiler will normally be operated simultaneously with the airgun, and, because these units are less powerful than the airgun, separate safety zones do not need to be established for them. As previously done, operations using these sources will be terminated whenever a seal or whale enters its respective safety zone.

Within the first 10 days of Beaufort Sea operations in 2000, Western Geophysical will measure and analyze the sounds from Western's 2000 array operating at both 5 m (16.4 ft) and 2 m (6.6 ft) depths. This information will be provided to NMFS, along with the contractor's recommendation as to whether any adjustments in the safety radii are needed to meet the 190 and 180 dB_{rms} shutdown criteria.

In addition, Western Geophysical proposes to ramp-up the 1,210 in^3 seismic source to operating levels at a rate no greater than 6 dB/min anytime the array has not been firing for 1 minute at a vessel speed of 4 to 8 knots and 2 minutes at a vessel speed of 3 knots or slower. Ramp-up will begin with an air volume discharge not exceeding 80 in^3 with additional guns added at intervals appropriate to limit the rate of increase to 6 dB/min. No ramp-up is proposed for the smaller acoustic sources.

Monitoring

As part of its application, Western Geophysical provided a monitoring plan for assessing impacts to marine mammals from seismic surveys in the Beaufort Sea. This monitoring plan is described in Western Geophysical (2000) and in LGL Ltd. (2000). As required by the MMPA, this monitoring plan will be subject to a peer-review panel of technical experts prior to formal acceptance by NMFS.

Western Geophysical plans to conduct the following monitoring:

Vessel-based Visual Monitoring

It is proposed that one or two marine mammal observers aboard the seismic vessel will search for and observe marine mammals whenever seismic operations are in progress and for at least 30 minutes before the planned start of seismic transmissions. These observers will scan the area immediately around the vessels with reticle binoculars during the daytime. Laser rangefinding binoculars will be available to assist with distance estimation. After mid-August, when the duration of darkness increases, image intensifiers will be used by observers and additional light sources will be used to illuminate the safety zone (see application for more detail).

A total of four observers (three trained biologists and one Inupiat observer/communicator) will be based aboard the seismic vessel. As in 1999, the use of four observers is an increase over the three observers used in 1998 and will allow two observers to be on duty simultaneously for up to 50 percent of the active airgun hours. The use of two observers will increase the probability of detecting marine mammals, and two observers will be required to be on duty whenever the seismic array is ramped up. Individual watches will normally be limited to no more than 4 consecutive hours.

When mammals are detected within or about to enter the safety zone designated to prevent injury to the animals (see Mitigation), the geophysical crew leader will be notified so that shutdown procedures can be implemented immediately.

Aerial Surveys

Between September 1, 2000, until 1 day after the OBC seismic operations end or until September 15 (whichever comes first), aerial survey flights for bowhead whale assessments are proposed to be undertaken by Western Geophysical. If OBC seismic work is suspended during the bowhead subsistence hunting season, but resumes later in the autumn, aerial surveys will commence (or resume) when OBC seismic work resumes. Western Geophysical proposes to continue aerial surveys either until 1 day after OBC seismic work ends, or until a total of 15 days of aerial surveys have been conducted during September–October 2000, whichever comes first. It should be noted that the proposed duration for aerial surveys would be a reduction from previous years. Western Geophysical believes this reduction is appropriate because some of the main questions about disturbance to bowhead whales from a nearshore seismic operation have been answered through the 1996–1998 monitoring projects. In addition, MMS expects to conduct its broad-scale aerial survey work from approximately 31 August until the end of the bowhead migration in October. Western Geophysical believes that this combined aerial survey data will provide sufficient information to estimate the numbers of bowheads taken by harassment.

The primary objective of the aerial surveys will be to document the occurrence, distribution, and movements of bowhead, as well as beluga and gray, whales in, and near, the area where they might be affected by the seismic pulses. These observations will be used to estimate the level of harassment takes and to assess the possibility that seismic operations affect the accessibility of bowhead whales for subsistence hunting. Pinnipeds will be recorded when seen, although survey altitude will be too high for systematic surveys of seals.

Western Geophysical proposes to fly at 300 m (1,000 ft) in areas where no whaling is underway, but it may reduce that altitude to no less than 274 m (900 ft) under low cloud conditions. In addition, surveys will be flown at 457 m (1500 ft) altitude over areas where whaling is occurring on that date and will avoid direct overflights of whaleboats and Cross Island, where whalers from Nuiqsut are based during their fall whale hunt.

The daily aerial surveys are proposed to cover a grid of 18 north-south lines spaced 8 km (5 mi) apart and will extend seaward to about the 100 m (328 ft) depth contour (typically about 65 km (40.4 mi) offshore. This grid will extend from about 40 km (24.8 mi) east to 40 km (24.8 mi) west of the area in which seismic operations are underway on that date. This design will provide extended coverage to the west to determine the westward extent of the offshore displacement of whales by seismic. In 2000, no ''intensive'' grid surveys are planned to be conducted by Western Geophysical because very few whales occur within 20 km (12.4 mi) of the seismic operation.

Detailed information on the survey program can be found in Western Geophysical (2000) and in LGL Ltd. (2000), which are incorporated in this document by citation.

Acoustical Measurements

The acoustic measurement program proposed for 2000 is designed to be continue work conducted in 1996 through 1999 (see LGL and Greeneridge Sciences Inc., 1997, 1998, 1999). The acoustic measurement program is planned to include (1) vessel-based hydrophone measurements, (2) use of air-dropped sonobuoys during OBC operations in September and October, and (3) bottom-mounted acoustical recorders.

(1) If shallow-water hazards surveys are conducted, a vessel-based acoustical measurement program is proposed for a few days early in that program. The objectives of this survey will be as follows: (a) To measure the levels and other characteristics of the horizontally propagating sounds from the single airgun, GeoPulse, and sub-bottom profiler to be used in 2000 as a function of distance relative to the source and (b) to measure the levels and frequency composition of the vessel sounds emitted by vessels used regularly during Western's 2000 program in those cases where these vessels have not previously been measured adequately.

(2) Sonobuoys will be dropped and monitored from survey aircraft during September/October (if the seismic operations are continuing at that time). Sonobuoys will provide data on characteristics of seismic pulses (and signal-to-ambient ratios) at offshore locations, including some of the specific places where bowhead whales are observed.

(3) Autonomous seafloor acoustic recorders will be placed on the sea bottom at three locations to record low-frequency sounds continuously over an extended period of time (if seismic operations extend into September/October). The objective is to obtain continuous records of seismic sound pulses, ambient noise, and bowhead calls.

For a more detailed description of planned monitoring activities, please refer to the application and the Technical Monitoring Plan (Western Geophysical, 2000; LGL Ltd., 2000).

Estimates of Marine Mammal Take

Estimates of takes by harassment will be made through vessel and aerial surveys. Preliminarily, Western Geophysical will estimate the number of (a) marine mammals observed within the area ensonified strongly by the seismic vessel; (b) marine mammals observed showing apparent reactions to seismic pulses (e.g., heading away from the seismic vessel in an atypical direction); (c) marine mammals subject to take by type (a) or (b) when no monitoring observations were possible; and (d) bowheads displaced seaward from the main migration corridor.

Reporting

Western Geophysical will provide an initial report on 2000 activities to NMFS within 90 days of the completion of the seismic program. This report will provide dates and locations of seismic operations, details of marine mammal sightings, estimates of the amount and nature of all takes by harassment, and any apparent effects on accessibility of marine mammals to subsistence users.

A final technical report will be provided by Western Geophysical within 20 working days of receipt of the document from the contractor, but no later than April 30, 2001. The final technical report will contain a description of the methods, results, and interpretation of all monitoring tasks.

Consultation

Under section 7 of the Endangered Species Act (ESA), NMFS completed an informal consultation on the issuance of an IHA for similar activities on July 26, 1999. If an authorization to incidentally harass listed marine mammals is issued under the MMPA for this activity, NMFS will issue an Incidental Take Statement under section 7 of the ESA.

National Environmental Policy Act (NEPA)

In conjunction with the 1996 notice of proposed authorization (61 FR 26501, May 28, 1996) for open water seismic operations in the Beaufort Sea, NMFS released an EA that addressed the

impacts on the human environment from issuance of the authorization and the alternatives to the proposed action. No comments were received on that document and, on July 18, 1996, NMFS concluded that neither implementation of the proposed authorization for the harassment of small numbers of several species of marine mammals incidental to conducting seismic surveys during the open water season in the U.S. Beaufort Sea nor the alternatives to that action would significantly affect the quality of the human environment. As a result, the preparation of an environmental impact statement on this action is not required by section 102(2) of NEPA or its implementing regulations.

In 1999, NMFS determined that a new EA was warranted based on the proposed construction of the Northstar project, the collection of data from 1996 through 1998 on Beaufort Sea marine mammals and the impacts of seismic activities on these mammals, and the analysis of scientific data indicating that bowheads avoid nearshore seismic operations by up to about 20 km (12.4 mi). Accordingly, a review of the impacts expected from the issuance of an IHA has been assessed in both the EA and in this document, and NMFS has determined that there will be no more than a negligible impact on marine mammals from the issuance of the harassment authorization and that there will not be any unmitigable impacts to subsistence communities, provided the mitigation measures required under the authorization are implemented. As a result, NMFS determined that neither implementation of the authorization for the harassment of small numbers of several species of marine mammals incidental to conducting seismic surveys during the open water season in the U.S. Beaufort Sea nor the alternatives to that action would significantly affect the quality of the human environment. As a result, the preparation of additional NEPA documentation on this action is not required by section 102(2) of NEPA or by its implementing regulations.

Conclusions

NMFS has preliminarily determined that the short-term impact of conducting seismic surveys in the U.S. Beaufort Sea will result, at worst, in a temporary modification in behavior by certain species of cetaceans and possibly by pinnipeds. While behavioral modifications may be made by these species to avoid the resultant noise, this behavioral change is expected to have a negligible impact on the animals.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals (which vary annually due to variable ice conditions and other factors) in the area of seismic operations, due to the distribution and abundance of marine mammals during the projected period of activity and the location of the proposed seismic activity in waters generally too shallow and distant from the edge of the pack ice for most marine mammals of concern, the number of potential harassment takings is estimated to be small. In addition, no take by injury and/or death is anticipated, and the potential for temporary or permanent hearing impairment will be avoided through the incorporation of the mitigation measures mentioned in this document. No rookeries, mating grounds, areas of concentrated feeding, or other areas of special significance for marine mammals occur within or near the planned area of operations during the season of operations.

Because bowhead whales are east of the seismic area in the Canadian Beaufort Sea until late August/early September, seismic activities are not expected to impact subsistence hunting of bowhead whales prior to that date. Between September 1, 2000, until 1 day after the OBC seismic operations end or until September 15 (whichever comes first), aerial survey flights for bowhead whale assessments are proposed to be undertaken by Western Geophysical. If OBC seismic work is suspended during the bowhead subsistence hunting season, but resumes later in the autumn, aerial surveys will commence (or resume) when OBC seismic work resumes. Western Geophysical proposes to continue aerial surveys either until 1 day after OBC seismic work ends, or until a total of 15 days of aerial surveys have been conducted during September–October 2000, whichever comes first. It should be noted that the proposed duration for aerial surveys would be a reduction from previous years. Western Geophysical believes this reduction is appropriate because some of the main questions about disturbance to bowhead whales from a nearshore seismic operation have been answered through the 1996–1998 monitoring projects. In addition, MMS expects to conduct its broad-scale aerial survey work from approximately August 31 until the end of the bowhead migration in October. Western Geophysical believes that this combined aerial survey data will provide sufficient information to estimate the numbers of bowheads taken by harassment.

Appropriate mitigation measures to avoid an unmitigable adverse impact on the availability of bowhead whales for subsistence needs will be the subject of consultation between Western Geophysical and subsistence users.

Also, while open-water seismic exploration in the U.S. Beaufort Sea has some potential to influence seal hunting activities by residents of Nuiqsut, because (1) the peak sealing season is during the winter months, (2) the main summer sealing is off the Colville Delta, and (3) the zone of influence by seismic sources on beluga and seals is fairly small, NMFS believes that Western Geophysical's seismic survey will not have an unmitigable adverse impact on the availability of these stocks for subsistence uses.

Proposed Authorization

NMFS proposes to issue an IHA for the 2000 Beaufort Sea open water season for a seismic survey, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed seismic activity would result in the harassment of only small numbers of bowhead whales, beluga whales, ringed seals, bearded seals, and possibly spotted seals and gray whales; would have no more than a negligible impact on these marine mammal stocks; and would not have an unmitigable adverse impact on the availability of marine mammal stocks for subsistence uses.

Information Solicited

NMFS requests interested persons to submit comments, and information, concerning this request (see **ADDRESSES**).

Dated: April 17, 2000.

Donald R. Knowles,

Director, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 00–10156 Filed 4–21–00; 8:45 am]

BILLING CODE 3510–22–F

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Availability of Funds for Grants to Support New Senior Companion Projects

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 $1,000,000 for grants to support five new Senior

Companion Projects in geographic areas that do not fall within approved service areas of current Senior Companion Projects. Individual grant awards will be approximately $200,000 to cover the costs of 45 Senior Companions for twelve months. The purpose of the Senior Companion Program (SCP) is to provide opportunities for income eligible individuals 60 years of age and over to serve frail adults.

DATES: Applications must be received by 5:00 p.m (Eastern Daylight Time) July 14, 2000.

ADDRESSES: Five original signature copies of the application must be submitted to the following address: Corporation for National and Community Service, National Senior Service Corps, 1201 New York Avenue, NW, Washington, DC 20525 Attn: Mr. John Keller. The Corporation will not accept applications that are submitted via facsimile or e-mail transmission. Applications submitted via overnight mail that arrive after the closing date will be accepted if they are postmarked at least two days prior to the closing date. Otherwise, late applications will not be accepted.

Applications: Applications can be obtained by contacting the appropriate Corporation State office listed below. A copy of the Federal Regulations that govern the SCP will be included with the application package.

FOR FURTHER INFORMATION CONTACT: Contact John Keller at 202–606–5000 ext. 285. TDD (202) 565–2799. This notice may be requested in an alternative format for the visually impaired.

SUPPLEMENTARY INFORMATION:

A. Background

The Corporation is a federal government corporation that encourages Americans of all ages and backgrounds to engage in community-based service. This service addresses the nation's educational, public safety, environmental, and other human needs to achieve direct and demonstrable results. In supporting service programs, 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 commitment to service.

The Senior Companion Program (SCP) is authorized by the Domestic Volunteer Service Act of 1973, as amended (Public Law 93–113, Title II, Part B, 42 U.S.C. 5013) and provides opportunities for income eligible individuals 60 years of age and over to serve adults with special needs. The SCP was launched in 1974 with its first 11 projects. Today there are over 14,000 Senior Companions serving 61,900 frail adults annually in 207 local SCP projects. These Senior Companions provide high quality and reliable personal support to adults, primarily frail elderly, experiencing difficulties with activities of daily living, allowing them to live independently in their own homes for as long as possible. The SCP focuses on those with moderate physical, mental or emotional impairments who are without adequate family support and who in the absence of non-medical support services would be at risk of institutionalization. Senior Companions also assist clients in patient discharge programs at acute care, mental health, and long-term care facilities to make the transition to living in less restrictive community settings. Some Senior Companions provide short-term respite for primary care givers of frail adults in times of special need.

B. Purpose

The purpose of the new Senior Companion Projects is to expand the program to serve new geographic locations currently unserved by the program. It is expected that the new projects will create quality opportunities for seniors to provide in-home assistance to frail adults, enabling them to live independently.

C. Eligible Applicants

Public agencies (including state and local agencies and other units of government), non-profit organizations, institutions of higher education and Indian Tribes are eligible to apply. Sponsors of Senior Companion Projects that receive no funds from the Corporation, other than funding for Programs of National Significance (PNS), are eligible to apply. Current sponsors of Senior Companion Projects funded by the Corporation are not eligible to apply. However, an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986, (26 U.S.C. 501(c)(4)) that engages in lobbying activities is not eligible to apply, serve as a host site for volunteers, or act in any type of supervisory role in the program.

D. Number of Awards

The Corporation intends to fund five projects in approved service areas that do not currently have a local project of the Senior Companion Program.

E. Suggested Amounts of Awards

The average amount of awards will be approximately $200,000.

F. Program Period of Performance

The program period for all grants is twelve months. Future funding is contingent on performance and the availability of appropriations.

G. Submission Requirements

To be considered for funding, applicants must submit five copies of the following:

(1) An Application for Federal Assistance, Form 424–NSSC

- Part I—Facesheet (Modified Standard Form 424-with original signature)
- Part II—Budget (NSSC Form 424A-with accompanying Budget Narrative)
- Part IV—Attachments
- Part V—Assurances (Form 424B-with original signature)
- Part VI—Certifications (Form 424C-with original signature)

(2) A Project Narrative with completed Project Planning and Reporting Workplans

(3) Verification of status as a non-profit organization as described in Section 501 (c)(3) of the Internal Revenue Code (if a non-profit organization)

H. Selection Criteria

The Corporation will initially determine: (1) whether the organization is eligible; (2) whether the application contains the information required in the application materials, and (3) whether the geographic location of the proposed project is an approved geographic service area that does not currently have a federally funded SCP.

After this initial screening, the Corporation will select and evaluate applications based on the following criteria:

(1) Program Design (60%):
(a) Getting Things Done: meeting community needs.
(b) Strengthening Communities.
(c) Fostering Participant Development.
(2) Organizational Capacity (25%)
(3) Budget/Cost-Effectiveness (15%)

The Corporation will take into consideration the following factors after the proposals are assessed:

Geographic location: The Corporation will assure a mix of urban and rural sites.

Diversity: The Corporation will select organizations whose local projects have the capacity to recruit ethnic and racial minorities, males and persons with disabilities.

I. Applicable Regulations

Regulations governing the SCP are located in 45 CFR Part 2551.

J. Program Authority

Corporation Authority to make these grants is codified in 42 U.S.C. 4950 *et seq.*

CORPORATION STATE OFFICE INFORMATION

State Office	Address	City	State	Zip Code	Phone	FAX
AK	Jackson Federal Building, 915 Second Avenue, Suite 3190.	Seattle	WA	98174–1103	(206) 220–7736	(206) 553–4415
AL	Medical Forum, 950 22nd St., N., Suite 428.	Birmingham	AL	35203	(205) 731–0027	(205) 731–0031
AR	Federal Building, Room 2506, 700 West Capitol Street.	Little Rock	AR	72201	(501) 324–5234	(501) 324–6949
AZ	522 North Central Room 205A	Phoenix	AZ	80504–2190	(602) 379–4825	(602) 379–4030
CA	11150 W. Olympic Blvd., Suite 670	Los Angeles	CA	90064	(310) 235–7421	(310) 235–7422
CO	999 Eighteenth Street, Suite 1440 South	Denver	CO	80202	(303) 312–7952	(303) 312–7954
CT	1 Commercial Plaza, 21st Floor	Hartford	CT	06103–3510	(860) 240–3237	(860) 240–3238
FL	3165 McCrory Street, Suite 115	Orlando	FL	32803–3750	(407) 648–6117	(407) 648–6116
GA	75 Piedmont Avenue, N.E., Room 902	Atlanta	GA	30303–2587	(404) 331–4646	(404) 331–2898
HI	300 Ala Moana Blvd., Room 6213	Honolulu	HI	96850–0001	(808) 541–2832	(808) 541–3603
IA	Federal Building, Room 917, 210 Walnut Street.	Des Moines	IA	50309–2195	(515) 284–4816	(515) 284–6640
ID	304 North 8th Street, Room 344	Boise	ID	83702–5835	(208) 334–1707	(208) 334–1421
IL	77 West Jackson Boulevard, Suite 442	Chicago	IL	60604–3511	(312) 353–3622	(312) 353–5343
IN	46 East Ohio Street, Room 457	Indianapolis	IN	46204–1922	(317) 226–6724	(317) 226–5437
KS	444 S.E. Quincy, Room 260	Topeka	KS	66683–3572	(785) 295–2540	(785) 295–2596
KY	600 Martin L. King Place, Room 372–D	Louisville	KY	40202–2230	(502) 582–6384	(502) 582–6386
LA	707 Florida Street, Suite 316	Baton Rouge	LA	70801	(504) 389–0471	(504) 389–0510
MA/VT	10 Causeway Street, Room 473	Boston	MA	02222–1038	(617) 565–7001	(617) 565–7011
MD/DE	Fallon Federal Bldg., 31 Hopkins Plaza, Suite 400–B.	Baltimore	MD	21201	(410) 962–4443	(410) 962–3201
MI	211 West Fort Street, Suite 1408	Detroit	MI	48226–2799	(313) 226–7848	(313) 226–2557
MN	431 South 7th Street, Room 2480	Minneapolis	MN	55415–1854	(612) 334–4083	(612) 334–4084
MO	801 Walnut Street, Suite 504	Kansas City	MO	64106–2009	(816) 374–6300	(816) 374–6305
MS	100 West Capitol Street, Room 1005A	Jackson	MS	39269–1092	(601) 965–5664	(601) 965–4671
MT	208 North Montana Avenue, Suite 206	Helena	MT	59601–3837	(406) 449–5404	(406) 449–5412
N/SD	225 S. Pierre Street, Room 225	Pierre	SD	57501–2452	(605) 224–5996	(605) 224–9201
NC	300 Fayetteville Street Mall, Room 131	Raleigh	NC	27601–1739	(919) 856–4731	(919) 856–4738
NE	Federal Building, Room 156, 100 Centennial Mall North.	Lincoln	NE	68508–3896	(402) 437–5493	(402) 437–5495
NH/ME	1 Pillsbury Street, Suite 201	Concord	NH	03301–3556	(603) 225–1450	(603) 225–1459
NJ	44 South Clinton Ave., Room 702	Trenton	NJ	08609–1507	(609) 989–2243	(609) 989–2304
NM	120 S. Federal Place, Room 315	Sante Fe	NM	87501–2026	(505) 988–6577	(505) 988–6661
NV	4600 Kietzke Lane, Suite E–141	Reno	NV	89502–5033	(775) 784–5314	(775) 784–5026
NY	Clinton Ave. & Pearl St., Room 818	Albany	NY	12207	(518) 431–4150	(518) 431–4154
OH	51 North High Street, Suite 451	Columbus	OH	43215	(614) 469–7441	(614) 469–2125
OK	215 Dean A. McGee, Suite 324	Oklahoma City	OK	73102	(405) 231–5201	(405) 231–4329
OR	2010 Lloyd Center	Portland	OR	97232	(503) 231–2103	(503) 231–2106
PA	Robert N.C. Nix Federal Bldg., 900 Market St., Suite 229.	Philadelphia	PA	19107	(215) 597–2806	(215) 597–2807
PR/VI	150 Carlos Chardon Ave., Suite 662	San Juan	PR	00918–1737	(787) 766–5314	(787) 766–5189
RI	400 Westminster Street, Room 203	Providence	RI	2903	(401) 528–5426	(401) 528–5220
SC	1835 Assembly Street, Suite 872	Columbia	SC	29201–2430	(803) 765–5771	(803) 765–5777
TN	265 Cumberland Bend Drive	Nashville	TN	37228	(615) 736–5561	(615) 736–7937
TX	903 San Jacinto, Suite 130	Austin	TX	78701–3747	(512) 916–5671	(512) 916–5806
UT	350 S. Main Street, Room 504	Salt Lake City	UT	84101–2198	(801) 524–5411	(801) 524–3599
VA/DC	400 North 8th Street, Suite 446 P.O. Box 10066.	Richmond	VA	23240–1832	(804) 771–2197	(804) 771–2157
WA	Jackson Federal Bldg., Suite 3190, 915 Second Ave.	Seattle	WA	98174–1103	(206) 220–7745	(206) 553–4415
WI	310 W. Wisconsin Ave., Room 1240	Milwaukee	WI	53203–2211	(414) 297–1118	(414) 297–1863
WV	10 Hale Street, Suite 203	Charleston	WV	25301–1409	(304) 347–5246	(304) 347–5464
WY	Federal Building, Room 1110, 2120 Capitol Avenue.	Cheyenne	WY	82001–3649	(307) 772–2385	(307) 772–2389

Dated: April 18, 2000.

Gary Kowalczyk,

Coordinator, National Service Programs, Corporation for National and Community Service.

[FR Doc. 00–10070 Filed 4–21–00; 8:45 am]

BILLING CODE 6050–28–P

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, Form Number, and OMB Number: DoD Educational Loan Repayment Program (LRP); DD Form 2475; OMB Number 0704–0152.

Type of Request: Extension.

Number of Respondents: 27,000.

Responses Per Respondent: 1.

Annual Responses: 27,000.

Average Burden Per Response: 10 minutes.

Annual Burden Hours: 4,500.

Needs and Uses: Title 10 USC 2171, 16301, and 16302 authorize the Military Services to repay Federal student loans for individuals who meet certain criteria and who enlist for active military service or enter the Selected Reserves for a specified obligation period. Legislation requires that the Services verify the status of the loan prior to payment. The DD Form 2475, DoD Educational Loan Repayment Program (LRP) Annual Application, collects the necessary verification data from lending institutions.

Affected Public: Business or Other For-Profit.

Frequency: Annually.

Respondent's Obligation: Required to obtain or retain benefits.

OMB Desk Officer: Mr. Edward C. Springer.

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

DOD Clearance Officer: Mr. 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: April 18, 2000.

Patricia L. Toppings,

Alternate OSD Federal Register, Liaison Officer, Department of Defense.

[FR Doc. 00–10051 Filed 4–21–00; 8:45 am]

BILLING CODE 5001–10–M

DEPARTMENT OF DEFENSE

Defense Information Systems Agency

Privacy Act of 1974; System of Records

AGENCY: Defense Information Systems Agency, DoD.

ACTION: Notice to delete and amend systems of records.

SUMMARY: The Defense Information Systems Agency is proposing to delete three notices and amend one system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

DATES: This action will be effective on May 24, 2000 unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to the Privacy Act Officer, Defense Information Systems Agency, CIO/D03A, 3701 N. Fairfax Drive, Arlington, VA 22203–1713.

FOR FURTHER INFORMATION CONTACT: Mr. Tommie Gregg at (703) 696–4331.

SUPPLEMENTARY INFORMATION: The Defense Information Systems Agency systems of records notices subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The specific changes to the records system being amended are set forth below followed by the notice, as amended, published in their entirety. The proposed amendments are not within the purview of subsection (r) of the Privacy Act of 1974, (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: April 17, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DELETIONS

KDEC.03

SYSTEM NAME:

Classified Material Receipt Authorization List (February 22, 1993, 58 FR 10562).

REASON:

Records formerly maintained under this system of records notice are now covered under KDEC.02, entitled, Authorization to Sign for Classified Material List.

KDEC.04

SYSTEM NAME:

Authority to Review/Sign for Classified Messages at 1918 Communications Center (February 22, 1993, 58 FR 10562).

REASON:

Records formerly maintained under this system of records notice are now covered under KDEC.02, entitled, Authorization to Sign for Classified Material List.

KDEC.05

SYSTEM NAME:

Access Listing to Classified Material (NATO) (February 22, 1993, 58 FR 10562).

REASON:

NATO classified documents are no longer delivered to DITCO at Scott Air Force Base, IL. Therefore, the system of records is no longer needed. All records have been destroyed.

AMENDMENT

KDEC.02

SYSTEM NAME:

Authorization to Sign for Classified Material List *(February 22, 1993, 58 FR 10562).*

CHANGES:

* * * * *

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with 'Defense Information Technology Contracting Organization (DITCO) personnel who are authorized to review, sign for, receive, and distribute classified materials.'

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with 'Records consist of a letter containing the name, Social Security Number, and grade of individuals authorized to review, sign for, receive, and distribute classified materials.'

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with 'E.O. 10450, as amended; E.O. 10865, as amended; E.O. 12356; and E.O. 9397 (SSN).'

PURPOSE(S):

Delete entry and replace with 'Information is used by the Chief,

Mission Support Directorate, Code D1, Defense Information Technology Contracting Organization and the Commander, 375 Communications Squadron Communications Center to verify the identity of Defense Information Technology Contracting Organization personnel who review, sign for, receive, and distribute classified materials.'

* * * * *

STORAGE:

Delete entry and replace with 'Paper records are stored in a locked file cabinet.'

* * * * *

SAFEGUARDS:

Delete entry and replace with 'Records are accessible only to authorized personnel who are properly screened, cleared, and their duties require them to be in the area where the records are kept.'

RETENTION AND DISPOSAL:

Delete entry and replace with 'The records are destroyed 2 years after the authorization for individuals that have access to classified materials has expired.'

SYSTEM MANAGER(S) AND ADDRESS:

Delete entry and replace with 'Chief, Mission Support Directorate, Code DT1, Defense Information Technology Contracting Organization, Building 3600, Scott Air Force Base, IL 62225–5406.'

NOTIFICATION PROCEDURE:

Delete entry and replace with 'Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Chief, Mission Support Directorate, Defense Information Technology Contracting Organization, Code DT1, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.

Individual should furnish their full name, mailing address, and telephone number

For personal visits, individual must present picture identification, such as a current DISA identification badge or a valid driver's license.'

RECORD ACCESS PROCEDURES:

Delete entry and replace with 'Individuals seeking access to information about themselves contained in this system should address written inquiries to the Chief, Mission Support Directorate, Defense Information Technology Contracting Organization, Code DT1, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.

Individual should furnish their full name, mailing address, and telephone number

For personal visits, individual must present picture identification, such as a current DISA identification badge or a valid driver's license.'

* * * * *

RECORD SOURCE CATEGORIES:

Delete entry and replace with 'Names of the individuals in the system are furnished by the Chief, Mission Support Directorate, Code DT1, Defense Information Technology Contracting Division, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.'

* * * * *

KDEC.02

SYSTEM NAME:

Authorization to Sign for Classified Material List.

SYSTEM LOCATION:

Defense Commercial Communications Office, ATTN: Code RA, 2300 East Drive, Scott Air Force Base, IL 62225–5406.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Defense Information Technology Contracting Organization (DITCO) personnel who are authorized to review, sign for, receive, and distribute classified materials.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records consist of a letter containing the name, Social Security Number, and grade of individuals authorized to review, sign for, receive, and distribute classified materials.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

E.O. 10450, as amended; E.O. 10865, as amended; E.O. 12356; and E.O. 9397 (SSN).

PURPOSE(S):

Information is used by the Chief, Mission Support Directorate, Code D1, Defense Information Technology Contracting Organization and the Commander, 375 Communications Squadron Communications Center to verify the identity of Defense Information Technology Contracting Organization personnel who review, sign for, receive, and distribute classified materials.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

The 'Blanket Routine Uses' set forth at the beginning of the DISA's compilation of systems of records notices apply to this system.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records are stored in a locked file cabinet.

RETRIEVABILITY:

Information is retrieved by name.

SAFEGUARDS:

Records are accessible only to authorized personnel who are properly screened, cleared, and their duties require them to be in the area where the records are kept.

RETENTION AND DISPOSAL:

The records are destroyed 2 years after the authorization for individuals that have access to classified materials has expired.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Mission Support Directorate, Code DT1, Defense Information Technology Contracting Organization, Building 3600, Scott Air Force Base, IL 62225–5406.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Chief, Mission Support Directorate, Defense Information Technology Contracting Organization, Code DT1, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.

Individual should furnish their full name, mailing address, and telephone number

For personal visits, individual must present picture identification, such as a current DISA identification badge or a valid driver's license.

RECORD ACCESS PROCEDURES:

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Chief, Mission Support Directorate, Defense Information Technology Contracting Organization, Code DT1, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.

Individual should furnish their full name, mailing address, and telephone number

For personal visits, individual must present picture identification, such as a current DISA identification badge or a valid driver's license.

CONTESTING RECORD PROCEDURES:

DISA's rules for accessing records, for contesting contents and appealing initial agency determinations are published in DISA Instruction 210–225–2; 32 CFR part 316; or may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

Names of the individuals in the system are furnished by the Chief, Mission Support Directorate, Code DT1, Defense Information Technology Contracting Division, 2300 East Drive, Building 3600, Scott Air Force Base, IL 62225–5406.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 00–10052 Filed 4–21–00; 8:45 am]

BILLING CODE 5001–10–F

DEPARTMENT OF EDUCATION

[CFDA 84.060A]

Indian Education Formula Grants to Local Educational Agencies; Notice Inviting Applications for Awards for Fiscal Year (FY) 2000

Purpose of Program: The Indian Education Formula Grant program provides grants to support local educational agencies in their efforts to reform elementary and secondary school programs that serve Indian students. The programs funded are to be based on challenging State content standards and State student performance standards used for all students, and be designed to assist Indian students to meet those standards.

Eligible Applicants: Local educational agencies (LEAs) and certain schools funded by the Bureau of Indian Affairs, and Indian tribes under certain conditions.

Deadline for Transmittal of Applications: June 2, 2000. Applications not meeting the deadline will not be considered for funding in the initial allocation of awards. However, if funds become available after the initial allocation of funds, applications not meeting the deadline may be considered for funding if the Secretary determines under section 9117(d) of the Elementary and Secondary Education Act of 1965, as amended, that reallocation of those funds to late applicants would best assist in advancing the purposes of the program. However, the amount and date of an individual award, if any is made under this provision, may be less than the applicant would have received had the application been submitted on time.

Deadline for Intergovernmental Review: August 2, 2000.

Applications Available: April 24, 2000.

Available Funds: The appropriation for this program for fiscal year 2000 is $62,000,000, which should be sufficient to fund all eligible applicants.

Estimated Range of Awards: $3,000 to $1,400,000.

Estimated Average Size of Awards: $48,818.

Estimated Number of Awards: 1,270.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 80, 81, 82, 85, 86, 97, 98, and 99.

For Applications or Information Contact: Cathie Martin, Office of Indian Education, U.S. Department of Education, 400 Maryland Avenue, SW, Room 3W115, Washington, DC 20202–6335. Telephone: (202) 260–3774. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (*e.g.,* Braille, large print, audiotape, or computer diskette) on request of the person listed in the preceding paragraph.

Individuals with disabilities may obtain a copy of the application package in an alternative format, also, by contacting that person. However, the Department is not able to reproduce in an alternative format the standard forms included in the application package.

Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at either of the following sites:

http://ocfo.ed.gov/fedreg.htm
http://www.ed.gov/news.html

To use the PDF you must have the Adobe Acrobat Reader Program, which is available free at either of the previous sites. If you have questions about using the PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access:

http://www.access.gpo.gov/nara/index.html

Program Authority: 20 U.S.C. 7811.

Dated: April 18, 2000.

Michael Cohen,

Assistant Secretary, Elementary and Secondary Education.

[FR Doc. 00–10115 Filed 4–21–00; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Energy Information Administration, DOE.

ACTION: Agency information collection activities: Proposed collection; comment request.

SUMMARY: The Energy Information Administration (EIA) is soliciting comments on the proposed three-year extension to the petroleum marketing survey forms listed below:

EIA–14, ''Refiners'' Monthly Cost Report'';

EIA–182, ''Domestic Crude Oil First Purchase Report'';

EIA–782A, ''Refiners'/Gas Plant Operators'' Monthly Petroleum Product Sales Report'';

EIA–782B, ''Resellers'/Retailers'' Monthly Petroleum Product Sales Report'';

EIA–782C, ''Monthly Report of Petroleum Products Sold Into States for Consumption'';

EIA–821, ''Annual Fuel Oil and Kerosene Sales Report'';

EIA–856, ''Monthly Foreign Crude Oil Acquisition Report'';

EIA–863, ''Petroleum Product Sales Identification Survey'';

EIA–877, ''Winter Heating Fuels Telephone Survey'';

EIA–878, ''Motor Gasoline Price Survey'';

EIA–888, ''On-Highway Diesel Fuel Price Survey.'';

DATES: Written comments must be submitted on or before June 23, 2000. If you anticipate difficulty in submitting comments on or before June 23, 2000, contact the person identified below as soon as possible.

ADDRESSES: Send comments to Jacob Bournazian, Energy Information Administration, EI–42, Forrestal Building, U.S. Department of Energy,

Washington, DC 20585. Alternatively, Jacob Bournazian may be contacted by phone at (202) 586–1256, by e-mail Jacob.Bournazian@eia.doe.gov, or by FAX (202) 586–4913.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Jacob Bournazian at the address listed above.

SUPPLEMENTARY INFORMATION:

I. Background
II. Current Actions
III. Request for Comments

I. Background

The Federal Energy Administration Act of 1974 (Pub. L. No. 93–275, 15 U.S.C. 761 *et seq.*) and the Department of Energy Organization Act (Pub. L. No. 95–91, 42 U.S.C. 7101 *et seq.*) requires the EIA to carry out a centralized, comprehensive, and unified energy information program. This program collects, evaluates, assembles, analyzes, and disseminates information on energy resource reserves, production, demand, technology, and related economic and statistical information. This information is used to assess the adequacy of energy resources to meet near and longer term domestic demands.

The EIA, as part of its effort to comply with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. Chapter 35), provides the general public and other Federal agencies with opportunities to comment on collections of energy information conducted by or in conjunction with the EIA. Any comments received help the EIA to prepare data requests that maximize the utility of the information collected, and to assess the impact of collection requirements on the public. Also, the EIA will later seek approval by the Office of Management and Budget (OMB) for the collections under Section 3507(h) of the Paperwork Reduction Act of 1995.

The petroleum marketing survey forms collect information needed for determining the supply of and demand for crude oil and refined petroleum products. These surveys provide a basic set of data pertaining to the structure, efficiency, and behavior of petroleum markets. These data are published by the EIA on its web site, www.eia.doe.gov, as well as in hardcopy publications, such as the *Monthly Energy Review, Annual Energy Review, Petroleum Marketing Monthly, Petroleum Marketing Annual, Weekly Petroleum Status Report,* and the *International Energy Outlook.* EIA also maintains a 24-hour telephone hotline number, (202) 586–6966, for the public to obtain retail prices estimates for on-highway diesel fuel and motor gasoline.

II. Current Actions

EIA requests a three-year extension to the existing survey forms with no changes to the existing collection.

III. Request for Comments

Prospective respondents and other interested persons are invited to comment on the actions discussed in item II. The following guidelines are provided to assist in the preparation of comments. Please indicate to which form(s) your comments apply.

General Issues

A. Is the proposed collection of information necessary for the proper performance of the functions of the agency and does the information have practical utility? Practical utility is defined as the actual usefulness of information to or for an agency, taking into account its accuracy, adequacy, reliability, timeliness, and the agency's ability to process the information it collects.

B. What enhancements can be made to the quality, utility, and clarity of the information to be collected?

As a Potential Respondent

A. Are the instructions and definitions clear and sufficient? If not, which instructions require clarification?

B. Can information be submitted by the due date specified in the instructions?

C. Public reporting burden for this collection is estimated to average per respondent: EIA–14—1.6 hours; EIA–182—4.3 hours; EIA–782A—15.0 hours; EIA–782B—2.5 hours; EIA–782C—2.1 hours; EIA–821—3.2 hours; EIA–856—6.1 hours; EIA–863—1.0; EIA–877—0.1 hour; EIA–878—0.05 hour; EIA–888—0.05 hours. The estimated burden includes the total time, effort, or financial resources expended to generate, maintain, retain, or disclose or provide the information. Please comment on (1) the accuracy of the agency's estimate and (2) how the agency could minimize the burden of the collecting this information, including the use of information technology.

D. The agency estimates respondents will incur no additional costs for reporting other than the hours required to complete the collection. What is the estimated: (1) Total dollar amount annualized for capital and start-up costs; and (2) recurring annual costs of operation and maintenance, and purchase of services associated with this data collection? The estimates should take into account the costs associated with generating, maintaining, and disclosing or providing the information.

Estimates should not include purchases of equipment or services made as part of customary and usual business practices, or the cost of any burden hours for completing the form(s). EIA estimates that there are no additional costs other than those that the respondent incurs in keeping the information for its own uses.

E. Does any other Federal, State, or local agency collect similar information? If so, specify the agency, the data element(s), and the methods of collection.

As a Potential User

A. Is the information useful at the levels of detail indicated on the form?

B. For what purpose(s) would the information be used? Be specific.

C. Are there alternate sources for the information and are they useful? If so, what are their deficiencies and/or strengths?

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the form. They also will become a matter of public record.

Statutory Authority: Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104–13, 44 U.S.C. Chapter 35).

Issued in Washington, DC, April 18, 2000.

Nancy J. Kirkendall,

Acting Director, Statistics and Methods Group, Energy Information Administration.

[FR Doc. 00–10094 Filed 4–21–00; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Regulatory Commission

[Docket No. RP00–30–006]

ANR Pipeline Company; Notice of Motion To Place Rate Schedule FTS–3 Into Effect April 1, 2000

April 18, 2000.

Take notice that, on April 12, 2000, ANR Pipeline Company (ANR) tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, a motion to place rate schedule FTS–3 into effect and the following revised tariff sheets as listed in Appendix A to the filing, to be effective April 1, 2000.

ANR states that this filing is made in compliance with the Commission's Order dated March 30, 2000 in the captioned proceeding.

ANR states that copies of the filing have been mailed to all affected customers and state regulatory commissions.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed on or before April 25, 2000. 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 proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10103 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER99–978–002]

Boston Edison Company; Notice of Filing

April 18, 2000.

Take notice that on March 9, 2000, NSTAR Services Co., on behalf of Boston Edison Company (BECo), tendered for filing a refund report in compliance with the Commission's Letter Order issued in Docket Nos. ER99–978–000 and EL99–31–000.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before April 28, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10059 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP00–14–000, CP00–15–000, and CP00–16–000]

Buccaneer Gas Pipeline Company, L.L.C.; Notice of Site Visit

April 18, 1999.

On April 24 through April 27, 2000, the Office of Energy Projects staff will conduct a site visit of proposed facilities and alternatives with representatives of Buccaneer Gas Pipeline Company, of the Buccaneer Gas Pipeline Project In Pasco, Osceola, Polk, Hardee, Lake, and Brevard, Counties, Florida.

All interested parties may attend. Those planning to attend must provide their own transportation.

For further information, please contact Paul McKee at (202) 208–1088.

David P. Boerger,

Secretary.

[FR Doc. 00–10097 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2126–000]

Central Maine Power Company; Notice of Filing

April 18, 2000.

Take notice that on April 5, 2000, Central Maine Power Company (CMP), tendered for filing a service agreement for Non-Firm Local Point-to-Point Transmission Service entered into with Enron Energy Services, Inc. Service will be provided pursuant to CMP's Open Access Transmission Tariff, designated rate schedule CMP–FERC Electric, Original Volume No. 3, as supplemented.

CMP respectfully requests that the Commission accept this Service Agreement for filing and requests waiver of the Commission's notice requirements to permit service under the agreement to become effective as of April 1, 2000.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before April 26, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10061 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–247–000]

Colorado Interstate Gas Company; Notice of Tariff Filing

April 18, 2000.

Take notice that on April 13, 2000, Colorado Interstate Gas Company (CIG), tendered for filing to become part of its FERC Gas Tariff, First Revised Volume No. 1, the proposed tariff sheets listed on the attached Appendix A to be effective June 1, 2000.

CIG states that it is making this filing to improve the imbalance management options available to its Shippers. Such improvements include a Shipper option to trade its imbalances during the month after flow and to have its imbalances posted to insure that other Shippers are aware of the availability of such imbalances for trade. Further, Shippers will be able to complete trade electronically. Finally, Shippers may also elect not to trade and to have their imbalances cashed out.

As part of this proposal, CIG is also proposing to eliminate the imbalance payback period that is currently available during the first week of the month following the transportation activities causing the imbalance. However, CIG will support imbalance trades through the end of the month following flow. CIG does not propose to modify its existing imbalance netting or cash out procedures. However, to

preclude price arbitrage on the imbalance quantities, imbalances remaining at the end of the trade period which are due to CIG, will be cashed out at the higher of the production month's or the trading month's Cash Out Index Price, and remaining imbalance quantities which are due the Shipper, will be cashed out at the lesser of the production month's or the trading month's Cash Out Index Price.

CIG further states that copies of this compliance filing have been served on CIG's jurisdictional customers and public bodies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10107 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2136–000]

Consumers Energy Company; Notice of Filing

April 11, 2000.

Take notice that on April 6, 2000, Consumers Energy Company (Consumers) tendered for filing an unexecuted Amendment No. 2 to its Service Agreement with Edison Sault Electric Company (Edison Sault) for Network Integration Transmission Service (designated Service Agreement No. 19 under Consumers Energy Company FERC Electric Tariff No. 6) and an unexecuted Amendment No. 1 to its Network Operating Agreement with Edison Sault (designated Supplement No. 1 to Service Agreement No. 19 under Consumers Energy Company FERC Electric Tariff No. 6) to reflect the addition of a new interconnection between Edison Sault and Wisconsin Electric Power Company.

The amendments are to be effective April 3, 2000.

Copies of the filing were served upon Edison Sault and the Michigan Public Service Commission.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before April 27, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10057 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2047–000]

DePere Energy LLC; Notice of Filing

April 10, 2000.

Take notice that DePere Energy LLC filed a quarterly report for the quarter ended December 31, 1999.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before May 1, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10058 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2132–000]

Entergy Services, Inc.; Notice of Filing

April 18, 2000.

Take notice that on April 6, 2000, Entergy Services, Inc. (Entergy), tendered for filing an unexecuted Interconnection and Operating Agreement between Entergy Gulf States and Calcasieu Power, LLC.

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, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests must be filed on or before April 27, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10062 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. CP97–315–000, *et al.*, CP97–319–000, CP98–200–000, and CP98–540–000; Docket Nos. ER98–3760–000 et al.]

Independence Pipeline Company, ANR Pipeline Company, National Fuel Gas Supply Corporation and Transcontinental Gas Pipeline Corporation; California Independent System Operator; Notice

April 18, 2000.

Take notice that, on the Commission's Docket Sheets and Service Lists web page, the link to Restricted Service Lists has been revised to include a new service list in the above designated pending dockets.

The new restricted service lists have been established by the Secretary pursuant to Rule 2010(d), 18 CFR 385.2010(d).

These service lists are available in both PDF and WordPerfect file formats. See *http://fercdocket.ferc.fed.us/pa/pa.htm*

David P. Boergers,

Secretary.

[FR Doc. 00–10096 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. RP97–14–005 and GT00–16–001]

Midwestern Gas Transmission Company; Notice of Compliance Filing

April 18, 2000.

Take notice that on April 12, 2000, Midwestern Gas Transmission Company (Midwestern), tendered for filing as part of its FERC Gas Tariff, Second Revised Volume No. 1, the following tariff sheets, with an effective date of April 1, 2000:

Fifth Revised Sheet No. 52
Original Sheet No. 110B

Midwestern states that this filing is being made in compliance with the Commission's Letter Order issued on March 29, 2000 in the above-referenced dockets. Midwestern Gas Transmission Company, 90 FERC ¶ 61,302 (2000). Moreover, Midwestern provides the following description of the proposed Wheatland Power Station in accordance with Article V of the Gas Transportation Agreement:

Midwestern will construct facilities necessary to establish a new delivery point located in Knox County, Indiana on Midwestern's 2100 line for West Fork. Midwestern will own and operate the following: hot tap assembly, interconnect pipeline inside Midwestern's right-of way, electronic gas measurement, chromatograph and appurtenant facilities.

West Fork will own and operate the following: interconnect pipeline outside of Midwestern's right-of-way to the measurement site, lateral pipeline, filter/separator, liquids tank, cathodic protection and appurtenant facilities.

West Fork will own and Midwestern will operate the following: measurement and flow control.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. 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 proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10102 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER98–495–016]

Pacific Gas and Electric Company; Notice of Filing

April 14, 2000.

Take notice that on April 11, 2000, Pacific Gas and Electric Company (PG&E) tendered a refund report in compliance with the January 13, 2000 Letter Order issued by the Federal Energy Regulatory Commission (Commission) approving the Offer of Settlement filed in the above-referenced docket on November 3, 1999.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before May 2, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10111 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER00–671–000; ER00–672–000; ER00–673–000; ER00–674–000; ER00–675–000; ER00–676–000; ER00–677–000; ER00–678–001; (Consolidated)]

Puget Sound Energy, Inc.; Notice of Filing

April 18, 2000.

Take notice that on April 10, 2000, Puget Sound Energy, Inc., tendered for filing an Interconnection Agreement with Tanner Electric Cooperative (Tanner).

A copy of the filing was served upon Tanner.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before April 28, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/

online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10060 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–108–000]

Questar Pipeline Company; Notice of Technical Conference

April 18, 2000.

In the Commission's order issued on March 20, 2000,[1] the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that the technical conference will be held on Wednesday, May 3, 2000, at 10:00 am, in a room to be designed at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

All interested parties and Staff are permitted to attend.

David P. Boergers,

Secretary.

[FR Doc. 00–10104 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–108–000]

Questar Pipeline Company; Notice of Cancellation of Technical Conference

April 18, 2000.

Take ntoice that the technical conference scheduled for Wednesday, April 26, 2000, in the above-referenced proceeding has been canceled. The conference will be rescheduled at a later date.

David P. Boergers,

Secretary.

[FR Doc. 00–10109 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

[1] 90 FERC ¶ 61,282.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project Nos. 1932–004, 1933–010, and 1934–010]

Southern California Edison Company; Notice of Site Visit

April 14, 2000.

Take notice that on May 15 and 16, 2000 the Commission staff will visit the Lytle Creek Hydroelectric Project No. 1932, the Santa Ana River Hydroelectric Project No. 1933, and the Mill Creek 2/3 Hydroelectric Project No. 1934, to view the projects' area. The projects are located near the city of Redlands in San Bernardino County, California. All interested individuals, organizations, and agencies are invited to accompany the Commission staff on the site visit.

On May 15, the participants will meet at 4:00 p.m. at the U.S. forest Service's Lytle Creek Ranger Station (lowest part of the public parking lot), located in Lytle Creek canyon. On May 16, the participants will meet at 9:00 a.m. at the U.S. Army Corps of Engineers Seven Oaks Dam parking lot, located in the Santa Ana River canyon, near East Highlands. Those interested in participating should contact Mr. Darrell Heinrich at (909) 307–6801 in advance. Participants should provide their own transportation for the site visit; four-wheel-drive vehicles are recommended. Further, for the May 16 site visit, participants should bring their own lunches, water, and boots.

For further information, please contact Jon Cofrancesco at (202) 219–0079.

David P. Boergers,

Secretary.

[FR Doc. 00–10095 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2162–000]

Tenaska Power Services Company; Notice of Filing

April 14, 2000.

Take notice that on April 10, 2000, Tenaska Power Services Company (Tenaska), tendered for filing notice of withdrawal from the Western Regional Transmission Association.

Tenaska requests that such withdrawal become effective immediately.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before May 1, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–10112 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–209–000]

Transcontinental Gas Pipe Line Corporation; Notice of Technical Conference

April 18, 2000.

In the Commission's order issued on March 31, 2000,[1] the Commission directed that a technical conference be held to address issues raised by the filing.

Take notice that the technical conference will be held on Tuesday, May 2, 2000, at 10:00 am in a room to be designated at the offices of the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

All interested parties and Staff are permitted to attend.

David P. Boergers,

Secretary.

[FR Doc. 00–10105 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

[1] 90 FERC 61,348 (2000).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–248–000]

Transcontinental Gas Pipe Line Corporation; Notice of Tariff Filing

April 18, 2000.

Take notice that on April 13, 2000 Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing to become part of its FERC Gas Tariff, Third Revised Volume No. 1, the following tariff sheets:

Effective February 1, 2000

First Revised Fifteenth Revised Sheet No. 27
First Revised Thirty-first Revised Sheet No. 28A

Effective April 1, 2000

Substitute Seventeenth Revised Sheet No. 27
Substitute Thirty-second Revised Sheet No. 28A

Transco states that the purpose of the instant filing is to track rate changes attributable to transportation service purchased from CNG Transmission Corporation (CNG) under its Rate Schedule GSS the costs of which are included in the rates and charges payable under Transco's Rate Schedules GSS and LSS.

Transco states that the filing is being made pursuant to tracking provisions under Section 3 of Transco's Rate Schedule GSS and Section 4 of the Transco's Rate Schedule LSS.

Transco states that included in Appendix B attached to the filing are the explanations and details regarding the computation of the revised Rate Schedule GSS and LSS rate changes.

Transco states that copies of the filing are being mailed to each of its GSS and LSS customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10108 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–246–000]

Wyoming Interstate Company, Ltd.; Notice of Tariff Filing

April 18, 2000.

Take notice that on April 13, 2000, Wyoming Interstate Company, Ltd. (WIC), tendered for filing to become part of its FERC Gas Tariff, Second Revised Volume No. 2, the proposed tariff sheets listed on Appendix A to the filing, to be effective June 1, 2000.

WIC states that it is making this filing to improve the imbalance management options available to its Shippers. Such improvements include implementation of an imbalance cash out procedure and a Shipper option to trade its imbalances during the month after flow. Further, a Shipper may elect to have its imbalances posted to insure that other Shippers are aware of the availability of such imbalances for trade. Additionally, Shippers will be able to complete trades electronically. Finally, Shippers may also elect not to trade and to have their imbalances cashed out.

To improve the control of its Shipper imbalances, WIC proposes to establish an imbalance cash out process based on the monthly average of a daily posted index price. Such index will be applied to all imbalances which are 5% or less of the larger of transportation receipts or deliveries. Imbalances above the 5% limitation will be cashed out at graduated penalty rates based on the relative size of the imbalance. Prior to determining a cash out requirement, all imbalances on a Shipper's account will be netted to the maximum extent possible.

Further, to support a Shipper imbalance trade process, WIC will permit Shippers to elect to trade imbalances with other Shippers for the entire month following flow. Alternatively, Shippers may elect to cash out without trading. However, to preclude price arbitrage on the imbalance quantities, imbalances remaining at the end of the trade period which are due to WIC, will be cashed out at the higher of the production month's or the trading month's Cash Out Index Price, and remaining imbalance quantities which are due the Shipper, will be cashed out at the lesser of the production month's or the trading month's Cash Out Index Price.

WIC further states that copies of this compliance filing have been served on WIC's jurisdictional customers and public bodies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. 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 proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10106 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER00–2159–000, *et al.*]

Avista Corporation, *et al.* Electric Rate and Corporate Regulation Filings

April 14, 2000.

Take notice that the following filings have been made with the Commission:

1. Avista Corporation

[Docket No. ER00–2159–000]

Take notice that on April 11, 2000, Avista Corporation, tendered for filing with the Federal Energy Regulatory Commission pursuant to Section 35.12 of the Commissions, 18 CFR part 35.12, an executed Amendment to a Mutual Netting Agreement with PacifiCorp Power Marketing, Inc., previously filed with the FERC under Docket No. ER99–1763–000, Service Agreement No. 268,

effective 2/1/99 changing billing and payment terms.

AVA requests waiver of the prior notice requirements and requests an effective date of April 1, 2000 for the amended terms for net billing of transactions.

Notice of the filing has been served upon PacifiCorp Power Marketing, Inc.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

2. Arizona Public Service Company

[Docket No. ER00–2160–000]

Take notice that on April 11, 2000, Arizona Public Service Company, tendered for filing notice that effective December 31, 1996, APS FERC Rate Schedule No. 104, effective date January 1, 1984 and filed with the Federal Energy Regulatory Commission by Public Service Company of Colorado is to be canceled.

Notice of the proposed cancellation has been served upon Public Service of New Mexico, Public Service Company of Colorado, Tucson Electric Power Company, El Paso Electric Company, Arizona Electric Power Cooperative, Basin Electric Power Cooperative, City of Colorado Springs, City of Farmington, Colorado-Ute Electric Association, Deseret Generation & Transmission Cooperative, Western Area Power Administration, Wyoming Municipal Power Agency, Plains Electric Generation & Transmission, Platte River Power Authority, Salt River Project, Tri-State Generation & Transmission, The Arizona Corporation Commission and The New Mexico Public Service Commission.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

3. Arizona Public Service Company

[Docket No. ER00–2161–000]

Take notice that on April 11, 2000, Arizona Public Service Company (APS), tendered for filing Service Agreements to provide Long-Term Firm Point-to-Point Transmission Service to Pinnacle West Energy under APS' Open Access Transmission Tariff.

A copy of this filing has been served Pinnacle West Energy, and the Arizona Corporation Commission.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

4. Northern Indiana Public Service Company

[Docket No. ER00–2173–000]

Take notice that on April 11, 2000, Northern Indiana Public Service Company (NIPSCO), tendered for filing a Wholesale Market Based Rate Tariff, a pro forma Service Agreement, and a revised Code of Conduct. In addition, NIPSCO tendered for filing certain modifications to its currently-effective Power Sales Tariff.

NIPSCO seeks an effective date of June 15, 2000 for all of the tariff sheets submitted with this filing.

NIPSCO states that its Wholesale Market Based Rate Tariff, pro forma Service Agreement, and Code of Conduct are being filed in order to conform to a pro forma tariff and code of conduct prepared by a group of representatives from various segments of the electric industry. NIPSCO states that it does not propose to eliminate its currently-effective Power Sales Tariff which permits sales of power at market based rates. However, NIPSCO proposes to revise the Power Sales Tariff to provide that NIPSCO will offer service under that tariff only to customers that (1) have an existing service agreement under the Power Sales Tariff (until the agreement expires) or (2) wish to purchase power from NIPSCO, but do not wish to sell power to NIPSCO. NIPSCO states further that it plans to replace its currently-effective Standards of Conduct with the Code of Conduct filed in this proceeding. NIPSCO states that its proposed Code of Conduct comports with recent Commission decisions regarding standards of conduct and affiliate transactions.

Copies of this filing have been sent to the Indiana Utility Regulatory Commission and the Indiana Office of Consumer Counselor.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

5. Alliant Energy Corporate Services, Inc.

[Docket No. ER00–2175–000]

Take notice that on April 11, 2000, Alliant Energy Corporate Services, Inc., tendered for filing executed Service Agreements for short-term firm point-to-point transmission service and non-firm point-to-point transmission service, establishing Otter Tail Power Wholesale Marketing as a point-to-point Transmission Customer under the terms of the Alliant Energy Corporate Services, Inc., transmission tariff.

Alliant Energy Corporate Services, Inc. requests an effective date of April 3, 2000, and accordingly, seeks waiver of the Commission's notice requirements. A copy of this filing has been served upon the Illinois Commerce Commission, the Minnesota Public Utilities Commission, the Iowa Department of Commerce, and the Public Service Commission of Wisconsin.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

6. Jersey Central Power & Light Company

[Docket No. ER00–2174–000]

Take notice that on April 11, 2000, Jersey Central Power & Light Company (doing business as GPU Energy), tendered for filing a letter amendment to the Generation Facility Transmission Interconnection Agreement between GPU Energy and AES Red Oak, L.L.C.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

7. New Hampshire Electric Cooperative, Inc.

[Docket No. ER00–2176–000]

Take notice that on April 11, 2000, New Hampshire Electric Cooperative, Inc. (NHEC), petitioned the Commission for acceptance of changes to NHEC Rate Schedule FERC No. 2, pursuant to which NHEC sells its capacity entitlement in the Seabrook Nuclear Generating Station.

NHEC is a consumer-owned electric generation and distribution cooperative that provides electric service to 65,000 customers in New Hampshire.

Comment date: May 2, 2000, in accordance with Standard Paragraph E at the end of this notice.

8. Rainy River Energy Corporation

[Docket No. ER00–2177–000]

Take notice that on April 10, 2000, Rainy River Energy Corporation (RREC), tendered for filing an application for an order authorizing RREC to make wholesale sales of electric power at market-based rates.

Comment date: May 1, 2000, in accordance with Standard Paragraph E at the end of this notice.

9. Statoil Energy Services, Inc.

[Docket No. ER00–2181–000]

Take notice that on April 10, 2000, Statoil Energy Services, Inc., tendered for filing notice of name change from Statoil Energy Services, Inc., to Hess Energy Inc.

The name change is effective April 1, 2000.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Rules 211

and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 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. This filing may also be viewed on the Internet at http://www.ferc.fed.us/ online/rims.htm (call 202–208–2222 for assistance).

David P. Boergers,

Secretary.

[FR Doc. 00–10056 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Change in Docketing and Processing for Market-Based Rate Quarterly Transaction Reports

April 18, 2000.

Take notice that effective immediately the Federal Energy Regulatory Commission will consider all Quarterly Transaction Reports submitted by electric utilities with market-based rate authority to be informational in nature. This determination will result in the following listed modifications to the processing of these filings.

The Secretary will no longer issue a public notice of Quarterly Transaction Reports. The reports will continue to be available to the public through the Commission's Records Information System (RIMS). To permit logical and easy access to the filings in RIMS, rather than being assigned new docket numbers, these items will be assigned the same docket number as the underlying proceeding in which the Commission granted the market-based rate authority. To insure the proper identification by docket number of each filing, the filing party must prominently identify on the filing the docket number in which the Commission granted the market-based rate authority.

This notice is issued for the information and aid of all interested jurisdictional companies, the public and practitioners before the Commission as an explanation of the modified handling procedures for Quarterly Transaction Reports submitted by electric utilities with market-based rate authority. For further information, contact John Buckley at (202) 208–0275.

David P. Boergers,

Secretary.

[FR Doc. 00–10110 Filed 4–21–00; 8:45 am]

BILLING CODE 671–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Recommendations

April 18, 2000.

Take notice that the following hydroelctric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Major License.

b. *Project No.:* 2017–011.

c. *Date filed:* February 26, 1997.

d. *Applicant:* Southern California Edison Company.

e. *Name of Project:* Big Creek No. 4 Hydropower Project.

f. *Location:* On the San Joaquin River, near the town of Auberry in Madera, Tulare, and Fresno Counties. The project would use lands of the Sierra National Forest.

g. *Filed Pursuant:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* Mr. Wesley C. Moody, Manager of Hydro Generation, Southern California Edison Company, 2244 Walnut Grove Avenue, P.O. Box 800, Rosemead, CA 91770, (818) 302–1564.

i. *FERC Contact:* John Ramer, E-mail address, John.Ramer@ferc.fed.us, or telephone (202) 219–2833.

j. *Deadline Date:* 60 days from the date of issuance of this notice.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Status of environmental analysis:* This application has been accepted for filing and is ready for environmental analysis at this time.

l. *Description of the Project:* The proposed project would consist of: (1) an existing 875-foot-long, 250-foot-high concrete dam, impounding a 35,033-acre-foot reservoir; (2) a combination penstock/pressure tunnel about 11,770 feet long; (3) one powerhouse with a total installed capacity of 98,882 kilowatts; (4) a 50-mile-long, 220-kilovolt transmission line; (5) an approximately 6.3-mile-long bypassed reach; and (6) appurtenant facilities.

m. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Washington, DC 20246, or by calling (202) 208–1371. The application may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance). A copy is also available for inspection and reproduction at the address in item h. above.

n. This notice consists of the following standard paragraph: D10. Filing and Service of Responsive Documents—The application is ready for environmental analysis at this time, and the Commission is requesting comments, reply comments, recommendations, terms and conditions, and prescriptions.

The Commission directs, pursuant to Section 4.34(b) of the Regulations (see Order No. 533 issued May 8, 1991, 56 FR 23108, May 20, 1991) that all comments, recommendations, terms and conditions and prescriptions concerning the application be filed with the Commission within 60 days from the issuance date of this notice. All reply comments must be filed with the Commission within 105 days from the date of this notice

Anyone may obtain an extension of time for these deadlines from the Commission only upon a showing of good cause or extraordinary circumstances in accordance with 18 CFR 385.2008.

All filings must (1) bear in all capital letters the title ''COMMENTS,'' ''REPLY COMMENTS,'' ''RECOMMENDATIONS,'' ''TERMS AND CONDITIONS,'' or ''PRESCRIPTIONS;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person submitting the filing; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions

or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Environmental and Engineering Review, Office of Energy Projects, Federal Energy Regulatory Commission, at the above address. Each filing must be accompanied by proof of service on all persons listed on the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

David P. Boergers,

Secretary.

[FR Doc. 00–10098 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Intent To File Application for a New License

April 18, 2000.

Take notice that the following notice of intent has been filed with the Commission and is available for public inspection:

a. *Type of filing*: Notice of Intent to File an Application for New License.

b. *Project No.*: 2130.

c. *Date filed*: July 28, 1999.

d. *Submitted By*: Pacific Gas and Electric company, current licensee.

e. *Name of Project*: Spring Gap-Stanislaus.

f. *Location*: On the South and Middle Forks of the Stanislaus River in Tuolumne and Calaveras Counties, California.

g. *Filed Pursuant to*: Section 15 of the Federal Power Act, 18 CFR 16.6.

h. Pursuant to Section 16.19 of the Commission's regulations, the licensee is required to make available the information described in Section 16.7 of the regulations. Such information is available from the licensee at 245 Market Street, San Francisco, California 94105. Interested parties can contact Richard Doble on (415) 973–4480.

i. *FERC Contact*: Hector M. Perez, (202) 219–2843, *Hector.perez@ferc.fed.us*.

j. *Expiration Date of Current License*: December 31, 2004.

k. The project consists of the Spring Gap Powerhouse with an installed capacity of 7,500 kVA and the Stanislaus Powerhouse with an installed capacity of 91,000 kVA.

l. The licensee states its unequivocal intent to submit an application for a new license for Project No. 2130. Pursuant to 18 CFR 16.9(b)(1) each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by December 31, 2002.

m. A copy of the notice of intent is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208–1371. The notice may be viewed on http://www.ferc.fed.us/online/rims.htm (call (202) 208–222 for assistance). A copy is also available for inspection and reproduction at the address in item h above.

David P. Boergers,

Secretary.

[FR Doc. 00–10099 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Motions To Intervene and Protests

April 18, 2000.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* New Major License.

b. *Project Nos.:* 2576–022 and 2597–019.

c. *Date filed:* August 31, 1999.

d. *Applicant:* Connecticut Light and Power Company.

e. *Names of Projects:* Falls Village Project and Housatonic Project.

f. *Location:* Falls Village, Bulls Bridge, Rocky River (Pumped Storage), Shepaug, and Stevenson developments are located on the Housatonic River, 76.2 miles, 52.9 miles, 44.1 miles, 30.0 miles and 19.3 miles, respectively, from its mouth at Milford Point, Massachusetts. The project is in the western portion of Connecticut in the counties of Fairfield, New Haven and Litchfield. Approximately 74 acres of federal land are within project boundaries.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)–825(r).

h. *Applicant Contact:* William J. Nadeau, Vice President, The Connecticut Light and Power Company, Post Office Box 270, Hartford, Connecticut 0641–0270, (860) 665–5315.

i. *FERC Contact:* James T. Griffin, by email at *james.griffin@ferc.fed.us* or by telephone at (202) 219–2799.

j. *Deadline for filing motions to intervene and protest:* 60 days from the issuance of this notice.

All documents (original and eight copies) should be filed with David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. *Status of environmental analysis:* This application is not ready for environmental analysis at this time.

l. *Description of the project:*

1. The Falls Village Development consists of the following existing facilities: (1) A 300-foot-long, 14-foot-high concrete gravity dam with two spillways having a combined overflow length of approximately 280 feet, and a crest at elevation 631.5 feet National Geodetic Vertical Datum (NGVD); (2) an impoundment 3.8 miles long containing 1,135 acre-feet when at elevation 633.2 feet NGVD; (3) a dam-integral powerhouse with a total installed capacity of 9.0 megawatts (MW) producing approximately 39,894 megawatt hours (MwH) annually; and (4) a switch yard connected to the project via a 69 kilovolt (kV) interconnected transmission line.

2. The Bulls Bridge Development consists of the following existing facilities: (1) A 203-foot-long, 24-foot-high stone and concrete gravity dam with a dam crest of 354 feet NGVD; (2) a two-mile-long power canal; (3) a 156-foot-long, 17-foot-high rock fill gravity weir dam; (4) a 2.25 mile-long reservoir with an 1,800 acre-feet storage capacity, a surface area, which, at a normal elevation of 354 feet NGVD, occupies approximately 120 acres; (5) a powerhouse with a capacity of 7.2 MW,

producing approximately 41,000 Mwh annually; and (6) a 69kV line connecting the development to the Rocky River development.

3. The Rocky River Pumped Storage Development consists of the following existing facilities: (1) A 952-foot-long earth-filled core well dam, a 2,500-foot-long earthen canal dike that forms the north bank of the power canal to the intake structure, six dikes, a dam crest elevation averaging 440.1 feet NGVD, and an intake canal 3,190 feet in length; (2) a 7-mile-long, Candlewood Lake reservoir with a 5,610 acres impoundment at 428.1 feet NGVD; (3) a powerhouse with a rated 31,000 KW capacity averaging 14,238,100 kWh per year; and (4) a development connection to the applicant's transmission system via the Rocky River-Carmel Hill 1813 line, the Rocky River-Bull Bridge 1555 line and the Rocky River-West Brookfield 1618 line.

4. The Shepaug Development consists of the following existing facilities: (1) A 1,412-foot, bedrock-anchored, concrete gravity dam having a crest elevation of 205.3 feet NGVD; (2) an impoundment, at maximum operational elevation level of 198.3 feet NGVD, occupying 1870 acres; (3) a powerhouse with a rated capacity of 37,200 kW with a 1997 production of 118,880 Mwh; and (4) a development connection to the applicant's transmission system via the shepaug-Bates 1622 line and Shepaug-Stony Hill-West Brookfield 1887 line.

5. The Stevenson Development consists of the following existing facilities: (1) A 1,250-foot, bedrock-anchored, concrete gravity dam with a rest elevation of 98.3 feet NGVD, 696 feet of spillway and an integral powerhouse; (2) an impoundment occupying a surface area of 1,063 acres at 101.3 feet NGVD, which contains a storage volume of 2,650 acre-feet; (3) a powerhouse with a rated capacity of 30,500 kW with a 1997 production of 92,448 Mwh; and (4) a development connection to the applicant's transmission system via several 115 kV transmission lines.

m. *Locations of the application:* A copy of the application is available for inspection and reproduction at the commission's Public Reference Room, located at 888 First Street, NE., Room 2A, Washington, DC 20426, or by calling (202) 208–1371. This filing may be viewed on the web at www.ferc.fed.us/online/rims.htm. Call (202) 208–2222 for assistance. A copy is also available for inspection and reproduction at the address in item h above.

Protests of Motions to Intervene—Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

Filing and Service of Responsive Documents—The application is not ready for environmental analysis at this time; therefore, the Commission is not now requesting comments, recommendations, terms and conditions, or prescriptions.

When the application is ready for environmental analysis, the Commission will issue a public notice requesting comments, recommendations, terms and conditions, or prescriptions.

All filings must (1) bear in all capital letters the title ''PROTEST'' or ''MOTION TO INTERVENE;'' (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and the number of copies required by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. An additional copy must be sent to Director, Division of Environmental and Engineering Review, Office of Energy Projects, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application.

David P. Boergers,

Secretary.

[FR Doc. 00–10100 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal energy Regulatory Commission

Notice of termination of License by Implied Surrender

April 18, 2000.

Take notice that the following hydroelectric proceeding has been initiated by the Commission:

a. *Proceeding Type*: Termination of License by Implied Surrender.

b. *Project No*: 6032–041.

c. *Date Initiated*: November 23, 1999.

d. *Co-licensees*: Niagara Mohawk Power Corporation and Fourth Branch Associates (Mechanicville).

e. *Name of Project*: Mechanicville.

f. *Location*: The project is located on the Hudson River in Saratoga and Rensselaer Counties, New York. The project does not occupy federal or tribal lands.

g. *Proceeding Initiated Pursuant to*: 18 CFR 6.4.

h. *FERC Contact*: any questions on this notice should be addressed to Dave Snyder at (202) 219–2385.

i. *Deadline for filing comments and or motions*: May 24, 2000.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426.

Please include the Project Number (P–6032–041) on any comments or motions filed.

j. *Description of Proceeding*: By order issued on November 23, 1999, the Commission gave notice of its intent to accept the surrender of the license for the Mechanicville Project (89 FERC ¶ 61,194). On March 16, 2000, the Commission issued an Order Denying Rehearing regarding its November 23, 1999, order (90 FERC ¶ 61,250).

k. *Locations of the Orders*: A copy of each order is available for reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, D.C. 20426, or by calling (202) 208–1371. The orders may be viewed on the web at www.ferc.fed.us/online/rims.htm. Call (202) 208—2222 for assistance.

l. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

Comments, Protests, or Motions to Intervene—anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 211, 214. In determining the appropriate action to

take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular proceeding.

Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title ''COMMENTS'', ''RECOMMENDATIONS FOR TERMS AND CONDITIONS'', ''PROTEST'', OR ''MOTION TO INTERVENE'', as applicable, and the Project Number of the particular proceeding to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

Agency Comments—Federal, state, and local agencies are invited to file comments on the described proceeding. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments.

David P. Boergers,

Secretary.

[FR Doc. 00–10101 Filed 4–21–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Privacy Act of 1974; Notice of New, Revised and Discontinued Systems of Records

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Notices of existence and character of new, revised and discontinued systems of records.

SUMMARY: The Federal Energy Regulatory Commission (''the Commission''), under the requirements of the Privacy Act of 1974, 5 U.S.C. 552a, is publishing a list and description of new, revised and discontinued systems of records.

ADDRESSES: Comments should be directed to the following address: Federal Energy Regulatory Commission, Julia A. Lake, Privacy Act Officer, Office of the General Counsel, 888 First Street, NE, Room 9121, Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Katherina Quijada-Cusack, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, NE, Room 2A–3, Washington, DC 20426, (202) 208–1748.

SUPPLEMENTARY INFORMATION:

I. Report on New Systems

A. Background

The Privacy Act of 1974, 5 U.S.C. 552a, requires that each agency publish a notice of the existence and character of each new or altered ''system of records''. 5 U.S.C. 552a(a)(5). This Notice identifies and describes the Commission's new, revised and discontinued systems of records. A copy of this report has been distributed to the Speaker of the House of Representatives and the President of the Senate as the Act requires.

The Commission has adopted several new systems of records under the Privacy Act of 1974. These systems do not duplicate any existing agency systems. The notice includes for each system of records the name; location; categories of individuals on whom the records are maintained; categories of records in the system; authority for maintenance of the system; each routine use; the policies and practices governing storage, retrievability, access controls, retention and disposal; the title and business address of the agency official responsible for the system of records; procedures for notification, access and contesting the records of each system; and the sources for the records in each system. 5 U.S.C. 552(a)(4).

B. New Systems of Records

These systems are set forth in the following list.

FERC–37 Commission Voluntary Leave Transfer Files
FERC–38 Commission Employee Performance Files
FERC–39 Commission Temporary Work-at-Home Program
FERC–40 Commission Family Medical Leave Act (FMLA) Request Files
FERC–41 Commission Transit Subsidy Program (TSP) Records
FERC–42 Commission Headquarters Security Access and Control Records
FERC–43 Commission Travel Records
FERC–44 Requests for Commission Publications and Information
FERC–45 Commission's Requested Records Tracking System (RRTS)
FERC–46 Commission Freedom of Information Act and Privacy Act Request Files
FERC–47 Commission Office of Finance, Accounting and Operations' Recruitment Records
FERC–48 Department of Energy (DOE) Inspector General Investigative Records Relating to the Federal Energy Regulatory Commission
FERC–49 Commission Telecommunications Records
FERC–50 Commission Accounting System Records
FERC–51 Commission Congressional Correspondence, State Files and Constituent Records
FERC–52 Commission Supervisor-Maintained Personnel Records
FERC–53 Commission Information Technology System Logs
FERC–54 Commission Employee Assistance Program Records

II. Deletion of Systems

The Commission's Freedom of Information Act and Privacy Act Requests Tracking Files (FERC 33) and Freedom of Information Act and Privacy Act Requests Files (FERC 34) are being deleted, however, they have been combined into a new system of records (FERC–46). Congressional Correspondence Files (FERC–7 and FERC–8) have also been consolidated and are identified in FERC–51. The remaining systems of records previously reported are no longer being maintained and are, therefore, being deleted from the Commission system notices.

The deleted systems are the following:

FERC–3 Applications for Interlocking Directorates, Public Files
FERC–7 Congressional Correspondence Files—FERC
FERC–8 Congressional Correspondence Files—Office of the Executive Director
FERC–9 Correspondence File—Office of Pipeline and Producer Regulation, FERC
FERC–10 Employee Conduct Records—FERC
FERC–14 Advanced Sick Leave Requests File
FERC–26 Performance Management Recognition System Reconsideration File
FERC–33 Commission Freedom of Information Act and Privacy Act Requests Tracking Files
FERC–34 Commission Freedom of Information Act and Privacy Act Request Files

III. Revised Systems of Records

The Commission is updating all other existing records to reflect new contact points and update addresses.

IV. Table of Contents of All FERC Systems

FERC–6 Biographical Material on FERC Commissioners and Key Staff Members

FERC–15 Commission Labor and Employee Relations Case Files
FERC–16 Commission Death Cases File
FERC–17 Commission Disability Retirements File
FERC–18 Commission Discontinued Service Retirements File
FERC–19 Commission Equal Employment Opportunity (EEO) Discrimination Complaints File
FERC–20 Commission Employee Suggestions File
FERC–21 Commission Training Records
FERC–22 Commission Indebtedness Cases Files
FERC–23 Commission Leave Without Pay Requests File
FERC–24 Commission Miscellaneous Investigation File
FERC–25 Commission Office of Workers Compensation Program (OWCP) Claims File
FERC–27 Commission Reconsideration of Retirement Refund Decisions File
FERC–28 Commission Restoration of Annual Leave Requests File
FERC–29 Commission Unemployment Compensation File
FERC–30 Commission Within-Grade Increase (WGI) Denials and Reconsideration File
FERC–31 Commission Parking Records
FERC–32 Commission Fitness Center Records
FERC–35 Commission Security Investigations Records
FERC–36 Management, Administrative, and Payroll System (MAPS)
FERC–37 Commission Voluntary Leave Transfer Files
FERC–38 Commission Employee Performance Files
FERC–39 Commission Temporary Work-at-Home Program
FERC–40 Commission Family Medical Leave Act (FMLA) Request Files
FERC–41 Commission Transit Subsidy Program (TSP) Records
FERC–42 Commission Headquarters Security Access and Control Records
FERC–43 Commission Travel Records
FERC–44 Requests for Commission Publications and Information
FERC–45 Commission's Requested Records Tracking System (RRTS)
FERC–46 Commission Freedom of Information Act and Privacy Act Request Files
FERC–47 Commission Office of Finance, Accounting and Operations' Recruitment Records
FERC–48 Department of Energy (DOE) Inspector General Investigative Records Relating to the Federal Energy Regulatory Commission
FERC–49 Commission Telecommunications Records
FERC–50 Commission Accounting System Records
FERC–51 Commission Congressional Correspondence, State Files and Constituent Records
FERC–52 Commission Supervisor-Maintained Personnel Records
FERC–53 Commission Information Technology System Log Records
FERC–54 Commission Employee Assistance Program Records

Fernanda F. Young,
Chief Information Officer.

FERC–6

SYSTEM NAME:

Biographical Material on FERC Commissioners and Key Staff Members.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of External Affairs, Division of Congressional, Intergovernmental and Public Affairs, 888 First Street, NE, Room 11H–24, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Commissioners and key staff members currently or formerly employed by the Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographical material on Commissioners and key staff members of the Commission including: Date and place of birth, marital status, number of children, educational background, past work experience, honors or awards, published materials, and military experience and honors.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

15 U.S.C. 717o; 16 U.S.C. 825h; 42 U.S.C. 7172(a)(2); 44 U.S.C. section 3101.

PURPOSE(S):

To maintain and provide immediate access to current and historical biographical data for official use.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are used by authorized Commission personnel whose official duties require access in preparation of introductions for speaking engagements, and news releases to announce appointments of Commissioners and key staff members. Records are also made available to the general public pursuant to the Freedom of Information Act, 5 U.S.C. 552.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper.

RETRIEVABILITY:

Name.

SAFEGUARDS:

Records are maintained in a lockable file cabinet.

RETENTION AND DISPOSAL:

Records are destroyed when they are superseded or obsolete.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Congressional, Intergovernmental and Public Affairs, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street, Room 11H–22, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests by individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Individuals on whom the records are maintained.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–15

SYSTEM NAME:

Commission Labor and Employee Relations Case Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees who are the subject of any one of the following actions: Disciplinary/adverse action,

performance-based action, and grievance.

CATEGORIES OF RECORDS IN THE SYSTEM:

Various agency forms, decision documents, grievances, denials, appeals, requests for reconsideration, and briefs.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR parts 430, 432, 752, 771; 5 U.S.C. 7121.

PURPOSE(S):

Maintain data on labor and employee relations cases that may be used to support actions before other government entities such as the Merit System Protection Board (MSPB) and Federal Labor Relations Authority (FLRA), and to support progressive discipline actions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for the Office of Personnel Management (OPM) or the Government Accounting Office (GAO) during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES: NONE.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper.

RETRIEVABILITY:

By name of requester or by type of action.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration. File documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Subject employee, supervisors, Office Directors, Office of Strategy and Organizational Management director, personnel specialists, Office of the General Counsel staff, and Merit Systems Protection Board.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–16

SYSTEM NAME:

Commission Death Cases File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees who die while employed and whose survivors file a claim for death benefits.

CATEGORIES OF RECORDS IN THE SYSTEM:

Claims forms for various death benefits filed by deceased employees' survivors.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 831.102 and 841.106 and 5 CFR parts 870 and 890.

PURPOSE(S):

Maintain copies in case of disputes relating to claims for benefits by survivors of deceased employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to disclose to a federal, state, or local agency for use in a decision by that agency on a claim arising from the employee's death.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, *etc.*).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Three years. File documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Chief, Labor and Employee Relations Branch and employees' survivors.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–17

SYSTEM NAME:

Commission Disability Retirements File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and

Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 415, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees who file claim to retire from Federal service due to medical disability.

CATEGORIES OF RECORDS IN THE SYSTEM:

Various retirement claims forms, supporting medical and other documentation, and decision documents on the claim from the Office of Personnel Management.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 831.102 and 841.106.

PURPOSE(S):

Maintain documentation relating to employee's request and approval/disapproval for disability retirement.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to disclose to a federal, state, or local agency for a decision by that agency on a claim by the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, *etc.*).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and disposed of in burn bags upon receipt of official OPM acceptance of annual summary.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 415, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Office of Personnel Management, retiree, supervisors, doctors, insurance companies, personnel specialists, and the FERC Personnel Director.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–18

SYSTEM NAME:

Commission Discontinued Service Retirements File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 415, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees retiring due to involuntary separation.

CATEGORIES OF RECORDS IN THE SYSTEM:

Retirement application documents and supporting documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 831.102 and 841.106.

PURPOSE(S):

To maintain documentation in support of employees' discontinued service retirement.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to disclose to a federal, state, or local agency for a decision by that agency on a claim by the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and disposed of in burn bags upon receipt of official OPM acceptance of annual summary.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 415, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

FERC Personnel Director, subject employee, personnel specialists.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–19

SYSTEM NAME:

Commission Equal Employment Opportunity (EEO) Discrimination Complaints File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Equal Employment Opportunity Manager, 888 First Street, NE, Room 42–26, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who file formal EEO Complaints of Discrimination.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written complaint, investigative reports and decision documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 CFR part 1614.

PURPOSE(S):

To maintain documentation of FERC EEO complaints filed.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for EEO, OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to disclose to a federal, state or local agency for a decision by that agency on a claim by the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are maintained in lockable metal file cabinets in a lockable room limited to those whose official duties require access.

RETENTION AND DISPOSAL:

Official discrimination complaint case files are destroyed 4 years after resolution of case. Records documenting complaints that do not develop into official discrimination complaint cases are destroyed when 2 years old. Records are shredded and/or disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Equal Employment Opportunity Manager, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–26, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Equal Employment Opportunity Investigator, subject employee, EEO Manager, Office of the General Counsel staff, Equal Employment Opportunity Commission, and courts.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–20

SYSTEM NAME:

Commission Employee Suggestions File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 415, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees submitting suggestions to the FERC suggestion program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written suggestions, evaluation and decision documents relating to the suggestions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 451.107.

PURPOSE(S):

To maintain documentation on employee suggestions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are destroyed 2 years after approval or disapproval. They are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 415, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

The Director of the Program Office to which the suggestion is directed, subject employee, if known, and personnel specialists responsible for follow-up on suggestions.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–21

SYSTEM NAME:

Commission Training Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Training and Development Branch, 888 First Street, NE, Room 42–19, Washington, DC, 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All employees who formally request to attend training at the expense of the Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name of employee, Program Office, course name, vendor, cost, type of course, and purpose.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 410.311.

PURPOSE(S):

To maintain data on the training and development of FERC employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To serve as a data source to make reports available to OPM; to generate individual training histories and produce ad-hoc management reports; to track agency office expenditures.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computer and paper.

RETRIEVABILITY:

By employee name, Program Office, course name, or vendor.

SAFEGUARDS:

Paper records are in lockable file cabinets, and/or in a lockable room with access limited to those employees whose official duties require access. Access to lockable room containing official agency training records is badge-activated. Access and system rights to the electronic records are assigned by the system administrator to Training and Development Branch employees requiring access. Training and Development Branch staff access the database through their personal computers. All Branch staff with assigned rights must enter a user identification and a valid password to access their computers and all employees use screen saver passwords.

RETENTION AND DISPOSAL:

Official records are destroyed when 5 years old or 5 years after completion of a specific training program. Administrative copies of training requests/authorizations, vouchers and evaluations maintained by Program Office Administrative Officers are destroyed when 2 years old.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Training and Development Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–19, Washington, DC 20426 or the appropriate Administrative Office in which the individual is employed.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the Administrative Office in which the individual is employed, or to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Administrative Officer for individual Program Offices, Training and Development Branch staff, Commission employee.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–22

SYSTEM NAME:

Commission Indebtedness Cases Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 415, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees about whom creditors submit written complaints of indebtedness to FERC.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written complaints and agency correspondence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR part 735.

PURPOSE(S):

To maintain correspondence relating to employee indebtedness.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are destroyed 3 years after garnishment is terminated. Documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 415, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Creditors of employees, personnel specialists, supervisors, and subject employee.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–23

SYSTEM NAME:

Commission Leave Without Pay Requests File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees requesting leave without pay in excess of 52 weeks.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written request and decision document from the Director, Office of Strategy and Organizational Management.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 630.101.

PURPOSE(S):

To maintain documentation supporting requests and approvals for LWOP in excess of 52 weeks.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are destroyed after GAO audit or when 3 years old, whichever is sooner. Documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Director, Office of Strategy and Organizational Management, subject employee and employee's supervisor.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–24

SYSTEM NAME:

Commission Miscellaneous Investigation File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees involved in issues that FERC management deems appropriate for informal inquiry and that do not involve a finalized grievance, appeal process, or formal Department of Energy Inspector General inquiry.

CATEGORIES OF RECORDS IN THE SYSTEM:

Formal reports of inquiry and supporting documentation, records of actions taken resulting from the inquiry, and decision documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR part 735.

PURPOSE(S):

To maintain documentation on employee issues that do not go through the formal grievance process.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration. File documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

Record access procedures: Same as notification procedures above.

Contesting record procedures: Same as notification procedures above.

*Record source categories:*Various FERC officials, complainants, and investigators.

Exemptions claimed for the system: None.

FERC–25

SYSTEM NAME:

Commission Office of Workers Compensation Program (OWCP) Claims File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees who file compensation claims for expenses or ''lost time'' salary reimbursement due to work-related injury or illness.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employee claims and supporting documents, supporting data from FERC officials, and Department of Labor decision documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

20 CFR part 10.

PURPOSE(S):

To maintain documentation on employees who file OWCP claims.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to disclose to a federal, state, or local agency for a decision by that agency on a claim by the employee; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None. Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

BY EMPLOYEE NAME.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are cut off on termination of compensation or when deadline for filing a claim has passed, and destroyed 3 years after cutoff. Documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Department of Labor, subject employee, and various FERC officials.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–27

SYSTEM NAME:

Commission Reconsideration of Retirement Refund Decisions File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees appealing a determination of ineligibility for refund of Civil Service Retirement/Federal Employees Retirement System deductions.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written reconsideration request, agency preliminary decision, and final OPM decision document.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 831.2002 and 842.308.

PURPOSE(S):

To maintain documentation concerning requests and appeals for refund of retirement deductions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to disclose to a federal, state, or local agency for a decision by that agency on a claim by the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and disposed of in burn bags upon receipt of official OPM acceptance of annual summary.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Office of Personnel Management, subject employee, and personnel specialists.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–28

SYSTEM NAME:

Commission Restoration of Annual Leave Requests File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees requesting restoration of excess annual leave lost due to illness or exigencies of public business.

CATEGORIES OF RECORDS IN THE SYSTEM:

Request for restoration and supporting documents and the decision document.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 630.101.

PURPOSE(S):

To maintain documentation of those employees requesting restoration of excess annual leave.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source for FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are destroyed 3 years after GAO audit or when 3 years old, whichever is sooner. Documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Chief, Labor and Employee Relations Branch, Director, Office of Strategy and Organizational Management, subject employee, personnel specialists.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–29

SYSTEM NAME:

Commission Unemployment Compensation File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Former FERC employees who have filed for unemployment compensation.

CATEGORIES OF RECORDS IN THE SYSTEM:

Notification of filing from state unemployment compensation office, former employee's claim, and decision document.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

20 CFR part 609.

PURPOSE(S):

To maintain documentation of requests for unemployment compensation and decision documents.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to adjudicate appeals.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge- activated.

RETENTION AND DISPOSAL:

Records are destroyed when they are 6 months old. Documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

State Unemployment Compensation Office, Chief, Labor and Employee Relations Branch, former employees, and supervisors.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–30

SYSTEM NAME:

Commission Within-Grade Increase (WGI) Denials and Reconsideration File.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees who have had their Within-Grade Increases withheld and/or who have filed requests to have the withholding decision reconsidered.

CATEGORIES OF RECORDS IN THE SYSTEM:

Withholding letter and supporting documents, written reconsideration request, review documents, and decision document.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 531.410.

PURPOSE(S):

To maintain documentation on WGI denials and actions taken after denials.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.* letters, forms, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Three years. File documents are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Subject employee, supervisors and management officials.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–31

SYSTEM NAME:

Commission Parking Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Division of Logistics Management, Management Services Branch, 888 North Capitol Street, NE, Room 4V–13, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and members of the public who park in the FERC Headquarters garage.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, office and home address, office and home phone number, vehicle description and license tag number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

41 CFR 101–20.104.

PURPOSE(S):

To oversee parking in the Federal Energy Regulatory Commission Headquarters garage as managed and controlled by the Commission.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To rank and assign applications for FERC parking spaces; to notify drivers of emergencies or parking violations; to match employees in the same zip code area to existing or potential carpools.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

By employee's or member of the public's name, by city, zip code or vehicle license plate number.

SAFEGUARDS:

Paper records are maintained in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access; Computer data is secured by password.

RETENTION AND DISPOSAL:

Paper records are shredded and destroyed and computer data is deleted after subsequent open parking season.

SYSTEM MANAGER(S) AND ADDRESS:

Management Services Branch, Division of Logistics Management, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4V–13, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Employee or member of the public.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–32

SYSTEM NAME:

Commission Fitness Center Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Fitness Center Office, 888 First Street, NE, Room E–1, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees and FERC contractors who are members of the Commission Fitness Center.

CATEGORIES OF RECORDS IN THE SYSTEM:

Sign-in sheets; individual's name, gender, age, history of certain medical conditions, name of individual's personal physician and of any prescription or over-the-counter drugs taken on a regular basis; name, telephone number and address of a person to be notified in case of emergency; individual's degree of physical fitness and his/her fitness activities and goals. Contains forms, memoranda, or correspondence as appropriate, related to the employee's membership in the Commission Fitness Center.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To maintain health profiles of members of the Fitness Center.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To provide a point of contact in case of an emergency; to monitor member's degree of physical fitness.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper.

RETRIEVABILITY:

Member's name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access.

RETENTION AND DISPOSAL:

Records are updated when necessary to reflect changes and maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Chairman, Board of Directors, Commission Fitness Center Organization, Federal Energy Regulatory Commission, 888 First Street, NE, Room E–1, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Fitness Center members.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–35

SYSTEM NAME:

Commission Security Investigations Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Logistics Management, Facilities and Security Branch, 888 First Street, NE, Room 41–74, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Commission, current and former contractors of the Commission, and current and former day care provider employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, social security number, home and work address and phone number, reference's home and work address and phone number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 2302(b)(2)(B), 2302(b)(10), 7311, 7313; Executive Order 10450; 5 CFR 731.103.

PURPOSE(S):

To conduct security investigations on FERC employees, applicants for FERC employment, and individuals performing work for the Commission under contract.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To an agency, office, or other establishment in the executive, legislative, or judicial branches of the Federal Government, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency; to intelligence agencies for use in intelligence activities; to any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested; to Federal agencies as a data source for management information through the production of summary descriptive statistics and analytical studies in support of the functions for which the records are maintained or for related studies; to a congressional office in response to an inquiry made at the request of that individual; in litigation before a court or in an administrative proceeding being conducted by a Federal agency; to a Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order in connection with functions vested in those agencies.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper.

RETRIEVABILITY:

Employee or other individual name.

SAFEGUARDS:

Records are maintained in combination safes in locked rooms pursuant to Office of Personnel Management regulations.

RETENTION AND DISPOSAL:

Records are destroyed upon notification of death or not later than 5 years after separation or transfer of employee or no later than 5 years after contract relationship expires, whichever is applicable. Records are shredded and disposed of in burn bags.

SYSTEM MANAGER(S) AND ADDRESS:

Security, Safety and Occupational Health Officer, Facilities and Security Branch, Division of Logistics Management, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 41–74, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Employees, contractors, applicants, questionnaires, other forms completed in the course of an investigation for employment at another federal government agency, SF–171 or resume, transmittal correspondence.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–36

SYSTEM NAME:

Management, Administrative, and Payroll System (MAPS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Hard copy of personnel and timekeeping data is located at the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Hard copy of payroll transactions and reports are located at the Department of Veterans Affairs, Financial Services Center (FSC), Austin, Texas 78772. Computerized data is located at the Department of Veterans Affairs, Austin Automation Center (AAC), Austin, Texas 78772.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All employees (Senior Executive Service and non-Senior Executive Service, bargaining unit and non-bargaining unit) employed by the Federal Energy Regulatory Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

All official personnel actions and/or payroll transaction information on Commission employees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 2302(b)(20)(B), 2302(b)(10), 7311, 7313; Executive Order 10450; 5 CFR 731.103.

PURPOSE(S):

To manage the Commission's management, administrative, and payroll systems.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To the Merit Systems Protection Board, the Office of Special Counsel, the Equal Employment Opportunity Commission, or the Federal Labor Relations Authority, in connection with functions vested in those agencies. To a Congressional office in response to an inquiry made at the request of that individual. To the Office of Management and Budget in connection with private relief legislation. In litigation before a court or in an administrative proceeding being conducted by a Federal agency. To the National Archives and Records Administration for records management inspections. To Federal agencies as a data source for management information through the production of summary descriptive statistics and analytical studies in support of the functions for which the records are maintained for related studies.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Not applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

On paper in Official Folders located at the FERC and FSC. Computerized on a DEC Alpha Server which resides at the AAC.

RETRIEVABILITY:

Data can be retrieved by employee's name, employee identification number, or social security number.

SAFEGUARDS:

The Austin Automation Center is located in a secured Federal complex. Within this secured building, the Computer Operations Center is located in a controlled access room. Specific employees have been identified as system and database administrators having specific responsibilities allowing access to FERC personnel and payroll data. Security is embedded within the software, in both the operating system and at the application level. Individuals not granted access rights cannot view or change data. The database is monitored by software applications that provide audits of log-ins, both successful and failed. Output documents from the system are maintained as hard copy documents by FERC's Human Resources Division and the VA's Payroll Operations and Finance Offices and are safeguarded in secured cabinets located within secured rooms.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration and the Office of Personnel Management.

SYSTEM MANAGER(S) AND ADDRESS:

The Federal Energy Regulatory Commission and the Department of Veterans Affairs share responsibility for system management. The first point of contact is the Director, Division of Management, Administrative and Payroll Support, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–59, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above. Involvement by the Office of Personnel Management may be necessary, as provided in the Federal Personnel Manual, Chapter 731.

RECORD SOURCE CATEGORIES:

Department of Energy's Corporate Human Resource Information System (CHRIS); FERC's Payroll Utilization Reporting System (PURS); the employee's supervisors; and the employee.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–37

SYSTEM NAME:

Commission Voluntary Leave Transfer Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All employees who request participation in the Voluntary Leave Transfer Program (VLTP).

CATEGORIES OF RECORDS IN THE SYSTEM:

Written requests to participate in the VLTP and supporting medical documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 630.913.

PURPOSE(S):

To maintain information concerning VLTP applicants and the number of applications approved.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of a particular action or the employee's general employment history; to serve as a data source for OPM and GAO during the course of onsite inspections or audits; to serve as a data source for FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.,* letters, memos, forms, support medical documentation).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and disposed of in burn bags 1 year after the end of the year in which the file is closed.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Employee, personnelist and supervisor.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–38

SYSTEM NAME:

Commission Employee Performance Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Supervisory and nonsupervisory employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employee performance appraisals, awards documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR parts 430 and 451.

PURPOSE(S):

To maintain information on employee performance appraisals and awards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of a particular action or the employee's general employment history; to serve as a data source for OPM and GAO during the course of onsite inspections or audits; to serve as a data source for FERC officials to adjudicate appeals, complaints and grievances; to adjudicate appeals, complaints or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents) and computer.

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated. Computer records are password protected.

RETENTION AND DISPOSAL:

Paper records and computer performance-related records pertaining to former employees are destroyed and deleted when four years old. Other paper and computer summary performance appraisal records are destroyed and deleted four years after the date of the appraisal. Paper and computer employee awards records are destroyed and deleted 2 years after approval or disapproval.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Subject employees, supervisors and personnelists.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–39

SYSTEM NAME:

Commission Temporary Work-at-Home Program.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees with medical problems who apply for program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written employee requests and supporting medical documentation. Letters of approval/disapproval.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 CFR 1613.704.

PURPOSE(S):

To maintain documentation concerning employee requests to participate in an alternate worksite program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress the status of a particular action or the employee's general employment history; to serve as a data source for OPM & GAO during the course of onsite inspections or audits; to serve as a data source for FERC officials in determining proper current personnel action to take concerning the employee; to adjudicate appeals, complaints or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.*, written request, medical documentation, memos, letters, etc.).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and destroyed in burn bags 1 year after the end of the employee's participation in the program, or 1 year after the request is rejected if disapproved.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Subject employee, personnelists, and supervisor.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–40

SYSTEM NAME:

Commission Family Medical Leave Act (FMLA) Request Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees who apply for leave under FMLA.

CATEGORIES OF RECORDS IN THE SYSTEM:

Written requests for FMLA coverage and supporting medical documentation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 630.1211.

PURPOSE(S):

To maintain documentation on FMLA requests.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of a particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of an onsite investigation or audits; to serve as a data source for FERC officials in determining the proper, current personnel action to take concerning the employee; to adjudicate appeals, complaints or grievances.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper (assorted documents, *e.g.,* letters, memos, forms, medical documentation).

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access. Access to lockable room is badge-activated.

RETENTION AND DISPOSAL:

Records are shredded and destroyed in burn bags after GAO audit or when 3 years old, whichever is sooner.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Subject employee, personnelists, and supervisor.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–41

SYSTEM NAME:

Commission Transit Subsidy Program (TSP) Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Logistics Management, Management Services Branch, 888 First Street, NE, Room 3L–06, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees using public transportation who receive commuting cost reimbursement.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employee name, office and home address, office phone number, grade, monthly commuting cost, and mode of public transportation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

41 CFR 101–6.300.

PURPOSE(S):

To account for disbursement of Federal government transportation subsidies to employees.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To track employees' commuting expenses; to monitor the TSP budget.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

Employee name.

SAFEGUARDS:

Hard copy records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access; computer data secured by password.

RETENTION AND DISPOSAL:

Hard copy records are shredded and destroyed in burn bags when three years old. Computer data is deleted when three years old.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Management Services Branch, Division of Logistics Management, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 3L–06, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Employee.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–42

SYSTEM NAME:

Commission Headquarters Security Access and Control Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Logistics Management, Facilities and Security Branch, 888 First Street, NE, Room 101–20, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees, consultants, contractors, other Government agency personnel, and approved members of the public.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual name, employee badge number, date, time and entry point of building access.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

41 CFR 101–20.103.

PURPOSE(S):

For Federal government building security, access control and monitoring.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To monitor access of employees and members of the public to a Federal government building.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

By individual name, date, employee badge number, or entry point.

SAFEGUARDS:

Paper records are in lockable file cabinets in a lockable room with access limited to those employees whose official duties require access; computer data is password protected.

RETENTION AND DISPOSAL:

Records are maintained for 2 years after final entry or 2 years after date of document. Identification credentials are destroyed 3 months after return to security officer.

SYSTEM MANAGER(S) AND ADDRESS:

Security, Safety and Occupational Health Officer, Facilities and Security Branch, Division of Logistics Management, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 41–74, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Employee or member of the public.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–43

SYSTEM NAME:

Commission Travel Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Financial Services, 888 First Street, NE, Room 42–71, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Employee name, home and office address, home and office phone numbers, social security number, destination, itinerary, mode and purpose of travel, date of travel, government credit card numbers, expenses, amounts claimed, amounts reimbursed, travel orders, travel vouchers and receipts.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 302.

PURPOSE(S):

To administer the travel requirements of the Commission.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To process travel authorizations and travel vouchers, including government credit card usage, for employees on official travel; to maintain a tracking system for travel authorizations and vouchers for employees on official travel; to General Accounting Office for audit and verification purposes.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Cardholder information is reported to consumer credit reporting agencies only if the account is closed, or for non-payment purposes in excess of $100.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

Employee name, employee social security number, employee address, government credit card account number.

SAFEGUARDS:

Paper records are maintained in lockable file cabinets; computer data is password protected and appropriate user identifications must be established.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Financial Services, Office of Finance, Accounting and Operation, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–71, Washington, DC 20426 and Administrative Offices in which individuals are employed.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager or to the Administrative Office in which the individual is employed.

RECORD ACCESS PROCEDURES:

See notification procedure above.

CONTESTING RECORD PROCEDURES:

See notification procedure above.

RECORD SOURCE CATEGORIES:

Employees, supervisors, the Electronic Account Government Ledger System (EGALS), and the Commission's Management, Administrative, and Payroll System (MAPS).

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–44

SYSTEM NAME:

Requests for Commission Publications and Information.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of the Chief Information Officer, Information Services Group, Information Services Team, Federal Energy Regulatory Commission, 888 First Street, NE, Room 2-A, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of the general public, federal, state and local governments, regulated entities, and public and private interest groups.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, address, phone number and/or e-mail address of requester, description of information being requested, receipt of request and completion dates, and method of payment for documents and publications when costs are incurred.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

18 CFR 388.106.

PURPOSE(S):

To allow Technical Information Specialists within the Public Reference Room a single point of reference for tracking information requests; to provide statistics to management on services provided to the public; to monitor average turn-around times for requests; and to identify trends information requests for customer service profiles.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to monitor status of requests, identify technical assistance provided, develop request statistics, and identify trends in types of information being requested by members of the public.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

By date, name of requester or company represented.

SAFEGUARDS:

Hard copies are maintained in a centralized area to which the general public is not authorized access. The public's access to the records are monitored by Technical Information Specialists at a front desk and a security guard. Access and system rights to the computer are assigned by the system administrator to Technical Information Specialists requiring access. Technical Information Specialists access the system through their personal computers. All Technical Information Specialists with assigned rights to access the system must enter a user identification and a valid password to access their computers and all employees use screen saver passwords. In addition, the computers are situated in an area to which the general public is not allowed access.

RETENTION AND DISPOSAL:

Paper records are maintained for three months then disposed of in burn bags. Computer data is purged annually.

SYSTEM MANAGER(S) AND ADDRESS:

Leader, Information Services Team, Information Services Group, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, Room 2-A, Washington, DC 20426.

NOTIFICATION PROCEDURE:

All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Members of the general public.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–45

SYSTEM NAME:

Commission's Requested Records Tracking System (RRTS).

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Office of the Chief Information Officer, Information Services Group, Records Maintenance Team, Federal Energy Regulatory Commission, 888 First Street, NE, Room 1–B5, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC staff, members of the general public, federal, state and local governments, regulated entities, and public and private interest groups.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, company represented (if applicable), address, phone number of requester, self-assigned user identification, records requested, dates and times of records requests, descriptions, docket numbers, assignee, locations of records, dates of requester notification, receipt and return, and other general comments.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

18 CFR 388.106.

PURPOSE(S):

To allow Records Maintenance Team personnel a single point of reference for tracking requests for official Commission records; and to monitor official records requested and/or charged out of the Commission's Records Maintenance Center.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

System is used to monitor status of records charged out to Commission employees and/or members of the public.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computer.

RETRIEVABILITY:

By date, control number, docket number, record description, assignee, and/or name of requester.

SAFEGUARDS:

Access and system rights to the computer are assigned by the system administrator only to employees of the Records Maintenance Team (RMT). RMT employees access the system through their personal computers. All employees with assigned rights to access the system must enter a user identification and a valid password to access their computers and employees all use screen saver passwords. In addition, the computers are situated in an area to which the general public is not allowed access.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Leader, Records Maintenance Team, Information Services Group, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, Room 2–A, Washington, DC 20426.

NOTIFICATION PROCEDURE:

All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Commission employees and members of the general public.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–46

SYSTEM NAME:

Commission Freedom of Information Act and Privacy Act Request Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of External Affairs, Division of Congressional, Intergovernmental and Public Affairs, 888 First Street, NE, Room 11H–22, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals requesting records from FERC under the provisions of the Freedom of Information Act (FOIA) and the Privacy Act (PA) of 1974.

CATEGORIES OF RECORDS IN THE SYSTEM:

Requester's name and address, log number, description of request, billing information, tracking information, and all correspondence with the requester.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 552, 552a; Executive Order 12009.

PURPOSE(S):

To record, track and maintain a complete record of events and ensure proper document control of time-sensitive responses to FOIA and PA inquiries.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To maintain a tracking system to expedite responses within the statutory time limits for the FOIA requests; to contact FOIA requesters; to prepare an annual report to the U.S. Department of Justice for submission to Congress each fiscal year under section 552(e) of the Freedom of Information Act; to prepare periodic activity reports for the Director, Office of External Affairs, to serve as a point of reference for all events and documents pertinent to the request in case of litigation.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Computer and paper.

RETRIEVABILITY:

By log number, individual name, affiliation and subject.

SAFEGUARDS:

Records are maintained in lockable metal file cabinets in a lockable room with a key distributed to those whose official duties require access. Computer data is secured by password.

RETENTION AND DISPOSAL:

Retention period is two years after completion date if the information is released or six years after completion date if any or all information is withheld from the requester. Computer records are deleted and paper records are shredded and destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

FOIA Liaison, Division of Congressional, Intergovernmental and Public Affairs, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street, NE, Room 11H–22, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests by individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Requests for access to records should be directed to the Director, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street, NE, Room 11H, Washington, DC 20426.

CONTESTING RECORD PROCEDURES:

Same as record access procedures above.

RECORD SOURCE CATEGORIES:

The subject individual; system manager; FERC staff, and the Director, Office of External Affairs.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–47

SYSTEM NAME:

Commission Office of Finance, Accounting and Operations' Recruitment Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance,

Accounting and Operations, Division of Operations Support, 888 First Street, NE, Room 72–15, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Prospective applicants submitting resumes for potential employment opportunities with the Commission's Office of Finance, Accounting and Operations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Applicant name, home and office address, home and office phone number and social security number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 CFR 300.101.

PURPOSE(S):

To keep current source of prospective applicants for Auditor vacancies.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to track applicants interested in employment with the Commission's Office of Finance, Accounting and Operations, Division of Operations Support.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

Applicant name, school or event (job fair).

SAFEGUARDS:

Paper records are maintained locked file cabinets; computer data is password protected and accessible only by those employees whose official duties require access.

RETENTION AND DISPOSAL:

Records are destroyed and/or deleted when two years old.

SYSTEM MANAGER(S) AND ADDRESS:

Supervisory Auditor, Division of Operations Support, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 72–15, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Prospective applicants and schools.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–48

SYSTEM NAME:

Department of Energy (DOE) Inspector General Investigative Records Relating to the Federal Energy Regulatory Commission.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Internal Control and Evaluation, 888 First Street, NE, Room 4V–07, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees or contractors who are or have been subjects of the DOE Inspector General's investigations relating to Commission programs and operations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence relevant to the investigation; internal staff correspondence, subpoenas issued during the investigation, affidavits, statements from witnesses, transcripts of testimony taken in the investigation and accompanying exhibits; documents and records or copies obtained during the investigation; working papers of the staff and other documents and records relating to the investigation; opening reports, progress reports and closing reports.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 95–452, as amended; 5 U.S.C. app. at 1184.

PURPOSE(S):

To maintain documentation on investigations conducted by the DOE Inspector General.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Where there is an indication of a violation or a potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred to the appropriate agency, whether federal, foreign, state, or local, charged with enforcing or implementing the statute, or rule, regulation or order; to Federal, foreign, state or local authorities in order to obtain information or records relevant to an Inspector General investigation; to Federal, foreign, state or local governmental authorities maintaining civil, criminal or other relevant enforcement information or other pertinent information to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit; to Federal, foreign, state, or local governmental authorities in response to their request in connection with the hiring or retention of an employee, discriminatory or other administrative action concerning an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter; to non-governmental parties where those parties may have information the Inspector General seeks to obtain in connection with an investigation; to independent auditors or other private firms with which the Inspector General has contracted to carry out an independent audit, or to collate, aggregate or otherwise refine data collected in the system of records; to respond to subpoenas in any litigation or other proceeding; to the Department of Justice and/or the Office of General Counsel of the Commission when the defendant in litigation is: (A) Any component of the Commission or any employee of the Commission, or any employee of the Commission in his or her official capacity; (B) the United States where the Commission determines that the claim, if successful, is likely to directly affect the operations of the Commission; or (C) any Commission employee in his or her individual capacity where the Department of Justice and/or the Commission's Office of the General Counsel agree to represent such employee; to a Congressional office from the record of an individual in response to an inquiry from the Congressional

office made at the request of that individual.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

Name of the subject of the investigation.

SAFEGUARDS:

Paper records are maintained in a lockable file room with access limited to those persons whose official duties require such access; computer records are password protected.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration; records created on electronic mail and word processing system are deleted within 180 days after the recordkeeping copy is produced.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Internal Control and Evaluation, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 4V–07, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

Individuals including, where practicable, those to whom the information relates; witnesses, corporations and other entities; records of individuals and of the Commission; records of other entities; Federal, foreign, state or local bodies and law enforcement agencies; documents, correspondence relating to litigation, and transcripts of testimony; and miscellaneous other sources.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–49

SYSTEM NAME:

Commission Telecommunications Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of the Chief Information Officer, Operations Group, General Operations and Telecommunications Team, 888 First Street, NE, Room 42–35, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals assigned telephone numbers by the Federal Energy Regulatory Commission, including current and former Commission employees and contractors, who make long distance and local calls placed from Commission telephones.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records relating to the use of government telephones to place long distance and local calls; records indicating assignment of telephone numbers to individuals covered by the system; records relating to the assignment of government equipment and location of government telephones.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 2201.

PURPOSE(S):

To oversee telecommunications services managed by the Federal Energy Regulatory Commission.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To disclose to a federal, state, or local agency if such agency is charged with the responsibility of investigating violations or charged with enforcing a statute, rule, regulation, or order issued; to identify assignment of government equipment to individuals and the telephone numbers assigned to those individuals; to maintain an inventory of government telecommunications equipment and in planning for long range requirements; to use as a source for budgetary purposes; and to conduct invoice certification.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

By telephone number.

SAFEGUARDS:

Paper records are maintained in lockable filing cabinets with access limited to those employees whose official duties require access. Computer data is secured by system rights and identification passwords.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Manager, Operations Group, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–35, Washington, DC 20426.

NOTIFICATION PROCEDURE:

All inquiries and requests relating to this system of records should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Telephone companies or telecommunications service providers for the Commission, government telephone assignment records.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–50

SYSTEM NAME:

Commission Accounting System Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Finance, Accounting and Operations, Division of Financial Services, 888 First Street, NE, Room 42–71, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FERC employees, contractors and vendors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, social security number, address, bank account information for employees and vendors, accounts receivable and payable information, cost centers, source document information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 3511.

PURPOSE(S):

To manage and oversee the Commission's Accounting Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To process and track electronic payments to employees and vendors; to record and track travel and training accounting transactions.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

Name, social security number, address and source document identification.

SAFEGUARDS:

Paper records are maintained in lockable file cabinets with access limited to those employees whose official duties require access. Computer data is secured by system rights and identification passwords.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Financial Services, Office of Finance, Accounting and Operations, Federal Energy Regulatory Commission, 888 First Street, NE, Room 42–71, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedure above.

CONTESTING RECORD PROCEDURES:

Same as notification procedure above.

RECORD SOURCE CATEGORIES:

FERC employees, vendors, Commission travel and training records, and the Departmental Integrated Standardized Core Accounting System (DISCAS).

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–51

SYSTEM NAME:

Commission Congressional Correspondence, State Files and Constituent Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of External Affairs, Division of Congressional, Intergovernmental and Public Affairs, 888 First Street, NE, Room 11H–15, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Members of the United States Congress or Congressional constituent who have requested information from the Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

Requester's name and address, log number, description of request, tracking information, and incoming and outgoing correspondence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 7172.

PURPOSE(S):

To maintain records of correspondence by the Commission with Congress.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To maintain a tracking system to expedite responses; to maintain documentation of correspondence relating to Commission matters.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM

STORAGE:

Paper and computer.

RETRIEVABILITY:

By name of Senators and representatives and internal Commission tracking log number.

SAFEGUARDS:

Paper records are maintained in lockable metal file cabinets in a lockable room with a key distributed to those whose official duties require access. Computer records are password protected.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Division of Congressional, Intergovernmental and Public Affairs, Office of External Affairs, Federal Energy Regulatory Commission, 888 First Street, NE, Room 11H–15, Washington, DC 20426 or the appropriate Administrative Office in which the staff member replying to the correspondence is employed.

NOTIFICATION PROCEDURE:

Requests by individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES;

Corresponding Senators, representatives and Congressional constituents, and Commission staff who prepare replies.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–52

SYSTEM NAME:

Commission Supervisor-Maintained Personnel Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. The records are maintained at all FERC Offices, by employees' respective supervisors.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current Commission employees; in a few cases, records include current contractors of the Commission and former employees of the Commission.

CATEGORIES OF RECORDS IN THE SYSTEM:

The contents vary from Office to Office, but include all or some of the following: Copies and summaries of employment history, job description,

education, address, date of birth, social security number, awards and commendations received, participation in professional or community activities, training, earnings and leave data, certification or qualification examinations, injury reports, appraisals, security infraction notices, records of supervisor-employee discussions, reprimands, admonitions, adverse actions, contingency planning data, security clearance status, and Government property in employee's possession. Also contains emergency contact information such as home address and phone number, next of kin or individual to contact in case of emergency and their respective addresses and phone numbers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

PURPOSE(S):

To maintain documentation on supervisor-employee relations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To respond to a member of Congress concerning the status of the particular action or the employee's general employment history; to serve as a data source for OPM or GAO during the course of on-site inspections or audits; to serve as a data source to FERC officials in determining the proper current personnel action to take concerning the employee; to adjudicate appeals, complaints, or grievances; to contact individuals in case of an emergency.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer.

RETRIEVABILITY:

By name.

SAFEGUARDS:

Records are maintained under the control of supervisory officials in lockable file cabinets or drawers. Computer records are password protected.

RETENTION AND DISPOSAL:

Records are maintained pursuant to guidelines authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

The supervisor of the individual. Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager or to the Privacy Act Officer, Federal Energy Regulatory Commission, 888 First Street, NE, Room 91–21, Washington, DC 20426.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

The great majority of the data comes directly from the individuals or cognizant supervisory officials; other data comes from copies of personnel action documents.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–53

SYSTEM NAME:

Information Technology System Log Records.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of the Chief Information Officer, Computer Data Center, 888 First Street, NE., Room 1F, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals accessing the Commission's applications.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records relating to the use of the Commission's applications, including Information Technology system log files; Internet/Intranet, local area network, and software, system, and e-mail usage.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 302.

PURPOSE(S):

To oversee, maintain and troubleshoot problems with information technology resources managed by the Federal Energy Regulatory Commission.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To determine hardware or software problems; to maintain inventory; to monitor overall activity and disk space usage; to serve as a data source if the Commission, in carrying out its functions, discovers a violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rules, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Disk and tape.

RETRIEVABILITY:

User Identification Code.

SAFEGUARDS:

Access and system rights are assigned by the System Administrator to only those employees whose official duties require access. All employees with assigned rights must enter a user identification and a valid password to access the data.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Operations Manager, Office of the Chief Information Officer, Federal Energy Regulatory Commission, 888 First Street, NE., Room 42–35, Washington, DC 20426.

NOTIFICATION PROCEDURE:

All inquiries and requests relating to this system of records should be addressed to the system manager of the system.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Information is automatically captured when accessing an application.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

FERC–54

SYSTEM NAME:

Commission Employee Assistance Program Files

SECURITY CLASSIFICATION:

Unclassified

SYSTEM LOCATION:

Federal Energy Regulatory Commission, Office of Strategy and Organizational Management, Division of Human Resources, Labor and Employee Relations Branch, 888 First Street, NE., Room 3–J, Washington, DC 20426.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Commission employees who have been counseled by or referred to the Employee Assistance Program for problems relating to alcoholism, drug abuse, job stress, chronic illness, family or relationship concerns, and emotional and other similar issues.

CATEGORIES OF RECORDS IN THE SYSTEM:

Information on employees who have participated in the Employee Assistance Program and the results of any counseling or referrals which may have taken place, and information on the nature of each individual's problem, subsequent treatment, and progress.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 290dd–1 and 290ee.

PURPOSE(S):

To provide assistance to employees in need of counsel.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

For statistical reporting purposes; any disclosure of information pertaining to an individual will be made in compliance with the Confidentiality of Alcohol and Drug Abuse Patient Records regulation, 42 CFR part 2, as authorized by 21 U.S.C. 1175 and 42 U.S.C. 4582, as amended.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper.

RETRIEVABILITY:

By employee name.

SAFEGUARDS:

Files are maintained in lockable cabinets and under the immediate control of the Employee Assistance Program Counselor.

RETENTION AND DISPOSAL:

Records are maintained pursuant to instructions authorized by the National Archives and Records Administration.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Labor and Employee Relations Branch, Division of Human Resources, Office of Strategy and Organizational Management, Federal Energy Regulatory Commission, 888 First Street, NE., Room 4A–05, Washington, DC 20426.

NOTIFICATION PROCEDURE:

Requests from individuals to determine if a system of records contains information about them should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Same as notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above.

RECORD SOURCE CATEGORIES:

Information is compiled by the Employee Assistance Program Counselor during the course of counseling an employee.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 00–9959 Filed 4–31–00; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6584–1]

Agency Information Collection Activities: Proposed Collection; Comment Request; Business Ownership Representation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following proposed Information Collection Request (ICR) to the Office of Management and Budget (OMB): Business Ownership Representation EPA ICR No. 1962.01. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before June 23, 2000.

ADDRESSES: 1200 Pennsylvania Ave N.W., Ariel Rios Building, Attn: 3802R, Washington, D.C. 20406.

FOR FURTHER INFORMATION CONTACT: Leigh Pomponio, (202) 564–4364, e-mail *pomponio.leigh@epamail.epa.gov.* A hard copy of the ICR may be obtained by contacting the named individual.

SUPPLEMENTARY INFORMATION:

Affected entities: Entities potentially affected by this action are those companies and organizations, large and small businesses, who receive contract awards from EPA.

Title: Business Ownership Representation, EPA ICR No. 1962.01.

Abstract: EPA will request that contractors selected for award reply to the Business Ownership Representation clause by checking the appropriate box to indicate the ethnic affiliation of the company ownership. EPA will use the collected information in aggregate to encourage full participation in the contractor selection process by identifying business communities that are under-represented in Agency awards, and sponsoring outreach efforts in those areas. Responses to the collection of information are voluntary. Responses will be treated as confidential business information in accordance with 40 CFR 2.201 *et seq.* 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. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

The EPA would like to solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) 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.

Burden Statement: Estimated burden for each response is three minutes, or a total of 12 hours per year based upon 240 annual contract awards. The total annual cost for all respondents is expected to be $1,050.00 per year. There are no contractor capital or start-up costs associated with this collection. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Dated: April 18, 2000.

Thomas D. McEntegart,

Manager, Policy Service Center.

[FR Doc. 00–10187 Filed 4–21–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6584–3]

Clean Water Act Class II: Proposed Administrative Penalty Assessment and Opportunity to Comment Regarding Colrich Communities, Inc.

AGENCY: Environmental Protection Agency (''EPA'').

ACTION: Notice.

SUMMARY: EPA is providing notice of a proposed administrative penalty assessment for alleged violations of the Clean Water Act (''Act''). EPA is also providing notice of opportunity to comment on the proposed assessment.

EPA is authorized under section 309(g) of the Act, 33 U.S.C. 1319(g), to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons notice of the proposed penalty and a reasonable opportunity to comment on its issuance. Under section 309(g), any person who without authorization discharges a pollutant to a navigable water, as those terms are defined in section 502 of the Act, 33 U.S.C. 1362, may be assessed a penalty in a ''Class II'' administrative penalty proceeding.

Class II proceedings under section 309(g) are conducted in accordance with the ''Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits,'' 40 CFR part 22 (''Consolidated Rules''), published at 64 FR 40138, 40177 (July 23, 1999). The procedures through which the public may submit written comment on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II order is thirty (30) days after publication of this document.

On March 7, 2000, EPA commenced the following Class II proceeding for the assessment of penalties by filing with Danielle Carr, Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, California 94105, (415) 744–1391, the following Complaint:

In the Matter of Colrich Communities, Inc., Redhawk Tracts 23064–1, 23064–2, 23064–3, Riverside County, California, Docket No. CWA–9–2000–0005.

The Complaint proposes a penalty of up to One Hundred Thirty Seven Thousand, Five Hundred Dollars ($137,500) for violations of NPDES Permit No. CAS000002 (issued by the California State Water Resources Control Board (Order No. 92–08–DWQ)) and Section 301(a) of the Act, 33 U.S.C. 1311(a), at the Redhawk Tracts 23064–1, 23064–2, 23064–3, Riverside County, California.

Procedures by which the public may comment on a proposed Class II penalty or participate in a Class II penalty proceeding are set forth in the Consolidated Rules. The deadline for submitting public comment on a proposed Class II penalty is thirty (30) days after issuance of public notice. The Regional Administrator of EPA, Region 9, may issue an order upon default if the respondent in the proceeding fails to file a response within the time period specified in the Consolidated Rules.

FOR FURTHER INFORMATION CONTACT: Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint or other documents filed in this proceeding, comment upon the proposed assessment, or otherwise participate in the proceeding should contact Danielle Carr, Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, California 94105, (415) 744–1391. The administrative record for this proceeding is located in the EPA Regional Office identified above, and the file will be open for public inspection during normal business hours. All information submitted by Colrich Communities, Inc. is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in these proceedings prior to thirty (30) days after the date of publication of this document.

Dated: April 7, 2000.

Alexis Strauss,

Director, Water Division.

[FR Doc. 00–10185 Filed 4–21–00; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

[FCC 00–105]

Maritime Communications

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Commission extends forbearance from the Communications Act of 1934, as amended, requirement which forbids the assignment of a radio license or transfer of control of a radio licensee corporation without obtaining prior Commission consent to Public Coast Stations that are licensed and regulated under the Commission's Rules because these stations provide telecommunications for a fee directly to the public.

FOR FURTHER INFORMATION CONTACT: Keith Fickner or Ghassan Khalek, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418–0680.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Memorandum Opinion and Order,* WT Docket No. 00–48, FCC 00–105, adopted March 17, 2000, and released on March 24, 2000. The full text of this *Memorandum Opinion and Order* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW, Washington, DC.

The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW, Washington, DC 20037. The full text may also be downloaded at: *www.fcc.gov/Bureaus/Wireless/Notices/2000/fcc00105.doc.* Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418–0260 or TTY (202) 418–2555.

In this *Memorandum Opinion and Order,* the Commission refers to Section 310(d) of the Communications Act, which forbids the assignment of a radio license or transfer of control of a radio licensee corporation without obtaining prior Commission consent. On February 4, 1998, the Commission held that there was sufficient justification in the record to forbear from enforcing the requirements of Section 310(d) of the Communications Act as they apply to all telecommunications carriers licensed by the Wireless Telecommunications Bureau (Bureau). However, as noted by WJG MariTEL Corporation (MariTEL), when the Commission listed the categories of telecommunications carriers who were licensed by the Bureau, it did not include telecommunications carriers licensed and regulated under Part 80 of the Commission's Rules. Under the Commission's Rules, licenses in the Maritime (ship) Radio Services may not be assigned. Therefore, Maritime (ship) Radio Services licenses are not subject to Section 310(d) of the Communications Act. On the other hand, Public Coast Stations, which are located on land, may be assigned under the Commission's Rules. Accordingly, the Commission will grant MariTEL's request and will extend forbearance from the requirements of Section 310(d) of the Communications Act for pro forma applications to telecommunications carriers licensed and regulated under Part 80 of the Commission's Rules because these carriers provide telecommunications for a fee directly to the public.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00–10090 Filed 4–21–00; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1325–DR]

District of Columbia; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the District of Columbia (FEMA–1325–DR), dated April 10, 2000, and related determinations.

EFFECTIVE DATE: April 10, 2000.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 10, 2000, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the District of Columbia, resulting from a severe winter storm on January 25–31, 2000, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93–288, as amended (''the Stafford Act''). I, therefore, declare that such a major disaster exists in the District of Columbia.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide assistance for emergency protective measures (Category B) under Public Assistance and Hazard Mitigation in the designated areas and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Thomas P. Davies of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the District of Columbia to have been affected adversely by this declared major disaster:

Emergency protective measures (Category B) under Public Assistance for the District of Columbia.

The District of Columbia is eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 00–10146 Filed 4–21–00; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1324–DR]

Maryland; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Maryland (FEMA–1324–DR), dated April 10, 2000, and related determinations.

EFFECTIVE DATE: April 10, 2000.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 10, 2000, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Maryland, resulting from a severe winter storm on January 25–30, 2000, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93–288, as amended (''the Stafford Act''). I, therefore, declare that such a major disaster exists in the State of Maryland.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide assistance for emergency protective measures (Category

B) under Public Assistance and Hazard Mitigation in the designated areas and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Thomas P. Davies of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Maryland to have been affected adversely by this declared major disaster:

Emergency protective measures (Category B) under Public Assistance for Baltimore City and the counties of Anne Arundel, Baltimore, Calvert, Charles, Frederick, Howard, Kent, St. Mary's, Montgomery, Prince Georges, Queen Anne's and Talbot.

All counties within the State of Maryland are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 00–10145 Filed 4–21–00; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1323–DR]

Texas; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Texas (FEMA–1323–DR), dated April 7, 2000, and related determinations.

EFFECTIVE DATE: April 7, 2000.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 7, 2000, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Texas, resulting from severe storms, tornadoes, and flooding on March 28–29, 2000, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93–288, as amended (''the Stafford Act''). I, therefore, declare that such a major disaster exists in the State of Texas.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance, Public Assistance and Hazard Mitigation in the designated areas. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Joseph Bray of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Texas to have been affected adversely by this declared major disaster:

Tarrant County for Individual Assistance and Public Assistance.

All counties within the State of Texas are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 00–10144 Filed 4–21–00; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

Fire Defense Deployment Analysis Project

AGENCY: Federal Emergency Management Agency (FEMA)/ United States Fire Administration (USFA).

ACTION: Notice of postponement of research project.

SUMMARY: We (FEMA) give notice that we have postponed indefinitely our research project to update a methodology on ''Fire Defense Deployment Analysis''. On March 7, 2000 we gave notice in the **Federal Register**, 65 FR 12007, of the availability of funds to update the 1968 analysis using a cooperative agreement. Because of this postponement we cannot honor requests for copies of the ''Assistance Application Package'' now. No further information is available at this time.

Dated: April 11, 2000.

Kenneth Burris,

Chief Operating Officer, U.S. Fire Administration.

[FR Doc. 00–10143 Filed 4–21–00; 8:45 am]

BILLING CODE 6718–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments

must be received not later than May 8, 2000.

A. FEDERAL RESERVE BANK OF PHILADELPHIA (Michael E. Collins, Senior Vice President) 100 North 6th Street, Philadelphia, Pennsylvania 19105–1521:

1. Madison Bancshares Group, Ltd., Donna Depaul-Bartynski, Anthony DePaul, and Andrea Naticchione, as Co-trustees, of the Peter DePaul Irrevocable Trust, all of Blue Bell, Pennsylvania; to acquire voting shares of Madison Bancshares Group, Ltd., Blue Bell, Pennsylvania, and thereby indirectly acquire voting shares of Madison Bank, Blue Bell, Pennsylvania.

Board of Governors of the Federal Reserve System, April 18, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–10048 Filed 4–21–00; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than May 9, 2000.

A. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President), 925 Grand Avenue, Kansas City, Missouri 64198–0001:

1. Robert M. Mortimer, Delphos, Kansas; to acquire voting shares of Delphos, Inc., Delphos, Kansas, and thereby indirectly acquire voting shares of State Bank of Delphos, Delphos, Kansas.

Board of Governors of the Federal Reserve System, April 19, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–10194 Filed 4–21–00; 8:45 am]

BILLING CODE 6210–01–P

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 (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

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 May 19, 2000.

A. Federal Reserve Bank of Boston (Richard Walker, Community Affairs Officer), 600 Atlantic Avenue, Boston, Massachusetts 02106–2204:

1. Island Bancorp, Inc., Edgartown, Massachusetts; to become a bank holding company by acquiring 100 percent of the voting shares of The Edgartown National Bank, Edgartown, Massachusetts.

B. Federal Reserve Bank of Atlanta (Lois Berthaume, Vice President), 104 Marietta Street, N.W., Atlanta, Georgia 30303–2713:

1. First Security Group, Inc., Chattanooga, Tennessee; to acquire 100 percent of the voting shares of First Central Bank of Monroe County, Sweetwater, Tennessee (in organization).

C. Federal Reserve Bank of San Francisco (Maria Villanueva, Consumer Regulation Group), 101 Market Street, San Francisco, California 94105–1579:

1. Wells Fargo & Company, San Francisco, California; to acquire 100 percent of the voting shares of 1st Choice Financial Corporation, Greeley, Colorado, and thereby indirectly acquire 1st Choice Bank, Greeley, Colorado.

Board of Governors of the Federal Reserve System, April 19, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–10193 Filed 4–21–00; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL RESERVE SYSTEM

Notice of Proposals To Engage in Permissible Nonbanking Activities or To Acquire Companies That Are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo,* or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 18, 2000.

A. Federal Reserve Bank of Cleveland (Paul Kaboth, Banking Supervision) 1455 East Sixth Street, Cleveland, Ohio 44101–2566:

1. The Bank of Kentucky Financial Corporation, Florence, Kentucky; to acquire Fort Thomas Financial Corporation, Fort Thomas, Kentucky, and thereby indirectly acquire Fort Thomas Savings Bank, FSB, Fort Thomas, Kentucky, and thereby engage

in operating a savings and loan association, pursuant to § 225.25(b)(4) of Regulation Y.

Board of Governors of the Federal Reserve System, April 18, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–10047 Filed 4–21–00; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice of a Meeting of the National Bioethics Advisory Commission (NBAC)

SUMMARY: Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is given of a meeting of the National Bioethics Advisory Commission. The Commission will discuss its ongoing projects: (a) Ethical issues in international research and (b) ethical and policy issues in the oversight of human subjects research in the United States. Some Commission members may participate by telephone conference. The meeting is open to the public and opportunities for statements by the public will be provided on May 4 from 1–1:30 pm.

Dates/Times	Location
May 4, 2000, 8:30 a.m.–5 p.m.	Monona Terrace Community and Convention Center, One John Nolen Drive, Madison, WI.
May 5, 2000, 8 a.m.–12 p.m.	Same Location as Above.

SUPPLEMENTARY INFORMATION: The President established the National Bioethics Advisory Commission (NBAC) on October 3, 1999 by Executive Order 12975 as amended. The mission of the NBAC is to advise and make recommendations to the National Science and Technology Council, its Chair, the President, and other entities on bioethical issues arising from the research on human biology and behavior, and from the applications of that research.

Public Participation

The meeting is open to the public with attendance limited by the availability of space on a first come, first serve basis. Members of the public who wish to present oral statements should contact Ms. Jody Crank by telephone, fax machine, or mail as shown below as soon as possible, at least 4 days before the meeting. The Chair will reserve time for presentations by persons requesting to speak and asks that oral statements be limited to five minutes. The order of persons wanting to make a statement will be assigned in the order in which requests are received. Individuals unable to make oral presentations can mail or fax their written comments to the NBAC staff office at least five business days prior to the meeting for distribution to the Commission and inclusion in the public record. The Commission also accepts general comments at its website at bioethics.gov. Persons needing special assistance, such as sign language interpretation or other special accommodations, should contact NBAC staff at the address or telephone number listed below as soon as possible.

FOR FURTHER INFORMATION CONTACT: Ms. Jody Crank, National Bioethics Advisory Commission, 6100 Executive Boulevard, Suite 5B01, Rockville, Maryland 20892–7508, telephone 301–402–4242, fax number 301–480–6900.

Dated: April 18, 2000.

Eric M. Meslin,

Executive Director, National Bioethics Advisory Commission.

[FR Doc. 00–10201 Filed 4–21–00; 8:45 am]

BILLING CODE 4167–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Notice of Meetings

In accordance with section 10(d) of the Federal Advisory Committee Act as amended (5 U.S.C., Appendix 2). The Agency for Healthcare Research and Quality (AHRQ) announces meetings of scientific peer review groups. The subcommittees listed below are part of the Agency's Health Services Initial Review Group Committee.

The subcommittee meetings will be closed to the public in accordance with the Federal Advisory Committee Act, section 10(d) of 5 U.S.C., Appendix 2 and 5 U.S.C., 552b(c)(6). Grant applications are to be reviewed and discussed at these meetings. These discussions are likely to reveal personal information concerning individuals associated with the applications. This information is exempt from mandatory disclosure under the above-cited statutes.

1. *Name of Subcommittee:* Health Care Technology and Decision Sciences.

Date: June 1–2, 2000 (Open from 8 a.m. to 8:15 a.m. and closed for remainder of the meeting).

Place: AHRQ, Executive Office Center, 6010 Executive Boulevard, 4th Floor Conference Center, Rockville, Maryland 20852.

2. *Name of Subcommittee:* Health Systems Research.

Date: June 8–9, 2000 (Open from 8 a.m. to 8:15 a.m. and closed for remainder of the meeting).

Place: AHRQ, Executive Office Center, 6010 Executive Boulevard, 4th Floor Conference Center, Rockville, Maryland 20852.

3. *Name of Subcommittee:* Health Care Quality and Effectiveness Research.

Date: June 22–23, 2000 (Open from 8 a.m. to 8 15 a.m. and closed for remainder of the meeting).

Place: Willshire Grand Hotel & Centre, Willshire Boulevard, Los Angeles, California 90017.

4. *Name of Subcommittee:* Health Care Research Training.

Date: July 20–21, 2000 (Open from 8 a.m. to 8:15 a.m. and closed for remainder of the meeting).

Place: AHRQ, Executive Office Center, 6010 Executive Boulevard, 4th Floor Conference Center, Rockville, Maryland 20852.

Contact Person: Anyone wishing to obtain a roster of members or minutes of the meetings should contact Ms. Jenny Griffith, Committee Management Officer, Office of Research Review, Education and Policy, AHRQ, 2101 East Jefferson Street, Suite 400, Rockville, Maryland 20852, Telephone (301) 594–1847.

Agenda items for these meetings are subject to change as priorities dictate.

Dated: April 14, 2000.

John M. Eisenberg,

Director.

[FR Doc. 00–10113 Filed 4–21–00; 8:45 am]

BILLING CODE 4160–90–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substance and Disease Registry

Public Meeting of the Inter-Tribal Council on Hanford Health Projects (ICHHP) in Association With the Citizens Advisory Committee on Public Health Service (PHS) Activities and Research at Department of Energy (DOE) Sites: Hanford Health Effects Subcommittee

Name: Public meeting of the Inter-tribal Council on Hanford Health Projects (ICHHP) in association with the Citizens Advisory Committee on PHS Activities and Research at DOE Sites: Hanford Health Effects Subcommittee (HHES).

Time and Date: 9 a.m.–4:30 p.m., May 17, 1999.

Place: Cavanaughs at Columbia Center, 1101 North Columbia Center Blvd., Kennewick, Washington 99336, telephone: (509) 783–0611.

Status: Open to the public, limited only by the space available. The meeting room accommodates approximately 50 people.

Background: Under a Memorandum of Understanding (MOU) signed in October 1990 and renewed in November 1992 between ATSDR and DOE. The MOU delineates the responsibilities and procedures for ATSDR's public health activities at DOE sites required under sections 104, 105, 107, and 120 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or ''Superfund''). These activities include health consultations and public health assessments at DOE sites listed on, or proposed for, the Superfund National Priorities List and at sites that are the subject of petitions from the public; and other health-related activities such as epidemiologic studies, health surveillance, exposure and disease registries, health education, substance-specific applied research, emergency response, and preparation of toxicological profiles.

In addition, under an MOU signed in December 1990 with DOE and replaced by an MOU signed in 1996, the Department of Health and Human Services (HHS) has been given the responsibility and resources for conducting analytic epidemiologic investigations of residents of communities in the vicinity of DOE facilities, workers at DOE facilities, and other persons potentially exposed to radiation or to potential hazards from non-nuclear energy production and use. HHS has delegated program responsibility to CDC. Community Involvement is a critical part of ATSDR's and CDC's energy-related research and activities and input from members of the ICHHP is part of these efforts. The ICHHP will work with the HHES to provide input on American Indian health effects at the Hanford, Washington site.

Purpose: The purpose of this meeting is to address issues that are unique to tribal involvement with the HHES, including a presentation and discussion on the DOE Richland Indian Office, update on tribal cooperative agreements, and agency updates.

Matters to be Discussed: Agenda items will include a dialogue on issues that are unique to tribal involvement with the HHES. This will include updating tribal members of the cooperative agreement activities in environmental health capacity building and providing support for tribal involvement in and representation on the HHES. Agenda items are subject to change as priorities dictate.

Contact Persons for More Information: Leslie C. Campbell, Executive Secretary HHES, Division of Health Assessment and Consultation, ATSDR, 1600 Clifton Road, NE M/S E–56, Atlanta, Georgia 30333, telephone 1–888/42–ATSDR (28737), fax 404/639–0654.

The Director, Management Analysis and Services office has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: April 18, 2000.

John Burckhardt,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 00–10083 Filed 4–23–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Toxic Substance and Disease Registry

Citizens Advisory Committee on Public Health Service (PHS) Activities and Research at Department of Energy (DOE) Sites: Hanford Health Effects Subcommittee

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), the Agency for Toxic Substances and Disease Registry (ATSDR) and the Centers for Disease Control and Prevention (CDC) announce the following meeting.

Name: Citizens Advisory Committee on PHS Activities and Research at DOE Sites: Hanford Health Effects Subcommittee (HHES).

Times and Dates: 8:30 a.m.–5 p.m., May 18, 2000.

1 p.m.–4 p.m., May 19, 2000.

Place: Cavanaughs at Columbia Center, 1101 North Columbia Center Blvd., Kennewick, WA 99336. Telephone: (509) 783–0611

Status: Open to the public, limited only by the space available. The meeting room accommodates approximately 100 people.

Background: Under a Memorandum of Understanding (MOU) signed in October 1990 and renewed in November 1992 between ATSDR and DOE. The MOU delineates the responsibilities and procedures for ATSDR's public health activities at DOE sites required under sections 104, 105, 107, and 120 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or ''Superfund''). These activities include health consultations and public health assessments at DOE sites listed on, or proposed for, the Superfund National Priorities List and at sites that are the subject of petitions from the public; and other health-related activities such as epidemiologic studies, health surveillance, exposure and disease registries, health education, substance-specific applied research, emergency response, and preparation of toxicological profiles. In addition, under an MOU signed in December 1990 with DOE and replaced by an MOU signed in 1996, the Department of Health and Human Services (HHS) has been given the responsibility and resources for conducting analytic epidemiologic investigations of residents of communities in the vicinity of DOE facilities, workers at DOE facilities, and other persons potentially exposed to radiation or to potential hazards from non-nuclear energy production and use. HHS has delegated program responsibility to CDC.

Purpose: This subcommittee is charged with providing advice and recommendations to the Director, CDC, and the Administrator, ATSDR, regarding community, American Indian Tribes, and labor concerns pertaining to CDC's and ATSDR's public health activities and research at this DOE site. The purpose of this meeting is to receive an update from the Inter-tribal Council on Hanford Health Projects; to review and approve the Minutes of the previous meeting; to receive updates from ATSDR and CDC; to receive reports from the Outreach, Public Health

Assessment, Public Health Activities, and the Studies Workgroups; and to address other issues and topics, as necessary.

Matters To Be Discussed: Agenda items include discussion on the summary of Hanford Health Information Network (HHIN) project, update on Individual Dose Assessment (IDA) project, and reports from agency and work groups. Agenda items are subject to change as priorities dictate.

Contact Persons for More Information: Leslie C. Campbell, Executive Secretary HHES, Division of Health Assessment and Consultation, ATSDR, 1600 Clifton Road, NE M/S E–56, Atlanta, Georgia 30333, telephone 1–888/42–ATSDR(28737), fax 404/639–0654.

The Director, Management Analysis and Services office has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: April 18, 2000.

John Burckhardt,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 00–10081 Filed 4–23–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

National Center for Health Statistics (NCHS), Data Policy and Standards Staff, Announces the Following Meeting

Name: ICD–9–CM Coordination and Maintenance Committee meeting.

Time and Date: 9 a.m.–5 p.m., May 11, 2000.

Place: The Health Care Financing Administration, Multipurpose room, 7500 Security Boulevard, Baltimore, Maryland.

Status: Open to the public.

Purpose: The ICD–9–CM Coordination and Maintenance (C&M) Committee will hold its first meeting of the calendar year 2000 cycle on Thursday, May 11, 2000. The C&M meeting is a public forum for the presentation of proposed modifications to the International Classification of Diseases, Ninth-Revision, Clinical Modification.

Matters to be Discussed: Agenda items include:

Head injuries

Mammografic microcalcification

Myofascial pain syndrome

Stress Fracture

Periventricular leukomalacia

Posttraumatic wound infection versus complicated open wound

Premature menopause

Update on the ICD–10–PCS coding system

Thoracic aortic aneurysm repair

Lysis of adhesions

Penile plethysmography with nerve stimulation

Percutaneous endoscopic gastrojejunostomy (PEJ)

Spinal fusion for pseudoarthosis

Addenda

Contact Person for Additional Information: Amy Blum, Medical Classification Specialist, Data Policy and Standards Staff, NCHS, 6526 Belcrest Road, Room 1100, Hyattsville, Maryland 20782, telephone 301/458–4106 (diagnosis), Amy Gruber, Health Insurance Specialist, Division of Acute Care, HCFA, 7500 Security Blvd., Room C4–07–07, Baltimore, Maryland, 21244 telephone 410–786–1542 (procedures).

Notice: In the interest of security, the H.C.F.A. has instituted stringent procedures for entrance into the building by non-government employees. Persons without a government I.D. will need to show a photo I.D. and sign-in at the security desk upon entering the building.

Notice: This is a public meeting. However, because of fire code requirements, should the number of attendants meet the capacity of the room the meeting will be closed.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: April 18, 2000.

John Burckhardt,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention (CDC).

[FR Doc. 00–10082 Filed 4–23–00; 8:45 am]

BILLING CODE 4160–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Invention; Availability for Licensing: ''Prostate Cancer Therapeutic and *in vitro* Diagnostic Method to Screen for the Presence of Metastatic Prostate Cancer—A Monoclonal Antibody Specific to Prostate Cells''

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development.

ADDRESSES: Licensing information may be obtained by contacting J. R. Dixon, Ph.D., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804 (telephone 301/496–7056 ext 206; fax 301/402–0220; E-Mail: jd212g@NIH.GOV). A signed Confidential Disclosure Agreement is required to receive a copy of any patent application.

SUPPLEMENTARY INFORMATION:

Invention Title: ''Monoclonal Antibodies to Prostate Cells''.

Inventor: Dr. Ira H. Pastan (NCI).

USP SN: 5,489,525 [= DHHS Ref. No. E–201–92/0]—Issued on February 6, 1996.

Abstract

Prostate Cancer is a disease affecting approximately 1 million men in the U.S.A., with an annual incidence of around 179,000 and approximately 30,000 deaths per year. It is estimated that one-third of men over 50 will develop prostate cancer at some time in their lives. Control of primary tumor by surgical resection and/or radiation has proven effective in a number of cases, however, metastatic spread, primarily to the bone, especially at late hormone independent stages of the disease, has been more difficult to control and monitor. With the aging of the U.S. population, it has been estimated that the number of prostate cancer cases will increase dramatically.

Technology

The technology disclosed in the 5,489,525 patent relates to a monoclonal antibody which is capable of binding to a cell surface differentiation antigen

specific for prostate adenocarcinomas and other prostate cancer cells. Accordingly, methods of therapy can be employed with this monoclonal antibody to destroy prostate cancer cells, and hence, this monoclonal antibody may be useful in therapy and/or the diagnosis of prostate cancer. This monoclonal antibody can be produced by recombinant DNA techniques, the host cell being a eucaryotic or procaryotic cell, preferably a eucaryotic cell and more preferably mammalian. Hence, a monoclonal antibody, a recombinant monoclonal antibody, single polypeptide binding molecules, and binding fragments thereof coupled to molecules which are cytotoxic to prostate cancer cells (e.g., chemotherapeutic agents, prodrugs, cytotoxic or inhibitory peptides, cytokines, enzymes, diphtheria toxin, *Pseudomonas* Exotoxin, etc.) could be used to develop a prostate cancer therapeutic or diagnostic test system.

The above mentioned Invention and technology are available for licensing.

Dated: April 18, 2000.

Jack Spiegel,

Director, Division of Technology Development & Transfer, Office of Technology Transfer.

[FR Doc. 00–10177 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

ADDRESSES: Licensing information and copies of the U.S. patent applications listed below may be obtained by contacting Girish C. Barua, Ph.D., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301/496–7056 ext. 263; fax: 301/402–0220; e-mail: BaruaG@od.nih.gov. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Compositions and Methods for Treatment of Breast Cancer—the Synergistic Effect of Farnesyl Transferase Inhibitors and Tamoxifen Combination Therapy

Geoffrey J. Clark, Joanne Zujewski (NCI)
Serial No. 60/171,928 filed 22 Dec 1999

This invention discloses compositions that act in a synergistic manner to inhibit and or prevent breast cancer cell growth. Specifically, this invention discloses methods for treating and preventing breast cancer using a combination of selective estrogen receptor modulators (SERMs) and farnesyl transferase inhibitors (FTIs). The combination therapy comprising of at least one SERM and at least one FTI has shown enhanced therapeutic efficacy in killing cancer cells. Thus the combination therapy may lead to enhance efficacy of Tamoxifen or other SERM treatment regimes. For example, it is contemplated that the present invention will find use in a treatment therapy using lower doses of SERMs for a shorter duration. In some embodiments of the invention, therapeutic agents are administered to subjects suspected of having cancer or being susceptible to cancer, subjects with cancer, subjects experiencing a recurrence of cancer, or subjects who are post-operative for cancer. Additionally, the treatment agents could be administered prophylactically to patients at risk for development of cancer.

Tyrosyl-DNA Phosphodiesterases (TDP) and Related Polypeptides, Nucleic Acids, Vectors, TDP-Producing Host Cell, Antibodies and Methods of Use

Jeffrey J Pouliot, Howard A Nash (NIMH)
Serial No. 60/157,690, filed 05 Oct 1999

Topisomerases are cellular enzymes that are vital for replication of the genome. However, if topisomerase and DNA form covalent complexes that prevent the resealing of DNA, this may lead to cell death. Essentially, this invention consists of a new isolated and cloned enzyme, tyrosyl-DNA phosphodiesterase (TDP1), that is capable of hydrolyzing the covalent complexes between topisomerase and DNA, allowing the DNA to reseal. The mechanism that defines topisomerases is their capacity to break DNA and, after an interval in which topological changes may occur, to reseal the break without the intervention of a high energy cofactor. The breakage of the DNA is accompanied by the formation of a covalent bond between topisomerase and DNA to create an intermediate that is resolved during the resealing step. However, if the resealing step fails, the covalent intermediates between topisomerase I and DNA can become complexes that lead to cell death. The failure of the resealing is increased by some chemotherapies such as camptothecin. Thus, this technology has many potential commercial uses including: a method for screening camptothecin analogues or other compounds for their resistance to repair by this enzyme or to prescreen patients for their sensitivity to topisomerase inhibitors which could identify patients most likely to respond to camptothecin therapy. Further, this invention provides for a vector comprising of the nucleic acid molecule for TDP1 as well as the method of altering the level of TDP1 in a cell, a tissue, an organ or an organism. Finally, this invention consists of a method for identifying a compound that stabilizes a covalent bond complex that forms between DNA and topisomerase I, wherein the covalent bond cannot be cleaved.

Novel Vacuolar-Type (H+)-V-ATPase-Inhibitory Compounds, Compositions and Methods of Use

Michael R. Boyd (NCI)
Serial No. 60/122,953 filed 05 Mar 1999 and Serial No. 60/169,564 filed 08 Dec 1999

The present invention relates to a new class of vacuolar-type (H^+)-ATPase-inhibitory compounds. Vacuolar-type (H^+)-ATPases (V-ATPases) have been described as a universal proton pump which are present in many tissues and cells of the human body. Vacuolar-type (H^+)-ATPases are present intracellularly within certain organelles and are responsible for maintaining internal acidity thereof; V-ATPases are also located within specialized plasma membranes of certain cells, *e.g.* kidney intercated cells, osteoclasts and sperm cells. V-ATPases are important for a myriad of physiological functions such as: sorting of membrane and organellar proteins; proinsulin conversion; neurotransmitter uptake; receptor recycling; and cellular degradative processes. V-ATPase isoform-specific inhibitors may preferentially modulate V-ATPase activities in different cells and tissues, and may thereby provide diverse and distinctive pharmacological utilities. Accordingly, the disclosed compounds and compositions may be used to inhibit such biological processes as: intra-organellar acidification, urinary acidification; bone resorption; fertility;

tumor cell proliferation; and, drug resistance of tumor cells.

Dated: April 17, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 00–10178 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

ADDRESSES: Licensing information and copies of the U.S. patent applications listed below may be obtained by contacting Carol A. Salata, Ph.D., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301/496–7735 ext. 232; fax: 301/402–0220; e-mail: cs253n@nih.gov. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Molecular Clones With Mutated HIV GAG/POL and SIV Genes

George N Pavlakis (NCI)
Serial No. 60/173,036 filed 23 Dec 1999

The invention is a DNA construct which can be used as part of an HIV DNA vaccine or as a lentiviral vector to deliver heterologous DNA to cells. The advantage of lentiviral vectors, over retroviral vectors, is that they can transduce quiescent cells, such as terminally differentiated neurons. The advantage of the lentiviral vectors of the invention over the lentiviral vectors of the prior art are that they can be highly expressed in human or mammalian cells in the absence of any other regulatory or structural protein of HIV, including REV. The advantage of vectors based on SIV is that they are divergent from HIV–1.

The construct encodes the gag/pol region of the HIV–1 genome in which the instability regions (INS) have been removed by multiple point mutations, without changing the protein sequence. The INS are regions in the unspliced RNA which decrease the amount of expression from the RNA, a decrease which is overcome by the interaction of the HIV protein REV with the RRE (Rev Response Element) found on the RNA constructs encoding gag, pol and env of HIV–1. Under certain situations the construct can result in the formation of infectious viral particles which contain only gag and pol from HIV. These viral particles can be used as vaccines or for gene therapy.

Time-Gated Imaging With a Split-Beam Source

Ronald W. Waynant (FDA)
Serial No. 60/153,100 filed 09 Sep 1999

The present invention provides a new apparatus and methods for generating a split-beam electromagnetic source for imaging devices and methodologies. With this invention, one part of a split beam is used for generating an image of an object and another part of the split beam is used for timely capturing the generated image. The present invention offers many advantages over earlier technologies. For example: (1) switching with a short duration pulse allows for a fast time gate; (2) utilization of an electromagnetic pulse source to both image and time gate allows for easier and more precise synchronization of the time gate with the imaging source; and (3) optically switching the time gate solves the problem of jitter and inhomogeneous gating.

Identification of the Domain of Plasmodium falciparum Erythrocyte Membrane Protein (PfEMP1) that Mediates Adhesion to Chondroitin Sulfate A

Arthur Scherf *et al.* (NIAID)
Serial No. 60/152,023 filed 01 Sep 1999

Plasmodium falciparum malaria is more severe in pregnant women and causes disease in the mother and fetal death, even in those women who were previously immune. Severe malaria during pregnancy is more common during the first pregnancy (primigravida) and much less after multiple pregnancies (multigravid). Pregnant women are infected by parasites that sequester in the placenta and such sequestration contributes to growth retardation, infant mortality and severe anemia. Multigravid women develop antibodies that block the adhesion of infected erythrocytes to their placental receptor, chondroitin sulfate A (CSA). This interaction is mediated by specific var (PfEMP1) genes that bind to the host receptor CSA. The domain of the CSA-binding var gene that mediates adherence to CSA has been identified. This domain and potentially other parts of the molecule can give rise to development of anti malaria vaccines and therapeutics that will protect women from placental malaria, particularly during their first pregnancy.

Method for Generating NMR Relaxation Data and Identifying Ligands to Target Molecules From Multiple Field NMR Spectra

David Fushman, Nico Tjandra (NHLBI), David Cowburn
Serial No. 09/385,227 filed 27 Aug 1999

The present invention provides a nuclear magnetic resonance relaxation method of screening compounds for their ability to bind to target molecules and elicit site specific changes in the target molecule's structure. Specifically, this application pertains to a method of generating site specific nuclear relaxation data for target molecules and their ligands. These data can be used for exploration into the thermodynamic requirements of ligand binding, the calculation of structural constraints helpful in predicting the solution structure of a target molecule and its ligand complexes, and to design new ligands for target molecules.

Fast Displacement Encoding with Stimulated Magnetic Resonance Echoes by Sampling Both Components of a Stimulated Echo

Anthony H. Aletras, Han Wen (NHLBI)
Serial No. 60/147,314 filed 05 Aug 1999

The present invention provides a nuclear magnetic resonance method of phase contrast motion encoding. This methodology samples both the simulated-echo and the simulated-anti-echo by means of multiple 180 degree refocusing radiofrequency pulses. The pulses produced by the disclosed methods are compatible for reconstructing images without the need for elaborate data processing steps. By combining this method with pulses with unequal first order moments, dynamic range of motion measurements, in the heart, can be extended within the time period of a breath-hold in humans. Utilizing this powerful new methodology, a variety of diagnostic information can be learned about cardiac function in normal and diseased states.

MRI Contrast Agents Depending on Proton Chemical Exchange

Robert S. Balaban, Kathleen Ward, Anthony H. Aletras (NHLBI)

DHHS Reference No. E–240–98/0 filed 21 Apr 1999

Recently, methods have been developed to Magnetic Resonance Imaging (MRI) contrast using exogenous agents with exchangeable protons. These methods incorporate the use of selective reagents, such as sugars, amino acids, and nucleosides with appropriate proton exchange sites. Image contrast is generated by using saturation transfer techniques to selectively affect the water protons used in forming the MR image. The contrast agents developed do not contain metals or metal chelates. The agents have appropriate exchangeable proton sites which can be irradiated at known frequencies to obtain MRI images with specific contrast. This permits the image contrast to be turned off and on based on the irradiation scheme. This method also uses a controlled irradiation scheme to overcome the obstacle of broad proton resonance that limits contrast enhancement. In-Vivo data has shown the utility of this invention.

Oligomeric HIV–1 Envelope Glycoproteins

Patricia L. Earl, Chris C. Broder, Robert W. Doms, Bernard Moss (NIAID)

Serial Nos. 08/165,314 filed December 10, 1993; 08/805,889 filed March 3, 1997; 09/070,291 filed April 30, 1998; and 09/415,326 filed October 8, 1999

This invention embodies a method for generating antibodies to HIV–1 envelope glycoproteins, which could hold powerful implications toward both the diagnosis and the treatment of AIDS. Specifically, the method involves the expression of a soluble protein, gp140, and the generation of antibodies to this protein. gp140 is a recombinant version of gp160, a protein which normally is cleaved in vivo to generate two glycoprotein subunits which are expressed on the surface of the HIV–1 envelope. Unlike previously isolated versions of gp160, gp140 is purified in a manner which preserves the quaternary structural elements of the protein. Due to the conserved nature of these structural elements, antibodies generated against gp140 may be more broadly reactive against various forms of AIDS than other antibodies generated to date.

Dated: April 17, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 00–10179 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

ADDRESSES: Licensing information and copies of the U.S. patent applications listed below may be obtained by contacting Susan S. Rucker, J.D., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301/496–7056 ext. 245; fax: 301/402–0220; e-mail: sr156v@nih.gov. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Hybrid Adeno-Retroviral Vector for the Transformation of Cells

C Zheng, B O'Connell, BJ Baum (NIDCR)
Serial No. E–258–98/0 filed 31 Jan 2000

The invention described and claimed in this patent application provides for novel hybrid vectors which may be used for cell transformation, either in vivo or in vitro. The hybrid vectors have an adenoviral backbone with retroviral long terminal repeats (LTRs). Such vectors are capable of transforming dividing or non-dividing cells and integrate stably into the chromosome providing a means of efficient, reliable, long-term gene expression. The vector was packaged as a recombinant adenovirus and delivered to the target cell. Unlike other chimeric or hybrid vector systems, only a single vector is required to deliver a transgene of interest, and retroviral structural proteins are not required.

This work has been published in part in Nature Biotechnology Zheng, et al. 18(2): 176–180 (Feb 2000).

Calcium Channel Compositions and Methods of Use Thereof

MI Lerman (NCI) *et al.*
Serial No. 09/470,443 filed 22 Dec 1999 and 60/114,359 filed 30 Dec 1998 (now abandoned)

This invention described in this patent application relates to the identification, isolation and cloning of a three cDNAs identified during a search of the short arm of chromosome 3 for a tumor suppressor gene (TSG) associated with lung cancer. The cDNA's are alternative isoforms which encode a protein which functions as a subunit of L-type voltage-dependent calcium channel. Type L voltage-dependent calcium channels represent one of five families of calcium channels, L, R, P, N, Q, which have been identified. Type L voltage-dependent calcium channels are found in a wide variety of tissues including the brain, muscle and the endocrine system.

The gene has been mapped to the short arm of chromosome 3 at 3p21.3. The gene, which corresponds to this cDNA is an alpha2delta-2 ($\alpha 2\delta$-2) subunit, and has been shown to be deleted in lung and breast cancer. The scientists have demonstrated that the expression of this calcium channel has been shut off in lung cancer cells and hypothesize that this may lead to a malignant phenotype. Other cancers which may be associated with this $\alpha 2\delta$-2 subunit include cervical cancer and head and neck carcinoma. Other non-malignant diseases which may also be associated with this $\alpha 2\delta$-2 subunit include CNS diseases and cardiovascular diseases.

Possible applications of this technology include its use in drug screening assays; its use as an early diagnostic marker and/or as a prognostic or treatment indicator; its use in gene therapy where defective cells would be reconstituted with the gene and as a therapeutic agent for clearing autoantibodies which develop toward the alpha2delta-2 subunit in the disease Lambert-Eton myasthenia syndrome.

Monoclonal Antibody Against Met Protein

G Vande Woude, M Oskarsson, J Resau, S Rulong, Y Chui (NCI–FCRDC)
Serial No. 60/168,835 filed 03 Dec 1999

The invention described in this application relates to the Hepatocyte Growth Factor/Scatter Factor/Tumor Cytotoxic Factor (HGF/SF/F–TCF)-met/Hepatocyte Growth Factor Receptor

(HGFr) pathway. In particular, the invention described in this application is a murine monoclonal antibody, designated D1, which specifically binds to an epitope in the extracellular domain of human HGFr/met. The monoclonal antibody can be used, for example, to visualize HGFr/met expression in paraffin-embedded tumor samples and in drug screening assays (competitive binding assays) for antagonists/agonists of HGFr/met.

Determination of AM Binding Proteins and the Association of Adrenomedullin (AM) Therewith

F Cuttitta (NCI), A Martinez (NCI), R Pio (NCI), TH Elasser (USDA–ARS),
Serial No. 60/153,397 filed 10 Sep 99

This application relates to isolation and identification of a polypeptide which binds to the hormone adrenomedullin designated adrenomedullin binding protein 1 (AMBP1). Adrenomedullin (AM), a peptide hormone, has been implicated in a variety of physiological functions including the regulation of insulin production, anti-microbial activity, mitogenesis and angiogenesis. The activities of AM are believed to be mediated by a variety of binding proteins in a manner similar to the way in which Insulin-like Growth Factor (IGF) is regulated. AMBP1 has been purified to homogeneity and its amino acid sequence determined.

The application is directed to methods of measuring AM levels in plasma based on the finding that AMBP1 binds in a specific and reversible competitive fashion with AM and methods of treating AM related disease by administering AMBP1. Other aspects of the invention are complexes of AM with AMBP1 and antibodies which specifically bind to an epitope by the complex of AM with AMBP1 as well as assays for detecting the complex of AM with AMBP1.

This work has been published in part in Elsasser TH, et al. Endocrinology 140(10):4908–11 (Oct. 1999).

In addition to being available for licensing the NIH is willing to consider interest from companies who are interested in pursuing commercialization opportunities through a Cooperative Research and Development Agreement (CRADA).

AAV5 Vector and Uses Thereof

JA Chiorini, RM Kotin (NHLBI)
Serial No. PCT/US99/11958 filed 28 May 1999 based on USSN 60/087,029 filed 28 May 1998

The invention described and claimed in this patent application provides for novel vectors and viral particles which comprise adeno-associated virus serotype 5 (AAV5). AAV5 is genetically distinct from others AAVs with respect to its capsid proteins, VP1, VP2, and VP3, which contributes to different tissue tropisms for AAV5. The ITR and Rep proteins of AAV5 are also distinct which results in a biochemically unique mechanism of replication compared to the other AAVs. This difference in replication activity contributes to the fact that AAV5 is only able to replicate and package AAV5 ITR containing DNA in contrast to AAV2 which is able to replicate and package other AAV serotypes. Vectors produced using AAV5 proteins may be useful in gene therapy.

AAV5 offers several advantages which make it attractive for use in gene therapy: (1) increased production (10–50 fold greater than AAV2); (2) its distinct replication mechanism when compared to AAV2; (3) its Rep protein and ITR regions which do not complement other serotypes; (4) it appears to utilize different cell surface attachment molecules than those of AAV type 2; and (5) improved efficiency of transduction of certain cell types including airway epithelial, striated muscle, endothelial, and neuronal cells when compared to AAV type 2.

This work has been published, in part, in J. Virol. 73(5): 4293–98 (May 1999) and J. Virol. 73(2): 1309–19 (Feb. 1999).

Prevention of Fetal Alcohol Syndrome and Neuronal Cell Death with ADNF Polypeptides

DE Brenneman (NICHD), CY Spong (NICHD), I Gozes (TAU), M Bassan (TAU), R Zamostiano (TAU)
Serial No. 09/267,511 filed 12 Mar 1999

This patent application describes an extension of prior work related to peptides derived from proteins known as ADNF and ADNF III/ADNP. These peptides are known as SAL (ADNF-derived) and NAP (ADNP-derived). SAL and NAP (L-isomers) have previously been demonstrated, in in vitro work, to be able to prevent neuronal cell death and to protect against the toxic activities of a cholinotoxin suggesting that they are useful as therapeutics for neurodegenerative diseases. The new work presented in this EIR demonstrates that NAP and SAL (L-isomers), alone or in combination, prevent damage to neurons due to oxidative stress. In particular, the new work shows that NAP and SAL (L-isomers) alone or together are effective in preventing damage due to oxidative stress in a model for fetal alcohol syndrome. Thus, NAP and SAL (L-isomers), alone or together may be useful therapeutically to treat fetal alcohol syndrome.

In addition, a number of other patent applications and patents related to this technology have been filed by PHS and are available for licensing. These include: USP 5,767,240 (PCT/US92/03109); 08/324,297 (PCT/US95/12929); 60/037,404 (PCT/US98/07485); 09/187,330 (PCT/US99/26213) 60/149,956; and 09/364,609.

Dated: April 18, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 00–10180 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

ADDRESSES: Licensing information and copies of the U.S. patent applications listed below may be obtained by contacting Richard U. Rodriguez, M.B.A., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: 301/496–7056 ext. 287; fax: 301/402–0220; e-mail: rr154z@nih.gov. A signed Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Identification of a Novel Amplified Gene, MB1, at 17q23

Anne H Kallioniemi, Maarit T Barlund, Outi M Monni, Juha T Kononen, Olli P Kallioniemi (NHGRI)
DHHS Reference No. E–038–00/0 filed 13 Dec 1999

DNA amplification at 17q23 is one of the most common genetic alterations in breast cancer. Genes affected by this amplification may have a critical role in

breast cancer development and progression and may provide targets for anti-cancer therapy. The inventors have identified a novel gene from the amplified region, named MB1, which has no homology to any known genes. MB1 is amplified in about 9% of primary breast tumors and is overexpressed in breast cancer cell lines with amplification. MB1 may define a critically important breast cancer gene which could have significance for development of improved diagnostics against breast cancer.

The Use of Recombinant Cholera Toxin-B for the Treatment of Inflammatory Bowel Disease

Warren Strober, Monica Boirivant, Ivan J Fuss, Brian L Kelsall (NIAID)
Serial No. 60/165,111 filed 12 Nov 1999

The present invention provides methods of treating or preventing inflammation in a subject, comprising administering to the subject an effective amount of cholera toxin subunit B (CT–B). In particular, the present invention provides methods of decreasing the activity of interferon-gamma in a subject, decreasing the activity of IL–12 in a subject, and treating or preventing a Th1 T-cell mediated autoimmune disorder.

Dated: April 18, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 00–10181 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Invention Availability for Licensing: ''Therapeutic and Diagnostic Antibodies and Immunotoxins to a Mutant Form of Epidermal Growth Factor Receptor, Designated ''EGFRVIII'', Which is Highly Expressed in Glioblastomas, Carcinomas of the Breast and Ovary, and Non-Small Cell Lung Carcinomas''

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The invention listed below is owned by an agency of the U.S. Government and is available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development.

ADDRESSES: Licensing information and a copy of the U.S. patent application referenced below may be obtained by contacting J. R. Dixon, Ph.D., at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804 (telephone 301/496–7056 ext 206; fax 301/402–0220; E-Mail: jd212g@NIH.GOV). A signed Confidential Disclosure Agreement is required to receive a copy of any patent application.

SUPPLEMENTARY INFORMATION:

Invention Title: ''Anti-EGFRvIII ScFvs with Improved Cytotoxicity and Yield, Immunotoxins Based Thereon, and Methods of Use Thereof''.

Inventors: Drs. Ira H. Pastan (NCI), Richard Beers (NCI), Partha S. Chowdury (NCI) and Darell Bigner (EM).

USPA SN: [= DHHS Ref. No. E–009–00/0]—Filed with the U.S.P.T.O. on January 25, 2000.

Abstract

A mutant form of the epidermal growth factor receptor, designated ''EGFRvIII,'' is highly expressed in some 50–60% of glioblastomas and has also been shown to be present in some 70–80% of carcinomas of the breast and ovary, and about 16% of non-small cell lung carcinomas. The mutation consists of an in-frame deletion of exons 2–7 near the amino-terminus of the extracellular domain which results in the expression of an EGFR mRNA with an 801 base deletion. The mutant protein contains a new glycine codon at the splice junction. The receptor has constitutive tyrosine activity that enhances the tumorigenicity of glioblastomas in vivo. Because of the tumor-specific extracellular sequence, the mutant receptor is an attractive potential target for cancer therapy, particular via the use of immunotoxins (e.g., MR1(Fv)–PE38).

Technology

The technology claimed in the patent application is directed to antibodies to an epidermal growth factor receptor known as EGFRvIII. In particular, the invention provides an antibody, designated MR1–1, which mutates MR1 in the CDR3 of the (V_H) and (V_L) chains to provide an antibody with especially good cytotoxicity. The described polypeptides can be coupled, attached or otherwise linked to an effector molecule, therapeutic moiety, or detectable label. The patent application provides nucleic acid molecules encoding the polypeptides with a mutated antibody variable heavy (V_H) chain regions or a mutated light chain (V_L) region, or both. The invention also provides methods of killing a cell bearing an antigen comprising contacting the cell with an immunotoxin comprising a toxic moiety and a targeting moiety. The Antibodies and Immunotoxins of claimed in this patent application could be used to develop cancer therapeutics and diagnostics.

The above mentioned Invention is available, including any available foreign intellectual property rights, for licensing.

Dated: April 17, 2000.

Jack Spiegel,

Director, Division of Technology Development & Transfer, Office of Technology Transfer.

[FR Doc. 00–10182 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center for Complementary & Alternative Medicine; Notice of Meeting

Pursuant to Section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the National Advisory Council for Complementary and Alternative Medicine (NACCAM).

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and/or contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications and/or contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council for Complementary and Alternative Medicine.

Date: May 8–9, 2000.

Open: May 8, 2000, 8:30 am to adjournment.

Agenda: The agenda includes the Director's Report and presentation of NCCAM's Draft Strategic Plan, Development of Trans-NIH Health

Disparities, Public Comments, and other business of the Council. Closed: May 9, 2000, 8:30 am to adjournment. FP1-2

Agenda: To review and evaluate grant applications and/or proposals.

Place: NIH Neuroscience Office Building, 6001 Executive Boulevard, Conference Room C, Rockville, MD 20852.

Contact Person: Richard Nahin, Executive Secretary, National Center for Complementary and Alternative Medicine, National Institutes of Health, 9000 Rockville Pike, Room 5B36, Bethesda, MD 20892; 301–594–2013.

The public comments session is scheduled from 1:15 pm to 2:15 pm. Each speaker will be permitted 5 minutes for their presentation. Interested individuals and representatives of organizations are requested to notify Dr. Richard Nahin, National Center for Complementary and Alternative Medicine, NIH, 31 Center Drive, (MSC 2182), Building 31, Room 5B36, Bethesda, Maryland, 20892, 301–594–2013, Fax: 301–480–9500.

Letters of intent to present comments, along with a brief description of the organization represented, should be received no later than 5 pm on May 3, 2000. Only one representative of an organization may present oral comments.

Any person attending the meeting who does not request an opportunity to speak in advance of the meeting may be considered for oral presentation, if time permits, and at the discretion of the Chairperson. In addition, written comments may be submitted to Dr. Hahin at the address listed above up to ten calendar days (May 19, 2000) following the meeting.

Copies of the meeting agenda and the roster of members will be furnished upon request by Dr. Richard Nahin, Executive Secretary, NACCAM,National Institutes of Health, Building 31, Room 5B36, 31 Center Drive, Bethesda, MD 20892; (301) 594–2013, Fax 301–480–9500.

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy, NIH.

[FR Doc. 00–10170 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Center For Research Resources; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Center for Research Resources Special Emphasis Panel Biomedical Technology.

Date: April 20, 2000.

Time: 10 a.m. to 11 a.m.

Agenda: To review and evaluate grant applications.

Place: Office of Review, National Center for Research Resources, 6705 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Rebecca A. Fuldner, PhD, Scientific Review Administrator, Office of Review, National Center for Research Resources, 6705 Rockledge Drive, MSC 7965, Room 6018, Bethesda, MD 20892–7965, (301) 435–0809.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine, 93.306; 93.333, Clinical Research, 93.333; 93.371, Biomedical Technology; 93.389, Research Infrastructure, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10176 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Nursing Research; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the National Advisory Council for Nursing Research.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contract Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Council for Nursing Research.

Date: May 23–24, 2000.

Open: May 23, 2000, p.m. to 5:00 p.m.

Agenda: For discussion of program policies and issues.

Place: Natcher Building, Conference Room D, 45 Center Drive, Bethesda, MD 20892.

Closed: May 24, 2000, 9:30 a.m. to 1 p.m.

Agenda: To review and evaluate grant applications.

Place: Natcher Building, Conference Room D, 45 Center Drive, Bethesda, MD 20892.

Contact Person: Mary Leveck, Phd, Associate Director for Scientific Programs, NINR, NIH, Building 31, Room 5B05, Bethesda, MD 20892, (303) 594–5963.

(Catalogue of Federal Domestic Assistance Program Nos. 93.361, Nursing Research, National Institutes of Health, HHS)

Dated: April 14, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10168 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the National Advisory Neurological Disorders and Stroke Council.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public in accordance with the

provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Advisory Neurological Disorders and Stroke Council.

Date: May 25–26, 2000.

Open: May 25, 2000, 8:30 a.m. to 4 p.m.

Agenda: Report by the Director, NINDS; Report by the Associate Director for Extramural Research; and other administrative and program developments.

Place: National Institutes of Health, Building 31, C Wing, Conference Room 10, 9000 Rockville Pike, Bethesda, MD 20892.

Closed: May 25, 2000.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing, Conference Room 10, 9000 Rockville Pike, Bethesda, MD 20892.

Closed: May 26, 2000, 8:30 a.m. to 12 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Building 31, C Wing, Conference Room 10, 9000 Rockville Pike, Bethesda, MD 20892.

Contact Person: Constance W. Atwell, PhD, Associate Director for Extramural Research, National Institute of Neurological Disorders and Stroke, National Institutes of Health, Neuroscience Center, 6001 Executive Blvd., Suite 3309, MSC 9531, Bethesda, MD 20892–9531, (301) 496–9248.

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: April 14, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10169 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel, ZDK1 GRB–C(M1).

Date: May 3–5, 2000.

Time: 7 p.m. to 12 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency San Francisco, 5 Embarcadero Center, San Francisco, CA 94111.

Contact Person: Dan E. Matsumoto, Ph.D., Scientific Review Administrator, Review Branch, DEA, NIDDK, Natcher Building, Room 6AS37B, National Institutes of Health, Bethesda, MD 20892–6600, (301) 594–8894.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10171 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Aging; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the Board of Scientific Counselors, NIA.

The meeting will be open to the public as indicated below, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute On Aging, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NIA, Review of the Epidemiology, Demography, and Biometry Program.

Date: May 15–16, 2000.

Closed: May 15, 2000, 7 p.m. to Adjournment.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Best Western Hotel & Conference Center, Fells Point Room, Baltimore, MD 21224.

Closed: May 16, 2000, 8 a.m. to 8:15 a.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Open: May 16, 2000, 8:15 a.m. to 12:30 p.m.

Agenda: Committee Discussion.

Place: Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Closed: May 16, 2000, 12:30 p.m. to 1:30 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Open: May 16, 2000, 1:30 p.m. to 3:34 p.m.

Agenda: Committee Discussion.

Place: Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Closed: May 16, 2000, 3:45 p.m. to 5 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Gerontology Research Center, 4940 Eastern Avenue, Baltimore, MD 21224.

Contact Person: Dan L. Longo, MD, Scientific Director, National Institute of Aging, Gerontology Research Center, National Institutes of Health, 5600 Nathan Shock Drive, Baltimore, MD 21224–6825, 410–558–8110, dl14q@nia.nih.gov .

(Catalogue of Federal Domestic Assistance Program No. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10172 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; ZDK1 GRB–B (M1).

Date: May 19, 2000.

Time: 8:00 AM to 5:00 PM.

Agenda: To review and evaluate grant applications.

Place: Ramada Inn Hotel, 8400 Wisconsin Avenue, Bethesda, Maryland 20814.

Contact Person: Ned Feder, MD, Scientific Review Administrator, Review Branch, DEA, NIDDK, Natcher Building Room 6AS25s, National Institutes of Health, Bethesda, MD 20892, (301) 594–8890.

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research, 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10173 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel—A Program of Investigation into Fragile X Syndrome.

Date: May 11–12, 2000.

Time: 8:00 AM to 5:00 PM.

Agenda: To review and evaluate grant applications.

Place: The Ritz Carlton Hotel, 181 Peachtree Street, NE, Atlanta, GA 30303.

Contact Person: Norman Chang, PHD, Scientific Review Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, National Institutes of Health, 6100 Executive Blvd., Room 5E03, Bethesda, MD 20892, (301) 496–1485.

(Catalogue of Federal Domestic Assistance Program Nos. 93.209, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10174 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the National Advisory Board on Medical Rehabilitation Research.

The meeting will be open to the public, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

Name of Committee: National Advisory Board on Medical Rehabilitation Research.

Date: May 1–2, 2000.

Time: 9:00 a.m. to 12 p.m.

Agenda: The agenda will include reports by the Director, NICHD and Director, NCMRR, update on NCMRR Training activities, discussion of the future of medical rehabilitation, and other business of the Board.

Place: Pooks Hill Marriott, 5151 Pooks Hill Road, Bethesda, MD 20814.

Contact Person: Ralph M. Nitkin, Phd, Director, BSCD, National Center for Medical Rehabilitation Research, National Institute of Child Health and Human Development, NIH, 6100 Building, Room 2A03, Bethesda, MD 20892, (301) 402–4206.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.209, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: April 17, 2000.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–10175 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License: NMR Glomerular Filtration Test and Kit

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: This is notice in accordance with 15 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i) that the National Institutes of Health (NIH), Department of Health and Human Services, is contemplating the grant of a limited field of use exclusive world-wide license to practice the invention embodied in U.S. Patent No. 5,100,646 issued March 31, 1992 (U.S. Patent Application Serial No. 07/557,038, filed July 25, 1990), entitled ''NMR Glomerular Filtration Test and Kit'' to BioPhysics Assay Laboratory, Inc. of Wellesley, Massachusetts, U.S.A. These patent rights are assigned to the United States of America.

DATES: Only written comments and/or applications for a license which are received by NIH on or before June 23, 2000 will be considered.

ADDRESSES: Requests for a copy of this issued patent or applications, inquiries, comments, and other materials relating to the contemplated license should be directed to: Carol A. Salata, Technology

Licensing Specialist, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804; Telephone: (301) 496–7735 ext 232; Facsimile: (301) 402–0220; E-mail: salatac@OD.NIH.GOV.

SUPPLEMENTARY INFORMATION: The patent describes a method of determining the glomerular filtration rate (GFR) of a subject that comprises comparing the T1 relaxation rate values of serum and urine samples obtained from a subject given an NMR detectable paramagnetic substance that is filtered by the kidney in accordance with a specified formula.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. This prospective exclusive license may be granted unless, within 60 days from the date of this published notice, NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

It is anticipated that this license may be limited to the use of the method for determining the glomerular filtration rate of a patient utilizing a paramagnetic substance that is filtered by the kidney which is detectable by NMR.

Properly filed competing applications for a license filed in response to this notice will be treated as objections to the contemplated license. Comments and objections submitted in response to this notice will not be made available for public inspection, and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: April 17, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer.

[FR Doc. 00–10167 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Prospective Grant of Exclusive License: Second Generation Monoclonal Antibodies, and Humanized Carcinomas

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: This is notice, in accordance with 35 U.S.C. 209(c)(1) and 37 CFR 404.7(a)(1)(i), that the National Institutes of Health, Department of Health and Human Services, is contemplating the grant of an exclusive license to practice the inventions embodied in U.S. Patent Applications S/N 07/073,685, filed on July 15, 1987, and S/N 07/547,336 (FWC of 07/07,3,685), filed on July 20, 1990, both entitled ''Second Generation Monoclonal Antibodies Having Binding Specificity to TAG–72 and Human Carcinomas and Methods for Employing the Same'' and now U.S. Patent 5,512,443 which issued on April 30, 1996; and U.S. Provisional Patent Applications S/N 60/106,534, filed on October 31, 1998, and S/N 60/106,757, filed on November 2, 1998, both entitled ''Variants of Humanized Anti-Carcinoma MAb CC49'', and PCT Patent Application PCT/US99/25552 (based upon S/N 60/106,534 and 60/106,757) filed on October 29, 1999, entitled ''Variants of Humanized Anti-Carcinoma Monoclonal Antibody CC49'' to IDEC Pharmaceutical Corporation of San Diego, California. The patent rights in these inventions have been assigned to the United States of America.

The prospective exclusive license territory will be worldwide and the field of use may be limited to anti-TAG–72 monoclonal antibodies, including fragments, components, constituents and/or humanized variants thereof, and excluding bispecific monoclonal antibodies, which are directly conjugated to a radioactive isotope, for use as human anti-cancer therapeutics.

DATES: Only written comments and/or license applications which are received by the National Institutes of Health on or before June 23, 2000 will be considered.

ADDRESSES: Requests for copies of the patent, inquiries, comments and other materials relating to the contemplated exclusive license should be directed to: Elaine F. Gese, M.B.A., Technology Licensing Specialist, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852–3804. Telephone: (301) 496–7056, X282; Facsimile (301) 402–0220; E-mail eg46t@nih.gov.

SUPPLEMENTARY INFORMATION: U.S. Patent 5,512,443 claims various ''second generation'' monoclonal antibodies, including CC49, which have binding specificity to Tumor Associated Glycoprotein (TAG–72). PCT Patent Application PCT/US99/25552 claims humanized variants of CC49, as well as methods of generating such variants.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless within sixty (60) days from the date of this published notice, the NIH receives written evidence and argument that establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Applications for a license filed in response to this notice for the noted field of use will be treated as objections to the grant of the contemplated exclusive license. Comments and objections submitted in response to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: April 17, 2000.

Jack Spiegel,

Director, Division of Technology Development and Transfer, Office of Technology Transfer.

[FR Doc. 00–10166 Filed 4–21–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer on (301) 443–7978.

Comments are invited on: (a) Whether the proposed collections of information are 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 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.

Proposed Project

Administrative Reporting Form (ARF) for the Cooperative Agreement to Study Women with Alcohol, Drug Abuse, and Mental Disorders (ADM) Who Have Histories of Violence—New—The Women, ADM Disorders, and Violence Study is funded by SAMHSA's Center for Substance Abuse Treatment (CSAT), Center for Substance Abuse Prevention (CSAP), and Center for Mental Health Services (CMHS) to produce knowledge on the development and effectiveness of integrated services for women with co-occurring mental health and substance abuse disorders who are victims of violence. Fourteen sites are funded in Phase I from across the country, and ten sites are expected to be funded in Phase II. During Phase I of the study (2 years), sites are expected to develop integrated service models. In Phase II, sites that successfully reapply will test their interventions in a multi-site outcome study contrasting comprehensive, integrated, trauma-specific and Consumer/Survivor/Recovering Person (C/S/R) involved services to services as usual.

A process evaluation occurs through both phases of the study with the goals of (1) documenting the development of integrated service systems across all sites, (2) feeding information back to each site to help site staff improve their project, and (3) describing the service systems which intervention and control groups are exposed to at each of the sites so that meaningful comparisons of outcomes can be made.

The Administrative Reporting Form (ARF) is a program monitoring instrument which is to be completed jointly by the project director, project staff members, and directors of participating organizations at each study site annually as part of the process evaluation data collection. The ARF collects information about the staffing and governance of each project, project accomplishments in the previous year, and specific project components. Like other periodic progress reports, the ARF focuses on the reporting of organizational and institutional information. No individual information or opinions are solicited or appropriate for inclusion in the ARF.

Information collected with the ARF will be used in three ways, corresponding to the three goals of the process evaluation listed above. First, evaluators will use information from the ARF to describe the process of project implementation at each of the study sites. This information will ultimately contribute to ''how-to'' knowledge products for communities attempting to integrate services. Second, site visiting teams will use information from the ARF in their assessments of the sites and will make recommendations to each site of how the site can improve its project. Third, descriptive information from the ARF will be used to characterize each site's intervention in terms of the players involved, the services provided, the manner in which those services are integrated, and the manner in which C/S/R persons are involved. These characterizations will inform the interpretation of the client-level data in the outcome study.

The estimated annualized burden for these reporting requirements is summarized below.

Respondent type	Number of respondents	Responses/ respondent	Burden/ response (hours)	Total burden hours
Project Directors	10	1	10	100
Project Staff Members	20	1	10	200
Participating Organization Directors	80	1	.50	40
Total	110			340

Send comments to Nancy Pearce, SAMHSA Reports Clearance Officer, Room 16–105, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

Dated: April 17, 2000.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 00–10084 Filed 4–21–00; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Fiscal Year (FY) 2000 Funding Opportunities

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.

ACTION: Notice of funding availability.

SUMMARY: The Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Mental Health Services (CMHS) announces the availability of FY 2000 funds for grants for the following activity. This activity is discussed in more detail under Section 3 of this notice. This notice is not a complete description of the activity; potential applicants *must* obtain a copy of Parts I and II of the Guidance for Applicants (GFA) before preparing an application. Part I is entitled Community Youth Mental Health Promotion and Violence/ Substance Abuse Prevention Partnership Grants (GFA No. SM00–004). Part II is entitled General Policies and Procedures Applicable to all SAMHSA Applications for Discretionary Grants and Cooperative Agreements.

Activity	Application deadline	Estimated funds available, FY 2000	Estimated No. of awards	Project period
Coalitions for Prevention Grants	7/12/00	$6.0 million	*25	2–3 years.*

*Applicants may apply for one of two types of grants under this announcement. It is estimated that there will be 13 awards for the Planning and Partnership Development Grants ranging from $150,000 to $200,000 in total costs and approximately 12 awards for the Partnership Resource and Infrastructure Support Monies (PRISM) ranging from $300,000 to $350,000. Support may be requested for a period of up to 2 years for Planning and Partnership Development Grants and up to 3 years for the Partnership Resource and Infrastructure Support Monies (PRISM).

The actual amount available for awards and their allocation may vary, depending on unanticipated program requirements and the number and quality of applications received. FY 2000 funds for the activity discussed in this announcement were appropriated by the Congress under Public Law No. 106–113. SAMHSA's policies and procedures for peer review and Advisory Council review of grant and cooperative agreement applications were published in the **Federal Register** (Vol. 58, No. 126) on July 2, 1993.

The Public Health Service (PHS) is committed to achieving the health promotion and disease prevention objectives of Healthy People 2000, a PHS-led national activity for setting priority areas. The SAMHSA Centers' substance abuse and mental health services activities address issues related to Healthy People 2000 objectives of Mental Health and Mental Disorders; Alcohol and Other Drugs; Clinical Preventive Services; HIV Infection; and Surveillance and Data Systems. Potential applicants may obtain a copy of Healthy People 2000 (Full Report: Stock No. 017–001–00474–0) or Summary Report: Stock No. 017–001–00473–1) through the Superintendent of Documents, Government Printing Office, Washington, DC 20402–9325 (Telephone: 202–512–1800).

SAMHSA has published additional notices of available funding opportunities for FY 2000 in past issues of the **Federal Register**.

General Instructions: Applicants must use application form PHS 5161–1 (Rev. 6/99; OMB No. 0920–0428). The application kit contains the two-part application materials (complete programmatic guidance and instructions for preparing and submitting applications), the PHS 5161–1 which includes Standard Form 424 (Face Page), and other documentation and forms. Application kits may be obtained from the organization specified for the activity covered by this notice (see Section 3).

When requesting an application kit, the applicant must specify the particular activity for which detailed information is desired. This is to ensure receipt of all necessary forms and information, including any specific program review and award criteria.

The PHS 5161–1 application form and the full text of the activity described in Section 3 are also available electronically via SAMHSA's World Wide Web Home Page (address: http://www.samhsa.gov).

Application Submission: Applications must be submitted to: SAMHSA Programs, Center for Scientific Review, National Institutes of Health, Suite 1040, 6701 Rockledge Drive MSC–7701, Bethesda, Maryland 20882–7701.*

Application Deadlines: The deadline for receipt is July 12, 2000.

Competing applications must be received by the indicated receipt date to be accepted for review. An application received after the deadline may only be accepted if it carries a legible proof-of-mailing date assigned by the carrier and that date is not later than one week prior to the deadline date. Private metered postmarks are not acceptable as proof of timely mailing.

Applications received after the deadline date and those sent to an address other than the address specified above will be returned to the applicant without review.

FOR FURTHER INFORMATION CONTACT: Requests for activity-specific technical information should be directed to the program contact person identified for the activity covered by this notice (see Section 3).

Requests for information concerning business management issues should be directed to the grants management contact person identified for the activity covered by this notice (see Section 3).

Programmatic Information

1. Program Background and Objectives

SAMHSA's mission within the Nation's health system is to improve the quality and availability of prevention, early intervention, treatment, and rehabilitation services for substance abuse and mental illnesses, including co-occurring disorders, in order to improve health and reduce illness, death, disability, and cost to society.

Reinventing government, with its emphases on redefining the role of Federal agencies and on improving customer service, has provided SAMHSA with a welcome opportunity to examine carefully its programs and activities. As a result of that process, SAMHSA moved assertively to create a renewed and strategic emphasis on using its resources to generate knowledge about ways to improve the prevention and treatment of substance abuse and mental illness and to work with State and local governments as well as providers, families, and consumers to effectively use that knowledge in everyday practice.

SAMHSA's FY 2000 Knowledge Development and Application (KD&A) agenda is the outcome of a process whereby providers, services researchers, consumers, National Advisory Council members and other interested persons participated in special meetings or responded to calls for suggestions and reactions. From this input, each SAMHSA Center developed a ''menu'' of suggested topics. The topics were discussed jointly and an agency agenda of critical topics was agreed to. The selection of topics depended heavily on policy importance and on the existence of adequate research and practitioner experience on which to base studies. While SAMHSA's FY 2000 KD&A program will sometimes involve the evaluation of some delivery of services, they are services studies and application activities, not merely evaluation, since they are aimed at answering policy-relevant questions and putting that knowledge to use.

SAMHSA differs from other agencies in focusing on needed information at the services delivery level, and it is question-focus. Dissemination and application are integral, major features of the programs. SAMHSA believes that it is important to get the information into the hands of the public, providers, and systems administrators as effectively as possible. Technical assistance, training, and preparation of special materials will be used, in addition to normal communication means.

SAMHSA also continues to fund legislatively-mandated services programs for which funds are appropriated.

2. Criteria for Review and Funding

2.1 General Review Criteria

Review criteria that will be used by the peer review groups are specified in the application guidance material.

2.2 Funding Criteria for Scored Applications

Applications will be considered for funding on the basis of their overall technical merit as determined through the peer review group and the appropriate National Advisory Council review process. Availability of funds will also be an award criteria. Additional award criteria specific to the programmatic activity may be included in the application guidance materials.

3. Special FY 2000 SAMHSA Activities

Community Youth Mental Health Promotion and Violence/Substance Abuse Prevention Partnership Grants (short title: Coalitions for Prevention Grants (SM00–004).

- Application Deadline: The deadline for receipt is July 12, 2000.
- Purpose: The Substance Abuse and Mental Health Services

* Applicants who wish to use express mail or courier service should change the zip code to 20817.

Administration's (SAMHSA) Center for Mental Health Services (CMHS) announces the availability of grants to State and local government organizations to promote mental health and prevent violence and substance abuse among youth. Two types of grants are available under this announcement: (1) Planning and Partnership Development Grants for State, Tribe, and sub-entities to develop new coalitions and partnerships with community service organizations and constituencies; and (2) Partnership Resource and Infrastructure Support Monies (PRISM) for existing coalitions/partnerships to develop resources and infrastructure to support program implementation and evaluation.

SAMHSA has embarked on this activity in recognition that successful, long-term promotion and prevention programs will be organized and financed locally. Each State, Tribe, or political subdivision will take a slightly different approach in making promotion and prevention programming available within its boundaries. The Coalitions for Prevention Grants allow political entities to obtain Federal support to build the necessary relationships, organizational structures, financing mechanisms, and partnership agreements necessary to establish an infrastructure that will support promotion and prevention programming for the long-term.

• Eligible applicants are States; political subdivisions of States, such as county and city governments and their organizational units; and Indian tribe or tribal organizations (as defined in Section 4(b) and Section 4(c) of the Indian Self-Determination and Education Assistance Act). States include the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. Eligibility is limited to government entities because of their authority and responsibility to provide infrastructure to ensure the health and safety of the entire community. Non-governmental organizations and individual service providers lack the authority and responsibility for creating and maintaining the infrastructure to prevention youth violence.

Applicants may be the Office of the Governor, or the chief executive officer of a political subdivision in a State or Tribe or tribal organization, or a public office or administrative agency specifically designated in writing by that governor or chief executive officer.

• *Amount:* Approximately $6 million will be available to support 25 awards: approximately 13 awards will be made for the Planning and Partnership Development Grants at $150,000 to $200,000 each and 12 awards will be made for the Partnership Resource and Infrastructure Support Monies (PRISM) at $300,000 to $350,000 each.

Period of Support: The period of support for Planning and Partnership Development Grants is 2 years and 3 years for the Partnership Resource and Infrastructure Support Monies (PRISM).

• *Catalog of Federal Domestic Assistance Number:* 93.230.

• Program Contact: For questions concerning program issues with CMHS, contact: Michele Edwards, MA, ACSW, Special Programs Development Branch, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, Parklawn Building, Room 17C–05, 5600 Fishers Lane, Rockville, MD 20857, (301) 443–7713.

For questions regarding grants management issues, contact: Steve Hudak, Grants Management Officer, Division of Grants Management, OPS, Substance Abuse and Mental Health Services Administration, Room 15C–05, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443–4456.

• Application kits are available from: National Mental Health Services, Knowledge Exchange Network (KEN), P.O. Box 42490, Washington, DC 20015, Telephone: 1–800–789–2647, TTY: (301) 443–9006, Fax: (301) 984–8796.

4. Public Health System Reporting Requirements

The Public Health System Impact Statement (PHSIS) is intended to keep State and local health officials apprised of proposed health services grant and cooperative agreement applications submitted by community-based nongovernmental organizations within their jurisdictions.

Community-based nongovernmental service providers who are not transmitting their applications through the State must submit a PHSIS to the head(s) of the appropriate State and local health agencies in the area(s) to be affected not later than the pertinent receipt date for applications. This PHSIS consists of the following information:

a. A copy of the face page of the application (Standard form 424).

b. A summary of the project (PHSIS), not to exceed one page, which provides:

(1) A description of the population to be served.

(2) A summary of the services to be provided.

(3) A description of the coordination planned with the appropriate State or local health agencies.

State and local governments and Indian Tribal Authority applicants are not subject to the Public Health System Reporting Requirements.

Application guidance materials will specify if a particular FY 2000 activity is subject to the Public Health System Reporting Requirements.

5. PHS Non-Use of Tobacco Policy Statement

The PHS strongly encourages all grant and contract recipients to provide a smoke-free workplace and promote the non-use of all tobacco products. In addition, Public Law 103–227, the Pro-Children Act of 1994, prohibits smoking in certain facilities (or in some cases, any portion of a facility) in which regular or routine education, library, day care, health care, or early childhood development services are provided to children. This is consistent with the PHS mission to protect and advance the physical and mental health of the American people.

6. Executive Order 12372

Applications submitted in response to the FY 2000 activity listed above are subject to the intergovernmental review requirements of Executive Order 12372, as implemented through DHHS regulations at 45 CFR Part 100. E.O. 12372 sets up a system for State and local government review of applications for Federal financial assistance. Applicants (other than Federally recognized Indian tribal governments) should contact the State's Single Point of Contact (SPOC) as early as possible to alert them to the prospective application(s) and to receive any necessary instructions on the State's review process. For proposed projects serving more than one State, the applicant is advised to contact the SPOC of each affected State. A current listing of SPOCs is included in the application guidance materials. The SPOC should send any State review process recommendations directly to: Division of Extramural Activities, Policy, and Review, Substance Abuse and Mental Health Services Administration, Parklawn Building, Room 17–89, 5600 Fishers Lane, Rockville, Maryland 20857.

The due date for State review process recommendations is no later than 60 days after the specified deadline date for the receipt of applications. SAMHSA does not guarantee to accommodate or explain SPOC comments that are received after the 60-day cut-off.

Dated: April 18, 2000.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 00–10089 Filed 4–21–00; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4565–N–11]

Notice of Proposed Information Collection: Comment Request; Application and Re-certification Packages for Approval of Nonprofit Organizations in FHA Activities

AGENCY: Office of the Assistant Secretary for Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: Comments Due Date: June 23, 2000.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW, L'Enfant Plaza Building, Room 8202, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Vance Morris, Director, Office of Single Family Production, Department of Housing and Urban Development, 451 7th Street SW, Room 9266, Washington, DC 20410, telephone (202) 708–2700 (this is not a toll free number) for copies of the proposed forms and other available information.

SUPPLEMENTARY INFORMATION: The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (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 the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The Notice also lists the following information:

Title of Proposal: Application and Re-certification Packages for Approval of Nonprofit Organizations for FHA Activities.

OMB Control Number, if applicable: 2502–0540.

Description of the need for the information and proposed use: This information collection is an application and/or re-certification for nonprofit organizations seeking approval to participate as FHS insured mortgagors or provide down payment assistance to homebuyers. This information collection will provide standardized information and procedures to ensure equal treatment of applicants throughout the nation and give HUD sufficient information to ascertain an organization's management and fiscal abilities.

Agency form numbers, if applicable:

None.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: The estimated number of respondents are 2,500; total annual responses equals 5,750; annual burden hours are estimated to be 81,000, and the frequency of responses is on occasion and biannually.

Status of the proposed information collection: Extension, without change.

Authority: The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: April 17, 2000.

William C. Apgar,

Assistant Secretary of Housing-Federal Housing Commissioner.

[FR Doc. 00–10066 Filed 4–21–00; 8:45 am]

BILLING CODE 4210–27–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4560–C–03]

FY 2000 Super Notice of Funding Availability (SuperNOFA) for HUD's Housing, Community Development and Empowerment Programs and Section 8 Housing Voucher Assistance; Notice of Extension of OTAG Application Due Date; and Clarification of Location for OTAG Application Delivery After 5:00 PM on OTAG Application Due Date

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for HUD Grant Programs; Extension of OTAG Application Due Date and Clarification of OTAG Application Delivery Location.

SUMMARY: On February 24, 2000, HUD published its Fiscal Year (FY) 2000 Super Notice of Funding Availability (SuperNOFA) for HUD's Housing, Community Development, and Empowerment Programs and Section 8 Housing Voucher Assistance. This document extends the due date to apply for funding under the Outreach and Assistance Training Grants (OTAG) to May 31, 2000. This document also clarifies the location at HUD for delivery of OTAG applications after 5:00 pm on the OTAG application due date.

DATES: The Application Due Date for OTAG applications is extended by this notice to May 31, 2000.

FOR FURTHER INFORMATION CONTACT: You may contact Victor Lambert at (202) 708–0001 (ext. 3779). Persons with speech or hearing impairments may call HUD's TTY number (202) 708–0770, or 1–800–877–8399 (the Federal Information Relay Service TTY). Other than the ''800'' number, these numbers are not toll-free. Mr. Lambert can also be reached via the Internet at victor__r__lambert@HUD.gov. You may also call the SuperNOFA Information Center, which you may reach by calling 1–800–HUD–8929 or the Center's TTY number at 1–800–HUD–2209.

SUPPLEMENTARY INFORMATION: On February 24, 2000 (65 FR 9322), HUD published its Fiscal Year (FY) 2000 Super Notice of Funding Availability (SuperNOFA) for HUD's Housing, Community Development, and Empowerment Programs and Section 8 Housing Voucher Assistance. The FY 2000 SuperNOFA announced the availability of approximately $2.424 billion in HUD program funds covering 39 grant categories within programs operated and administered by HUD offices and Section 8 housing voucher assistance.

This notice extends the OTAG application due date from April 26, 2000, to May 31, 2000. This notice also clarifies the location at HUD for delivery of OTAG applications after 5:00 pm on the OTAG application due date, which is now May 31, 2000. On the OTAG application due date, applications will be accepted until 12:00 midnight, in the South Lobby of HUD Headquarters, 451 Seventh Street, Washington, DC 20410.

The funding availability announcement for OTAG is found at page 9779 of the February 24, 2000 SuperNOFA.

Therefore, in the Super Notice of Funding Availability for Housing, Community Development, and Empowerment Programs and Section 8 Housing Voucher Assistance for Fiscal Year 2000, notice document 00–4123, beginning at 65 FR 9322, in the issue of Friday, February 24, 2000, the following clarification is made:

Outreach and Training Assistance Grants (OTAG) section, beginning at 65 FR 9779.

• On page 9779, in the first column, continuing to the second column, under Section I, the paragraphs concerning ''Application Due Date'' and ''Address for Submitting Applications to HUD Headquarters'' is corrected to read as follows:

Application Due Date. Submit your completed applications (one original and two copies) on or before 12:00 midnight, Eastern time, on May 31, 2000, to the address shown below.

See the General Section of this SuperNOFA for specific procedures governing the form of application submission (e.g., mailed applications, express mail, overnight delivery, or hand carried).

Address for Submitting Applications. To HUD Headquarters. Submit your completed application (an original and two copies) to: the Office of Multifamily Housing Assistance Restructuring, Attn: Victor Lambert, 1280 Maryland Avenue, S.W., Suite 4000, Washington, D.C. 20024. When submitting your application, please refer to OTAG, and include your name, mailing address (including zip code) and telephone number (including area code).

After 5:00 pm on the application due date, hand carried applications will be accepted until 12:00 midnight, in the South Lobby of HUD Headquarters, 451 Seventh Street, SW, Washington, DC 20410.

Dated: April 19, 2000.

Deborah Vincent,

Acting Deputy Chief of Staff for Policy.

[FR Doc. 00–10254 Filed 4–20–00; 11:19 am]

BILLING CODE 4210–32–P

DEPARTMENT OF INTERIOR

Office of the Secretary

Delaware & Lehigh National Heritage Corridor Commission Meeting

AGENCY: Department of Interior, Office of the Secretary.

ACTION: Notice of meeting.

SUMMARY: This notice announces an upcoming meeting of the Delaware & Lehigh National Heritage Corridor Commission. Notice of this meeting is required under the Federal Advisory Committee Act (Public Law 92–463).

Meeting Date and Time: Friday, May 12, 2000; 1:30–4 p.m.

Address: Eckley Miner's Village, R.R. #2, Box 236, Weatherly, PA 18225.

The agenda for the meeting will focus on implementation of the Management Action Plan for the Delaware and Lehigh National Heritage Corridor and State Heritage Park. The Commission was established to assist the Commonwealth of Pennsylvania and its political subdivisions in planning and implementing an integrated strategy for protecting and promoting cultural, historic and natural resources. The Commission reports to the Secretary of the Interior and to Congress.

SUPPLEMENTARY INFORMATION: The Delaware & Lehigh National Heritage Corridor Commission was established by Public Law 100–692, November 18, 1988 and extended through Public Law 105–355, November 13, 1998.

FOR FURTHER INFORMATION CONTACT: C. Allen Sachse, Executive Director, Delaware & Lehigh National Heritage Corridor Commission, 10 E. Church Street, Room A–208, Bethlehem, PA 18018; (610) 861–9345.

Dated: April 18, 2000.

C. Allen Sachse,

Executive Director, Delaware & Lehigh National Heritage Corridor Commission.

[FR Doc. 00–10080 Filed 4–23–00; 8:45 am]

BILLING CODE 6820–PE–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Prepare Comprehensive Conservation Plans for Pelican Island National Wildlife Refuge, Indian River County, Florida, and Archie Carr National Wildlife Refuge, Brevard and Indian River Counties, Florida, and Notice of Meeting To Seek Public Participation

SUMMARY: This notice advises the public that the U.S. Fish and Wildlife Service intends to gather information necessary to prepare comprehensive conservation plans and associated environmental documents pursuant to the National Environmental Policy Act and implementing regulations to achieve the following:

(1) Advise other agencies and the public of our intentions, and

(2) Obtain suggestions and information on the scope of issues to include in the environmental documents.

DATES: The Service will hold its first public scoping meeting on Wednesday, May 3, 2000, from 7 p.m. to 9 p.m. at the Parrish Center, 3780 Highway AIA, Melbourne, Florida. Special mailings, newspaper articles and announcements will inform people in the general refuge areas of the times and places of other meetings planned to seek public involvement. The Service plans to hold at least five public meetings during May and June 2000.

ADDRESSES: Address comments and requests for more information to: Natural Resource Planner, Merritt Island National Wildlife Refuge Complex, P.O. Box 6504, Titusville, Florida 32782–6504, (321) 861–0667.

If you wish to comment, you may submit Your comments by any one of several methods. You may mail comments to the above address. You may also comment via the Internet to the following address: Cheri__Ehrhardt@fws.gov. Please submit Internet comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly at Merritt Island National Wildlife Refuge Complex at the above address. Finally, you may hand-deliver comments to the Refuge Complex at the above address. Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours.

Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We

will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

SUPPLEMENTARY INFORMATION: It is the policy of the Fish and Wildlife Service to manage all lands within the National Wildlife Refuge System in accordance with an approved comprehensive conservation plan. These plans outline a vision for each refuge; guide management decisions; and outline goals, objectives and strategies to achieve the visions and purposes of each refuge unit. The plans will provide other agencies and the public with an understanding of the management strategies to be implemented.

The Service has initiated planning for Pelican Island National Wildlife Refuge for the conservation and enhancement of its natural resources. Encompassing approximately 5,000 acres and including designations as a National Historic Landmark, a National Wilderness Area, and a Wetland of International Importance, this refuge is located between the Indian River and the Atlantic Ocean in southeastern Florida, near the city of Sebastian.

Planning for Archie Carr National Wildlife Refuge has been initiated for the conservation and enhancement of its natural resources as well. This refuge is located along the Atlantic Ocean in southeastern Florida, between the cities of Melbourne Beach and Vero Beach. While the Service owns or leases approximately 165 acres, the State of Florida, Brevard County, and Indian River County account for the remainder of the publicly owned lands within the refuge. The refuge beaches support loggerhead and green turtle nesting. The Florida scrub jay, eastern indigo snake, southeastern beach mouse, and other threatened and endangered species also occur within the refuge.

The Service is especially interested in receiving public input during this planning process. Examples of questions to be answered are as follows:

What do you value most about these refuges?

What problems or issues do you see affecting management or public use of these refuges?

What improvements do you recommend for these refuges?

What changes, if any, would you like to see in the management of these refuges?

The Service has provided these questions for optional use and has no requirement that information be provided.

Review of these projects will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), National Environmental Policy Act Regulations (40 C.F.R. 1500–1508), other appropriate Federal laws and regulations, including the National Wildlife Refuge System Improvement Act of 1997, Executive Order 12996, and Service policies and procedures for compliance with those regulations.

Dated: April 18, 2000.

Cynthia K. Dohner,

Acting Regional Director.

[FR Doc. 00–10085 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of a Draft Supplemental Environmental Assessment on the Continuation of General Swan Hunting Seasons in Parts of the Pacific Flyway; Notice

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of meeting.

SUMMARY: The U.S. Fish and Wildlife Service (Service or we) is issuing this notice to invite further public participation and comment on the Draft Supplemental Environmental Assessment on the Continuation of General Swan Hunting Seasons in Parts of the Pacific Flyway (Assessment). The Assessment considers a range of management alternatives for establishment of future operational swan hunting seasons in the Pacific Flyway. This notice invites further public participation by identifying the location, date, and time of public meetings on the Assessment.

DATES: You must submit written comments on the Assessment by June 17, 2000.

ADDRESSES: Copies of the Draft Environmental Assessment can be obtained by writing to Robert Trost, Pacific Flyway Representative, U.S. Fish and Wildlife Service, Office of Migratory Bird Management, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181. Written comments can be sent to the same address. All comments received, including names and addresses, will become part of the public record. You may inspect comments during normal business hours at the same address.

FOR FURTHER INFORMATION CONTACT: Robert Trost at: Pacific Flyway Representative, U.S. Fish and Wildlife Service, Office of Migratory Bird Management, 911 N.E. 11th Avenue, Portland, Oregon 97232–4181, (503) 231–6162.

SUPPLEMENTARY INFORMATION: On March 23, 2000, we published a Notice of Availability (65 FR 15646). The Draft Supplemental Assessment includes a review of the past 5-year experimental general swan hunting seasons in parts of the Pacific Flyway and alternatives for establishment of future operational swan hunting seasons in the same area. The Supplemental Assessment was prompted by requests from individuals, States, and various conservation organizations for a thorough examination of alternatives for swan hunting in the Pacific Flyway in light of continuing concerns for the Rocky Mountain Population of trumpeter swans. The Assessment deals with establishment of an operational approach for swan hunting and related efforts to address status and distributional concerns regarding the Rocky Mountain Population of trumpeter swans. Four alternatives, including the proposed action, are considered in the Assessment.

Public Meetings

Two public meetings will be held on the following dates at the indicated locations and times:

1. May 15, 2000; Idaho Falls, Idaho, at the Bureau of Land Management District Office, 1405 Hollipark Drive, 7:00–9:30 p.m.

2. May 17, 2000; Salt Lake City, Utah, at the Utah Department of Natural Resources Building Complex, 1594 West North Temple, 6:00–9:30 p.m.

At the public meetings, you may choose to submit oral and/or written comments. All comments should include a complete mailing address in order to receive a copy of the final Assessment. All comments must be submitted by June 17, 2000.

Dated: April 7, 2000.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 00–10068 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–670–1220]

El Centro Resource Area, CA; Supplementary Rules

The primary purpose of these supplementary rules is to prohibit

removing of trash from trash receptacles on public lands in the El Centro Resource Area.

AGENCY: Bureau of Land Management, Interior.

ACTION: Establishment of supplementary rule.

LOCATION: All public lands in the El Centro Resource Area east of the boundary line starting at:

T8S R3E Sec. 36 SE corner;
southerly to T9S R4E Sec. 30 NW corner;
easterly to T9S R4E Sec. 28 NE corner;
southerly to T9S R4E Sec. 33 SE corner;
westerly to T9S R4E Sec. 31 SW corner;
southerly to T15S R4E Sec. 31 NW corner;
southeasterly to T18S R8E Sec. 7 SW corner; and all public land to the east.

SUMMARY: Over the past several years individuals or groups of people have developed the routine of removing materials from the trash receptacles throughout the resource area in order to recycle them. In doing so they regularly setup camp next to the trash receptacles, prevent people from depositing trash into the receptacle and have been involved in several disputes involving the receptacles. These actions have increased the amount of trash deposited outside the receptacles on public lands and has increased the workload for law enforcement and other staff personnel in monitoring the trash collection. Therefore; the following rules shall apply:

No person shall:

1. Remove trash from the interior of the trash receptacles.
2. Enter trash receptacles.
3. Open doors of trash receptacles.
4. Loiter by trash receptacles for more than fifteen minutes within four consecutive hours.
5. Interfere with the depositing of trash into the trash receptacle.
6. Solicit trash without proper permit.
7. Stack debris or cause the stacking of debris around the exterior of the trash receptacle.

DATES: These supplementary rules are effective April 24, 2000 and will remain in effect until rescinded or modified by the authorized officer. You may comment on the supplementary rules until May 24, 2000. If necessary, we will modify the rules after that time.

ADDRESSES: Send comments to El Centro Field Office, 1661 S. Fourth St., El Centro, CA 92243.

FOR FURTHER INFORMATION CONTACT: Chief Ranger Robert Zimmer, Bureau of Land Management, El Centro Field Office (760) 337–4407.

SUPPLEMENTARY INFORMATION: The authority for these rules are provided in 43 CFR 8365.1–6. Violation of these regulations is punishable by a fine not to exceed $100,000.00 and/or imprisonment not to exceed 12 months.

Dated: March 27, 2000.

Elayn Briggs,

Acting Field Office Manager.

[FR Doc. 00–8825 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–84–P

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before April 15, 2000. Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, 1849 C St. NW, NC400, Washington, DC 20240. Written comments should be submitted by May 9, 2000.

Carol D. Shull,

Keeper of the National Register.

ARIZONA

Gila County

Soderman Building, 55 Chisholm, Miami, 00000465

Maricopa County

Tempe Woman's Club, 1290 S. Mill Ave., Tempe, 00000461

Yavapai County

Pecan Lane Rural Historic Landscape, 537 to 867 Montezuma Castle Hwy, Camp Verde, 00000463

ARKANSAS

Pulaski County

Pfeifer Brothers Department Store, 522–524 S. Main St., Little Rock, 00000464

FLORIDA

Duval County

Ribault Inn Club, Ft. George Rd., Jacksonville, 00000470

Volusia County

Thursby, Louis P., House, Located inside Blue Spring State Park, Orange City, 00000468

GEORGIA

Newton County

Burge Farm, Roughly bounded by GA 142, Cook Rd., Morehouse Rd. and Sewell Rd., Newborn, 00000467

ILLINOIS

Boone County

United States Post Office—Belvidere, 200 S. State St., Belvidere, 00000473

Cass County

Beardstown Grand Opera House, 121 State St., Beardstown, 00000471

Cook County

Holy Name Cathedral, 735 N. State St., Chicago, 00000477

Du Page County

Childs, Robert A. and Mary, House, 318 S. Garfield Ave., Hinsdale, 00000476

St. Clair County

Draser, George, Jr., House, 48 and 52 W. Main St., Mascoutah, 00000474

Stephenson County

Union House, 207 W. High St., Orangeville, 00000472

IOWA

Johnson County

Harvat, Emma J., and Mary E. Stach House (Iowa City MPS), 332 E. Davenport St., Iowa City, 00000478

MASSACHUSETTS

Berkshire County

Fairview Cemetery, Curtis Ave., Dalton, 00000483

Essex County

Greenlawn Cemetery, 195 Nahant Rd., Nahant, 00000481

MISSOURI

Jackson County

Georgen, John and Adele, House, 933 S. Main St., Independence, 00000486

NEW YORK

Westchester County

Knickerbocker Press Building, 50–52 Webster Ave., New Rochelle, 00000487

NORTH CAROLINA

Chatham County

East Raleigh Street Historic District, 300–400 blks. of E. Second St., and 300–600 blks of E. Raleigh St., Siler City, 00000488

Lenoir County

LaGrange Historic District, Roughly bounded by N. Caswell, E. James, N. Carey, E. Washington, S. Caswell, W. Washington, and Forbes Sts., LaGrange, 00000458

Sampson County

Johnson Building, 102–104 E. Main St., Clinton, 00000459

Wake County

Mahler and Carolina Trust Buildings, 228–232 Fayetteville St. Mall, Raleigh, 00000457

OREGON

Jackson County

Big Elk Guard Station, (US Forest Service Historic Structures on the Rogue River National Forest MPS), FS Rd. 3706 approx. 5 mi. N. of Dead Indian Memorial Rd., Ashland, 00000462

Parker Meadows Shelter, (US Forest Service Historic Structures on the Rogue River National Forest MPS), Near Forest Rd. 37 approx. 15 mi. NE. of Butte Falls, Butte Falls, 00000466

Star Ranger Station Building, (US Forest Service Historic Structures on the Rogue River National Forest MPS), 6941 Upper Applegate Rd., Jacksonville, 00000460

Willow Prairie Cabin, (US Forest Service Historic Structures on the Rogue River National Forest MPS), FS Rd. 37 approx. 1.5 mi. N. of Butte Falls, Butte Falls, 00000469

TEXAS

Hardeman County

Quanah Commercial Historic District, Roughly bounded by Green, Second, Third, Fourth, Fifth, King, Elbert, and McClelland Sts., and Burlington Northern RR, Quanah, 00000475

VIRGINIA

Danville Independent city

Dan River Inc. Riverside Division Historic District, Both sides of Dan River roughly bounded by Union St. Dam, Main St. Bridge, and Riverside and Memorial Drs., Danville, 00000480

Fredericksburg Independent city

Braehead, 123 Lee Dr., Fredericksburg, 00000484

Giles County

Greater Newport Rural Historic District, Roughly bounded by US 460 and VA 42, 601, 603, 604, 605 and 700, Newport, 00000489

Henry County

Virginia House, 986 Field Ave., Fieldale, 00000495

Lynchburg Independent city

Rivermont, 205 F St., Lynchburg, 00000496

Mecklenburg County

Chase City High School, 132 Endly St., Chase City, 00000482

Radford Independent city

East Radford Historic District, Norwood, Stockton, and Downey Sts., and Grove Ave., Radford, 00000491

Richmond Independent city

Davis, Decatur O., House, 1001 E. Clay St., Richmond, 00000490

Smyth County

Bonham, H.L., House, 408 White Top Rd., Chilhowie, 00000485

Spotsylvania County

Bloomsbury Farm, 9736 Courthouse Rd., Spotsylvania Court House, 00000479

WISCONSIN

Door County

Zahn, Albert, House, 8223 WI Trunk Hwy. 57, Baileys Harbor, 00000492

Sheboygan County

Garton Toy Company, 746, 810, 830 N. Water St., 1104 Wisconsin Ave., Sheboygan, 00000493

A Request for Removal has been made for the following resources:

MINNESOTA

Goodhue County

Hall, Dr. Orrin I., House, 206 W. 3rd St., Zumbrota, 80002066

Kanabec County

Coin School, Cty Hwys 4 and 15, Brunswick, 80002086

WASHINGTON

Grays Harbor County

Finch Building, Heron and H Sts., Aberdeen, 83004230

[FR Doc. 00–10200 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items from Southeastern Utah in the Possession of the Utah Museum of Natural History, Salt Lake City, UT

AGENCY: National Park Service, Interior.

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 Utah Museum of Natural History, Salt Lake City, UT which meet the definition of ''sacred object'' and ''object of cultural patrimony'' under Section 2 of the Act.

The 16 cultural items consist of ceremonial feathers, a ceremonial bundle, a quartzite stone implement, a medicine bag of ferret skin, a buckskin bag, a corn meal bag, reed offering sticks, worked willow, and painting sticks.

During the 1920s and 1930s, these cultural items were collected by A.E. Bruerton; and he donated these cultural items to the University of Utah Anthropology Department at a later unknown date. In 1969, these objects were transferred to the Utah Museum of Natural History from the University of Utah Anthropology Department.

Museum documentation indicates these cultural items were recovered from a buried location in a Navajo hogan in southeastern Utah. The location, form, and style of the cultural items are all consistent with Navajo history, sacred objects, and objects of cultural patrimony.

Based on the above-mentioned information, officials of the Utah Museum of Natural History have determined that, pursuant to 43 CFR 10.2 (d)(3), these 16 cultural items are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the Utah Museum of Natural History have determined that, pursuant to 43 CFR 10.2 (d)(4), these 16 cultural items have ongoing historical, traditional, and cultural importance central to the tribe itself, and could not have been alienated, appropriated, or conveyed by any individual. Officials of the Utah Museum of Natural History 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 Navajo Nation.

This notice has been sent to officials of the Navajo Nation. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these objects should contact Duncan Metcalfe, curator of Archaeological Collections, Utah Museum of Natural History, 1390 E. President's Circle, Salt Lake City, UT 84112; telephone: (801) 581–3876 before May 24, 2000. Repatriation of these objects to the Navajo Nation 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: April 11, 2000.

Francis P. McManamon,

Departmental Consulting Archeologist, Manager, Archeology and Ethnography Program.

[FR Doc. 00–10055 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–70–F

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Glen Canyon Adaptive Management Work Group (AMWG) and Glen Canyon Technical Work Group (TWG)

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of Public Meetings.

SUMMARY: The Adaptive Management Program (AMP) was implemented as a result of the Record of Decision on the Operation of Glen Canyon Dam Final

Environmental Impact Statement and to comply with consultation requirements of the Grand Canyon Protection Act (Pub. L. 102–575) of 1992. The AMP provides an organization and process to ensure the use of scientific information in decision making concerning Glen Canyon Dam operations and protection of the affected resources consistent with the Grand Canyon Protection Act. The AMP has been organized and includes a federal advisory committee called the ''Glen Canyon Dam Adaptive Management Work Group,'' a technical work group, a monitoring and research center, and independent review panels. The TWG is a subcommittee of the AMWG and provides technical advice and information for the AMWG to act upon.

DATES AND LOCATION: The Glen Canyon Adaptive Management Work Group will conduct public meetings as follows:

Phoenix, Arizona—July 6–7, 2000. The meeting will begin at 9:30 a.m. and conclude at 4:00 p.m. on the first day and begin at 8:00 a.m. and conclude at 12 noon on the second day. The meeting will be held at the Bureau of Indian Affairs—Phoenix Area Office, 2 Arizona Center, Conference Rooms A and B (12th Floor), 400 North 5th Street, Phoenix, Arizona.

Agenda: The purpose of the meeting will be to discuss the following: management objectives, basin hydrology, FY 2002 budget, development of the AMP Strategic Plan, and environmental compliance issues.

The Glen Canyon Technical Work Group will conduct public meetings as follows:

Phoenix, Arizona—May 10–11, 2000. The meeting will begin at 9:30 a.m. and conclude at 4:00 p.m. on the first day and begin at 8:00 a.m. and conclude at 12 noon on the second day. The meeting will be held at the Bureau of Indian Affairs—Phoenix Area Office, 2 Arizona Center, Conference Rooms A and B (12th Floor), 400 North 5th Street, Phoenix, Arizona.

Agenda: The purpose of the meeting will be to discuss the following: management objectives and information needs, basin hydrology and expected releases, FY 2002 budget, Terrestrial PEP and Cultural PEP reviews, and the AMWG agenda for the meeting on July 6–7, 2000.

Agenda items may be revised prior to any of the meetings. Final agendas will be posted 15 days in advance of each meeting and can be found at the following Internet site: *http://www.uc.usbr.gov/amp.* Time will be allowed on each agenda for any individual or organization wishing to make formal oral comments (limited to 10 minutes) at the meetings.

To allow full consideration of information by the TWG and AMWG members, written notice must be provided to Randall Peterson, Bureau of Reclamation, Upper Colorado Regional Office, 125 South State Street, Room 6107, Salt Lake City, Utah 84138–1102; telephone (801) 524–3758; faxogram (801) 524–3858; E-mail at: *rpeterson@uc.usbr.gov* at least FIVE (5) days prior to the meeting. Any written comments received will be provided to the TWG and AMWG members at the meetings.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials or organizations or businesses, available for public disclosure in their entirety.

FOR FURTHER INFORMATION CONTACT: Randall Peterson, telephone (801) 524–3758; faxogram (801) 524–3858; E-mail at: *rpeterson@uc.usbr.gov.*

Dated: April 18, 2000.

Eluid Martinez,

Commissioner, Bureau of Reclamation.

[FR Doc. 00–10116 Filed 4–21–00; 8:45 am]

BILLING CODE 4310–94–P

INTERNATIONAL TRADE COMMISSION

[Investigation 332–413]

The Economic Impact of U.S. Sanctions With Respect to Cuba

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation.

EFFECTIVE DATE: April 14, 2000.

SUMMARY: Following receipt of a request on March 15, 2000, from the Committee on Ways and Means of the U.S. House of Representatives, the Commission instituted investigation No. 332–413, The Economic Impact of U.S. Sanctions with Respect to Cuba, a report to the Congress and the President under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

FOR FURTHER INFORMATION CONTACT: Information may be obtained from James Stamps (202–205–3227), Office of Economics, or Mr. Jonathan Coleman (202–205–3465), Office of Industries, U.S. International Trade Commission, Washington, DC, 20436. For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202–205–3091). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205–1810.

Background: The Committee on Ways and Means requested that the Commission's report include the following, to the extent data are available:

1. an overview of U.S. sanctions with respect to Cuba;
2. a description of the Cuban economy, Cuban trade and investment policies, and trade and investment trends; and
3. an analysis of the historical impact of U.S. sanctions on both the U.S. and Cuban economies, especially on affected sectors, and to the extent possible, on U.S. exports, imports, employment, consumers, and investment.

In addition, the Committee requested that the Commission provide an evaluation of the current impact on U.S.-Cuban bilateral trade, investment, employment, and consumers of the economic sanctions on trade and investment with Cuba, with particular attention to the effects on U.S. services, U.S. agriculture, and other sectors for which the impact is likely to be significant.

The Committee on Ways and Means further requested that the Commission's report employ, as appropriate, a combination of quantitative and qualitative analyses.

The Commission plans to submit its report, The Economic Impact of U.S. Sanctions with Respect to Cuba, by February 15, 2001.

Public Hearing: A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m. on September 19, 2000. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436, no later than 5:15 p.m., August 29, 2000. Any prehearing briefs (original and 14

copies) should be filed not later than 5:15 p.m., September 12, 2000; the deadline for filing post-hearing briefs or statements is 5:15 p.m., September 28, 2000. In the event that, as of the close of business on August 29, 2000, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202–205–1806) after August 29, 2000, to determine whether the hearing will be held.

Written Submissions: In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked ''Confidential Business Information'' at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on October 4, 2000. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov).

List of Subjects

Cuba, sanctions, exports, imports.

By order of the Commission.

Issued: April 14, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10072 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–430]

Certain Integrated Repeaters and Products Containing Same; Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 23, 2000, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Level One Communications, Inc., 9750 Goethe Rd., Sacramento, California 95827. A supplement to the complaint was filed on April 13, 2000. The complaint, as supplemented, alleges a violation of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain integrated repeaters and products containing same by reason of infringement of claims 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of U.S. Letters Patent 5,742,603. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainant requests that the Commission institute an investigation and, after a hearing, issue a permanent exclusion order and a permanent cease and desist order.

ADDRESSES: The complaint and supplement, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Room 112, Washington, DC 20436, telephone 202–205–2000. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may be obtained by accessing its internet server (http://www.usitc.gov).

FOR FURTHER INFORMATION CONTACT: Juan Cockburn, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202–205–2572.

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in § 210.10 of the Commission's rules of practice and procedure, 19 CFR 210.10 (1999).

Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on April 17, 2000, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain integrated repeaters and products containing same by reason of infringement of claims 1, 2, 3, 4, 5, 6, 7, 8, 9, or 10 of U.S. Letters Patent 5,742,603, and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is —Level One Communications, Inc., 9750 Goethe Road, Sacramento, California 95827.

(b) The respondent is the following company alleged to be in violation of section 337, and is the party upon which the complaint is to be served: Altima Communications, Inc., 2055 Gateway Place, Suite 700, San Jose, California 95110.

(c) Juan Cockburn, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW, Room 401–Q, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with § 210.13 of the Commission's rules of practice and procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a) of the Commission's rules, such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Issued: April 18, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10183 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–853–854 (Final)]

In the Matter of Certain Structural Steel Beams From Japan and Korea; Notice of Commission Determination Not To Conduct a Portion of the Hearing In Camera

AGENCY: U.S. International Trade Commission.

ACTION: Commission determination not to close any part of the hearing to the public.

SUMMARY: The Commission has determined to deny the request of petitioners Northwestern Steel & Wire Co., Nucor-Yamato Steel Co. and TXI-Chaparral Steel, Inc. (collectively ''petitioners'') to conduct a portion of its hearing in the above-captioned investigations scheduled for April 25, 2000, in camera. *See* Commission rules 201.13 and 201.36(b)(4) (19 CFR 201.13 and 201.36(b)(4)).

FOR FURTHER INFORMATION CONTACT: Charles St. Charles, Office of General Counsel, U.S. International Trade Commission, telephone 202–205–2782. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202–205–1810.

SUPPLEMENTARY INFORMATION: The Commission believes it should conduct its business in public in all but the most unusual circumstances. The Commission has determined that, in light of the nature of these investigations, it will be able to assess adequately all arguments raised by petitioners without resorting to the extraordinary measure of an in camera hearing. Accordingly, the Commission has determined that the public interest would be best served by a hearing that is entirely open to the public. *See* 19 CFR 201.36(c)(1).

Authority: This notice is provided pursuant to Commission Rule 201.35(b) (19 CFR 201.35(b)).

By order of the Commission.

Issued: April 17, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10074 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–431]

Certain Synchronous Dynamic Random Access Memory Devices, Microprocessors, and Products Containing Same; Notice of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 23, 2000, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Rambus Inc., 2465 Latham Street, Mountain View, CA 94040. Supplemental letters were filed on April 4, 2000 and April 12, 2000. The complaint as supplemented alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain synchronous dynamic random access memory devices, microprocessors, and products containing same by reason of infringement of claims 1–24, 27, 32, and 33–39 of U.S. Letters Patent 6,038,195, and claims 1–3, 6–10, 13–16, 18–21, 24–26, 29–31, 33–34, and 37–38 of U.S. Letters Patent 6,034,918. The complaint further alleges that there exists, or is in the process of being established, an industry in the United States as required by subsection (a)(2) of section 337. The complainant requests that the Commission institute an investigation and, after the investigation, issue a permanent exclusion order and a permanent cease and desist order.

ADDRESSES: The complaint and supplements, except for any confidential information contained therein, are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW, Room 112, Washington, DC 20436, telephone 202–205–2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may be obtained by accessing its Internet server (http://www.usitc.gov).

FOR FURTHER INFORMATION CONTACT: Karin J. Norton, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202–205–2606.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in § 210.10 of the Commission's Rules of practice and procedure, 19 CFR 210.10 (1999).

Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on April 18, 2000, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain synchronous dynamic random access memory devices, microprocessors, or products containing same by reason of infringement of claims 1–24, 27, 32, or 33–39 of U.S. Letters Patent 6,038,195, or claims 1–3, 6–10, 13–16, 18–21, 24–26, 29-31, 33–34, or 37–38 of U.S. Letters Patent 6,034,918, and whether there exists, or is in the process of being established, an industry in the United States as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is—Rambus Inc., 2465 Latham Street, Mountain View, CA 94040.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Hitachi, Ltd., 6, Kanda-Surugadai, 4-chome, Chiyoda-ku, Tokyo 101–8010, Japan

Hitachi Semiconductor (America), Inc., 179 East Tasman Drive, San Jose, California 95134

Sega Enterprises, Ltd., 1–2 12 Haneda Ota-Ku, Tokyo 144–8531, Japan

Sega of America, Inc., 650 Townsend Street, Suite 650, San Francisco, CA 94103

(c) Karin J. Norton, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, SW, Room 401–A, Washington, DC 20436, who shall be the Commission investigative attorney, party to this investigation; and

(4) For the investigation so instituted, the Honorable Debra Morriss is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with § 210.13 of the Commission's rules of practice and procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a), such responses will be considered by the Commission if received no later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the compliant and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Dated: April 18, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10184 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–860 (Final)]

Tin-and Chromium-Coated Steel Sheet From Japan

AGENCY: United States International Trade Commission.

ACTION: Scheduling of the final phase of an antidumping investigation.

SUMMARY: The Commission hereby gives notice of the scheduling of the final phase of antidumping investigation No. 731–TA–860 (Final) under section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports from Japan of tin-and chromium-coated steel sheet, provided for in subheadings 7210.11.00, 7210.12.00, 7210.50.00, 7212.10.00, 7212.50.00, 7225.99.00, and 7226.99.00 of the Harmonized Tariff Schedule of the United States.[1]

For further information concerning the conduct of this phase of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

EFFECTIVE DATE: April 12, 2000.

FOR FURTHER INFORMATION CONTACT: Christopher J. Cassise (202–708–5408), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (http://www.usitc.gov).

SUPPLEMENTARY INFORMATION:

Background

The final phase of this investigation is being scheduled as a result of an affirmative preliminary determination by the Department of Commerce that imports of tin-and chromium-coated steel sheet from Japan are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The investigation was requested in a petition filed on October 28, 1999 by Weirton Steel Corp., Weirton, WV.

Participation in the Investigation and Public Service list

Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigation need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of this investigation available to authorized applicants under the APO issued in the investigation, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigation. A party granted access to BPI in the preliminary phase of the investigation need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

[1] For purposes of this investigation, Commerce has defined the subject merchandise as ''tin mill flat-rolled products that are coated or plated with tin, chromium or chromium oxides. Flat-rolled steel products coated with tin are known as tin plate. Flat-rolled steel products coated with chromium or chromium oxides are known as tin-free steel or electrolytic chromium-coated steel. The scope includes all the noted tin mill products regardless of thickness, width, form (in coils or cut sheets), coating type (electrolytic or otherwise), edge (trimmed, untrimmed or further processed, [sic] and scroll cut), coating thickness, surface finish, temper, coating metal (tin, chromium, chromium oxide), reduction (single-or double-reduced), and whether or not coated with a plastic material. All products that meet the written physical description are within the scope of this investigation unless specifically excluded.''

Staff Report

The prehearing staff report in the final phase of this investigation will be placed in the nonpublic record on June 16, 2000, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing

The Commission will hold a hearing in connection with the final phase of this investigation beginning at 9:30 a.m. on June 29, 2000, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before June 23, 2000. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on June 26, 2000, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony in *camera* no later than 7 days prior to the date of the hearing.

Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is June 23, 2000. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is July 7, 2000; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigation may submit a written statement of information pertinent to the subject of the investigation on or before July 7, 2000. On July 25, 2000, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before July 27, 2000, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: April 17, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10075 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–414]

Competitive Assessment of the U.S. Large Civil Aircraft Aerostructures Industry

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and scheduling of public hearing.

EFFECTIVE DATE: April 14, 2000.

SUMMARY: Following receipt of a request on March 13, 2000, from the Committee on Ways and Means of the U.S. House of Representatives, the Commission instituted investigation No. 332–414, Competitive Assessment of the U.S. Large Civil Aircraft Aerostructures Industry, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

FOR FURTHER INFORMATION CONTACT: Industry-specific information may be obtained from Mr. Peder Andersen (202–205–3388), Office of Industries, U.S. International Trade Commission, Washington, DC 20436. For information on the legal aspects of this investigation contact Mr. William Gearhart of the Office of the General Counsel (202–205–3091). The media should contact Ms. Margaret O'Laughlin, Office of External Relations (202–205–1819). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205–1810.

Background: As requested by the Committee, the Commission, pursuant to section 332(g) of the Tariff Act of 1930, has instituted an investigation and will prepare a report examining the civil aerostructures industry (e.g., fuselage, wings, and landing gear) in its capacity as a major supplier to the large civil aircraft (LCA) industry. This study will not include nonstructural components such as avionics and engines. The Commission will examine the composition of the industry and recent trends, the process of new aerostructures development, the means and trends in government supports and other financial assistance, and the relative strengths and weaknesses of the aerostructures industries in the United States, Europe, Canada, and to the extent possible, Asia. The report will focus on the ability of the U.S. civil aerostructures industry and certain of its suppliers to compete over the short and long terms with those industries in Europe, Canada, and to the extent possible, Asia.

Public Hearing: A public hearing in connection with the investigation will be held at the United States International Trade Commission Building, 500 E Street SW., Washington, DC, beginning at 9:30 a.m. on December 6, 2000. All persons will have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436, no later than 5:15 p.m., November 22, 2000. Any prehearing briefs (original and 14 copies) should be filed no later than 5:15 p.m., November 22, 2000; the deadline for filing post-hearing briefs or statements is 5:15 p.m., December 20, 2000. In the event that, as of the close of business on November 22, 2000, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202–205–1806) after November 22, 2000 to determine whether the hearing will be held.

Written Submissions: In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements concerning the matters to be addressed by the Commission in its report on this

investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked ''Confidential Business Information'' at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on December 20, 2000. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov).

By order of the Commission.

Issued: April 17, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–10073 Filed 4–21–00; 8:45 am]

BILLING CODE 7020–02–P

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Astronomical Sciences: Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following:

Name: Special Emphasis Panel in Astronomical Sciences (1186).

Date/Time: May 10–11, 2000, 9 a.m.–5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 130, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: James Breckinridge, Program Director, Division of Astronomical Sciences, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone (703) 306–1820.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals for facilities instrumentation submitted to the MRI Program within the Division of Astronomical Sciences.

Reason for Closing: The proposal being reviewed includes information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in The Sunshine Act.

Dated: April 18, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10122 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Civil and Mechanical Systems; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Civil and Mechanical Systems (1205).

Date and Time: 12, 19, 20 and 21, June, 2000, 8 a.m. to 5 p.m.

Place: NSF, 4201 Wilson Boulevard, Rooms 360, 365, 330 and 380, Arlington, Virginia 22230.

Type of Meeting: Closed.

Contact Person: Drs. Ken P. Chong and Jorn Larsen-Basse, Program Directors Mechanics and Structures of Materials and Surface Engineering and Material Design, Division of Civil and Mechanical Systems, Room 545, (703) 306–1361.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate nominations for the FY'00 Mechanics and Structures of Materials and Surface Engineering and Material Design Review Panel proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10124 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Engineering Education and Centers; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Engineering Education and Centers (173).

Date/Time: May 31–June 2, 2000, 8:30 a.m.–5:30 p.m.

Place: National Science Foundation, Rooms 360 & 380, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Persons: Dr. Cheryl Cathey, Program Director, Engineering Education and Centers Division, National Science Foundation, Room 585, 4201 Wilson Blvd., Arlington, VA 22230. (703) 306–1380.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Nanoscale Modeling and Simulation Program (Small Group Initiative) as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 13, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10117 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Human Resource Development; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Human Resource Development (1199).

Date and Time: April 28, 2000, 8 a.m.–3:30 p.m.

Place: Room 330, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. Victor A. Santiago, Program Director, Human Rsource Development Division, Room 815, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. (703) 206–1633.

Purpose: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: Review for the HBCU–UP Reverse Site Visit.

Reason for Closing: The proposals being reviewed include information of proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters that are exempt under 5 U.S.C. 522b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 13, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10119 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Materials Research; Notice of Meetings

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463 as amended), the National Science Foundation announces the following meetings:

Name: Special Emphasis Panel in Materials Research (DMR) #1203

Date/Time: Monday, May 8, 2000, Room 1060.

Place: National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230

Type of Meeting: CLOSED.

Contact Person: Dr. W. Lance Haworth, Executive Officer, Division of Materials Research, Room 1065, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 306–1815.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: Review and evaluate proposals as part of the selection process to determine finalists considered for support for the ''Cooperative Activities in Materials Sciences between the NSF and the European Commission'' proposals submitted in response to program solicitation number NSF 00–18.

Reason for Closing: The activity being evaluated may include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10126 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Materials Research; Notice of Meetings

In accordance with the Federal Advisory Committee (Pub. L. 92–463 as amended), the National Science Foundation announces the following meetings:

Name: Special Emphasis Panel in Materials Research (DMR) #1203

Dates & Times:

Date	Room No.	Time
May 9–11, 2000	390 (5/9): 375 (5/10, 11)	7:30 A.M.–10:00 P.M.
May 16–18, 2000	375	7:30 A.M.–10:00 P.M.
May 23–25, 2000	375	7:30 A.M.–10:00 P.M.
May 31–June 2, 2000	1060 (5/31): 1020 (6/1, 2)	7:30 A.M.–10:00 P.M.
June 13–14, 2000	365 (6/13): 380 (6/14)	8:30 A.M.–6:00 P.M.

Place: National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230.

Type of Meeting: Closed.

Contact Persons: Dr. Ulrich Strom, Program Director, Materials Research Science and Engineering Centers (MRSEC), Division of Materials Research, Room 1065, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 306–1832.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support. The format is in the form of reverse site visits.

Agenda: Review and evaluate proposals as part of the selection process to determine finalists considered for support for the MRSEC proposals submitted in response to program solicitation number NSF 99–125.

Reason for Closing: The activity being evaluated may include information of a proprietary or confidential nature, including technical information; financial data, such as salaries and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b. (c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10127 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Panel for Methods, Cross-Directorate, and Science and Society; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation (NSF) announces the following 3 meetings of the Advisory Panel for Methods, Cross-Directorate, and Science Society (#1760):

1. *Date and Time:* May 11, 12, 2000; 8:30 a.m.–5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 970, Arlington, VA 22230

Contact Person: Rachelle Hollander, Program Director for SDEST, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306–1743.

Agenda: To review and evaluate SDEST proposals as part of the selection process for awards.

2. *Date and Time:* May 23–13, 2000; 8:30 a.m.–5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 370, Arlington, VA 22230

Contact Person: Dr. Michael M. Sokal, Program Director for Science & Technology Studies, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306–1742.

Agenda: To review and evaluate STS proposals as part of the selection process for awards.

3. *Date and Time:* May 08–09, 2000, 1999, 8:30 a.m.–5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 370, Arlington, VA 22230

Contact Person: Dr. Cheryl L. Eavey, Program Director for Methods, Measurement & Statistics, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306–1729.

Agenda: To review and evaluate MMS proposals as part of the selection process for awards.

Purpose of Meetings: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including

technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4), and (6) of the Government in the Sunshine Act.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10128 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–Msea

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Polar Programs; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Polar Programs (1130).

Date and Time: May 22–23, 2000, 8:30 a.m. to 5 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 1235, Arlington, VA 22230.

Type of Meeting: Open.

Contact Person: Brenda Williams, Office of Polar Programs (OPP), National Science Foundation, 4201 Wilson Blvd., Suite 755, Arlington, VA 22230. Telephone: (703) 306–1030.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To advise NSF on the impact of its policies, programs and activities on the polar research community; to provide advice to the Director of OPP on issues related to long range planning, and to form *ad hoc* subcommittees to carry out needed studies and tasks.

Agenda: Discussion of NSF-wide initiatives, long-range planning, and GPRA.

Dated: April 13, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10118 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Research, Evaluation and Communication; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Research, Evaluation and Communication (1210).

Date/Time: May 8–9, 2000; 8 a.m. to 5 p.m.

Place: Room 880, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Partially Open.

Contact Person: Dr. Conrad Katzenmeyer, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306–1650.

Purpose of Meeting: To carry out a Committee of Visitors (COV) review of the Evaluation program, including the discussion of management, programmatic and evaluation issues according to procedures established by the Foundation's GPRA requirements.

Agenda: May 8, 2000, 10 a.m. to 5 p.m. Closed review of privileged documents.

May 9, 2000, 8 a.m. to 1 p.m. Closed review of privileged documents.

May 9, 2000, 2 p.m. to 3:30 p.m. Open discussion on the impact of the projects funded and an evaluation of the programs. Session is open to meet requirements of Government Performance and Results Act.

Reason for Closing: During the closed session, the COV will be reviewing proposal actions, which will include privileged intellectual property and personal information not available for disclosure. Such deliberation is exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: April 13, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10120 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Small Business Industrial Innovation (SBIR); Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Small Business Industrial Innovation (61).

Date and Time: May 1–2, 2000, 8:00 am–5:00 pm.

Type of Meeting: Open.

Place: Room 120, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Contact Person: Cheryl Albus, Program Manager, (703) 306–1390, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice and recommendations concerning research programs pertaining to the small business community.

Agenda: May 1, 2000, Room 120

8:00 am–8:30 am: Introductions.

8:30 am–9:00 am: Welcome.

9:00 am–12:00N: Past Year's Accomplishments; Issues.

12:00N–1:30 pm: Lunch.

1:30 pm–3:30 pm: Issues (continued).

3:30 pm–3:45 pm: Break.

3:45 pm–4:15 pm: Issues (continued).

4:15 pm–5:30 pm: Discussion.

5:30 pm: Adjourn.

May 2, 2000, Room 120

8:00 am–10:00 am: Preparation of Committee Report.

10:00 am–10:30 am: Break.

10:30 am–12:30 pm: Feedback from the Committee.

12:30 pm——.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10125 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Social, Behavioral, and Economic Sciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Social, Behavioral, and Economic Sciences (1171).

Date & Time: May 25, 2000; 8:30 a.m.–5 p.m.

May 26, 2000; 8:30 a.m.–5 p.m.

Place: NSF, Room 1235, 4201 Wilson Blvd., Arlington, VA 22230.

Type of Meeting: Open.

Contact Person: Dr. Kenneth M. Brown, Executive Secretary; Directorate for Social, Behavioral, and Economic Sciences, NSF, Suite 905; 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 306–1741.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice and recommendations to the National Science Foundation on major goals and policies pertaining to SBE programs and activities.

Agenda: Discussions on issues, role and future direction of the NSF Directorate for Social, Behavioral, and Economic Sciences.

Dated: April 19, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10123 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Subcommittee on Global Change Research; Notice of Availability of Draft Reports and Request for Comment

AGENCY: National Science Foundation.

ACTION: Notice of the availability of draft reports and request for comment.

SUMMARY: Three working groups of the Intergovernmental Panel on Climate Change (IPCC) have prepared draft versions of their Third Assessment Report (TAR) on Climate Change. The

IPCC Secretariat requires comments on this report from national governments so that the Secretariat can meet its obligations to member governments of the IPCC. The U.S. Subcommittee on Global Change Research (SGCR) has been assigned responsibility for coordinating the preparation of the comments of the United States Government.

Through this notice, the SGCR is announcing the availability of the draft Third Assessment Report upon its receipt from IPCC and is requesting comments on the draft report by the deadlines indicated from scientists, experts and other interested organizations and individuals. A list of chapters making up the draft Third Assessment Report is included with this notice to facilitate determination of interest in participating in this review. The comments received will be reviewed, combined, and incorporated, as appropriate, in the process of preparing the set of official USG comments to the IPCC. It should be noted that this is a draft report and should not be cited or quoted as it is still undergoing review and is likely to be changed based on reviewer comments.

Requests to be a reviewer should indicate: (1) Name, postal address, email address, and other contact information; (2) the qualifications and general area of expertise of the reviewer to review specific parts of the report; and (3) the working group and chapters that the reviewer will review (see attached listing of working groups and chapters). Based on these requests, information will be provided about how to access and download from the Web copies of the relevant chapters and on the format of comments to be submitted; paper copies of the chapters are not being offered for review.

DATES: Requests to be a reviewer and for information on being provided Web access to the draft reports for review purposes only may be submitted up until the dates on which the review comments are due. Reviewer comments on the draft Third Assessment Report (preferably submitted as an attachment to an email message) must be received at the email address indicated below on or before the closing dates listed.

The draft of the Working Group I Report is expected to be available about April 17, and comments in response to this notice must be received by May 8, 2000.

The draft of the Working Group II Report is expected to be available about May 15, and comments in response to this notice must be received by June 12, 2000.

The draft of the Working Group III Report is expected to be available about May 20, and comments in response to this notice must be received by June 26, 2000.

The SGCR cannot extend these deadlines because the member countries of the IPCC have established a strict timetable for the review process and require prompt submission of USG comments.

ADDRESSES: Requests to serve as a reviewer of the report are being handled by the Global Change Research Information Office (GCRIO) that is sponsored by the SGCR. Request to be a reviewer can be submitted by: (1) Filing out a form on the GCRIO Web site at <*http://www/gcrio.org/ipccform/*>; (2) sending an email request with the required information (see above) to ''help@gcrio.org'' or (3) sending a letter to GCRIO at P.O. Box 1000, 61 Route 9W, Palisades, New York 10964.

Review comments should be submitted via email over the Internet as a Microsoft Word or WordPerfect attachment using a separate file for each chapter that is reviewed. Review comments should be formatted based on the guidelines provided by GCRIO upon notification of how to access the report. Review comments on the Working Group I report should be emailed to *IPCCTARW1@usgcrp.gov*; review comments on the Working Group II report should be emailed to *IPCCTARWG2@usgcrp.gov*; and review comments on the Working Group III report should be emailed to *IPCCTARWG3@usgcrp.gov.*

If email submission is not possible, review comments may be submitted via mail to: IPCC TAR Comments, Office of the U.S. Global Change Research Program, 400 Virginia Avenue, SW., Suite 750, Washington, DC 20024.

FOR FURTHER INFORMATION CONTACT: IPCC TAR Review Coordinator, Office of the U.S. Global Change Research Program, Suite 750, 400 Virginia Avenue, SW., Washington DC 20024; or telephone 202–488–8630, fax at 202–488–8681, or send an email to *office@usgcrp.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

The Intergovernmental Panel on Climate Change (IPCC) was jointly established in 1988 by the United Nations Environment Programme and the World Meteorological Organization to conduct periodic assessments of the state of knowledge concerning global climate change. The IPCC has formed working groups to study various aspects of climate change.

Working Group I addresses the state of the science concerning what is happening and is projected to happen to the climate system; Working Group II addresses the state of the science concerning regional, sectoral and cross-sectoral impacts of, and adaptation to, climate change, including the social dimensions (e.g., equity) and economic costs and benefits; and Working Group III addresses the state of science concerning mitigation of climate change, including the social aspects and economic costs and benefits, and methodological aspects of cross-cutting issues.

Each Working Group is charged with issuing periodic assessments. The first Scientific Assessment of Climate Change, for example, was prepared in 1990 and the Second Assessment Report was prepared in 1995. Special and supplementary reports have also been prepared (additional information on the IPCC is available on their Web site at http://www.ipcc.ch/). Periodic assessment reports such as these provide a comprehensive statement of the state of knowledge concerning topics such as scientific information, environmental impacts, response strategies, and other issues concerning climate change.

II. Review Process

The member countries of the IPCC have established a timetable that includes a brief period for comments from governments so that the IPCC Secretariat can meet its obligations for a timely completion of the IPCC Third Assessment Report.

The Subcommittee on Global Change Research is responsible for coordinating preparation of the U.S. Government response, and through this notice is seeking the views of experts and interested organizations and individuals to help in the formulation of its response. Comments that are provided will be reviewed, integrated, and used, as appropriate, in the preparation of the official U.S. Government comments.

An information sheet providing specific requests for formatting submissions of comments will be provided with notification of how to access the chapter on the Web. All comments must indicate who is submitting the comments, indicate their affiliation, and provide an indication of their area of expertise in accord with the IPCC practice of all reviewer comments being attributed. In this review process, the emphasis should be on providing detailed recommendations on specific chapters for which the reviewer has established expertise or interest.

To be most useful, comments should be specific in suggesting alternative working or other changes to the text of a particular paragraph or chapter and, where appropriate, offer supporting information and peer-reviewed references supporting the proposed changes. Comments on the overall tone and scientific validity of the chapters and comments expressing the reasons for agreement or disagreement with specific major points in the Executive Summary of the chapters are also solicited.

The materials available for review include the draft chapters and draft Summary for Policymakers for each of the three Working Groups. Reviewers should undertake detailed review only of those specific chapters of the draft IPCC Working Group Third Assessment Report for which they have expertise or special interest. Reviews of the draft Summary for Policymakers should consider the consistency of any chapter and the selection and representation of its major points in the draft Summary for Policymakers.

Reviews of each chapter should be submitted separately and the reviews of the different working group reports should be submitted as separate files to the appropriate email address indicated above.

Based on chapter titles from the expert review draft, the chapters that are expected to be available for review from the various working groups include the following:

Working Group I: Climate System and Climate Change

WB I Summary for Policymakers
1. The Climate System—an Overview
2. Observed Climate Variability and Change
3. Carbon Cycle & Atmosphere CO2
4. Atmospheric Chemistry & Radiative Trace Gases
5. Aerosols and Indirect Cloud Effects
6. Radiative Forcing of Climate
7. Physical Climate Processes and Feedbacks
8. Global Climate Models—Evaluation
9. Global Climate Models—Projections
10. Regional Information—Evaluation and Projections
11. Changes in Sea Level
12. Detection of Climate Change and Attribution of Causes
13. Climate Change Scenario Development
14. Advancing our Understanding

Working Group II: Climate Change; Impacts, Adaptation, and Vulnerability

WG II Summary for Policymakers
1. Overview
2. Methods and Tools
3. Scenarios in Climate Change Impact, Adaptation, and Vulnerability Assessment
4. Hydrology and Water Resources
5. Natural and Managed Ecosystems
6. Coastal Zones and Marine Ecosystems
7. Energy, Industry, and Settlements
8. Financial Services
9. Human Health
10. Africa
11. Asia
12. Australasia
13. Europe
14. Latin America
15. North America
16. Polar Regions (Arctic and Antarctic)
17. Small Island States
18. Adaptation to Climate Change in the Context of Sustainable Development and Equity
19. Synthesis and Integration of Impacts, Adaptation, and Vulnerability

Working Group III: Mitigation of Climate Change

WG III Summary for Policymakers Introduction
1. Scope of the Report
2. Greenhouse Gas Emissions Mitigation Scenarios and Implications
3. Technological and Economic Potential of GHG Emissions Reduction
4. Technological and Economic Potential of Options to Enhance, Maintain and Manage Biological Carbon Reservoirs and Geo-Engineering
5. Barriers, Opportunities and Market Potential of Technologies and Practices
6. Polices, Measures and Instruments
7. Costing Methodologies for Mitigation (coordinated with WG–II)
8. Global, Regional and National Costs and Ancillary Benefits of Mitigation
9. Sector Costs and Ancillary Benefits of Mitigation
10. Decision Making Frameworks (coordinated with WG–11)

III. Public Availability of Comments

Subsequent to the U.S. assembly of its comments, the collection of comments received will be available for public inspection weekdays during normal business hours at the library of the National Science Foundation in Arlington, VA. Appointments can be made by calling 703–306–0658. Note that the IPCC draft reports are only available over the Web and are not archived at the NSF library.

Dated: April 13, 2000.

Karen J. York,

Committee Management Officer.

[FR Doc. 00–10121 Filed 4–21–00; 8:45 am]

BILLING CODE 7555–01–M

OFFICE OF PERSONNEL MANAGEMENT

The National Partnership Council

AGENCY: Office of Personnel Management.

ACTION: Notice of meeting.

TIME AND DATE: 11 a.m., April 25, 2000.

PLACE: FMCS 10th National Labor-Management Conference, Hyatt Regency Hotel, 151 East Wacker Drive, Chicago, IL.

STATUS: This meeting will be open to the public. Seating will be available on a first-come, first-served basis. Individuals with special access needs wishing to attend should contact OPM at the number shown below to obtain appropriate accommodations.

MATTERS TO BE CONSIDERED: The National Partnership Council meeting agenda includes a presentation by Morley Winograd, Director, National Partnership for Reinventing Government, reviewing the results of NPR's latest employee satisfaction survey. Dr. Marick Masters, University of Pittsburgh, will present preliminary findings of the NPC Research Project.

CONTACT PERSON FOR MORE INFORMATION: Jeff Sumberg, Director, Office of Labor and Employee Relations, Office of Personnel Management, Theodore Roosevelt Building, 1900 E Street, NW., Room 7H28, Washington, DC 20415–2000, (202) 606–2930.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 00–10071 Filed 4–21–00; 8:45 am]

BILLING CODE 6325–01–P

POSTAL SERVICE BOARD OF GOVERNORS

Sunshine Act Meeting

TIMES AND DATES: 1:00 p.m., Monday, May 1, 2000; 8:30 a.m., Tuesday, May 2, 2000.

PLACE: Washington, D.C., at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, S.W., in the Benjamin Franklin Room.

STATUS: May 1 (Closed); May 2 (Open).

MATTERS TO BE CONSIDERED:

Monday, May 1—1:00 p.m. (Closed)

1. Strategic Planning.
2. Adjustments to International Mail Rates.
3. Financial Performance.
4. Office of Inspector General Midyear Budget and Performance Results.

5. Compensation Issues.

6. Personnel Matters.

Tuesday, May 2—8:30 a.m. (Open)

1. Minutes of the Previous Meeting, April 3–4, 2000.

2. Remarks of the Postmaster General/ Chief Executive Officer.

3. Briefing on the Census Mailing.

4. Preview of National Postal Customer Council Day.

5. Update on Delivery Confirmation.

6. Tentative Agenda for the June 5–6, 2000, meeting in Philadelphia, Pennsylvania.

CONTACT PERSON FOR MORE INFORMATION: Thomas J. Koerber, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260–1000. Telephone (202) 268–4800.

Thomas J. Koerber,

Secretaruy.

[FR Doc. 00–10274 Filed 4–20–00; 2:09 pm]

BILLING CODE 7710–12–M

SMALL BUSINESS ADMINISTRATION

[Declaration of Economic Injury Disaster #9H11]

State of Hawaii

The City and County of Honolulu, Hawaii constitutes an economic injury disaster loan area as a result of a rockslide that occurred on March 6, 2000 and closed the Kamehameha Highway. Eligible small businesses and small agricultural cooperatives without credit available elsewhere may file applications for economic injury assistance as a result of this disaster until the close of business on January 17, 2001, at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 4 Office, P.O. Box 13795, Sacramento, CA 95853–4795.

The interest rate for eligible small businesses and small agricultural cooperatives is 4 percent. The economic injury number for this disaster is 9H1100.

(Catalog of Federal Domestic Assistance Program No. 59002.)

Dated: April 17, 2000.

Aida Alvarez,

Administrator.

[FR Doc. 00–10195 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Notice of Action Subject to Intergovernmental Review

Under Executive Order 12372

AGENCY: U.S. Small Business Administration.

ACTION: Notice of action subject to intergovernmental review under Executive Order 12372.

SUMMARY: The Small Business Administration (SBA) is notifying the public that it intends to grant the pending applications of 22 existing Small Business Development Centers (SBDCs) for refunding on October 1, 2000, subject to the availability of funds. Four states do not participate in the EO 12372 process; therefore, their addresses are not included. A short description of the SBDC program follows in the supplementary information below.

The SBA is publishing this notice at least 120 days before the expected refunding date. The SBDCs and their mailing addresses are listed below in the address section. A copy of this notice also is being furnished to the respective State single points of contact designated under the Executive Order. Each SBDC application must be consistent with any area-wide small business assistance plan adopted by a State-authorized agency.

DATES: A State single point of contact and other interested State or local entities may submit written comments regarding an SBDC refunding within 30 days from the date of publication of this notice to the SBDC.

ADDRESSES:

Addresses of Relevant SBDC State Directors

Mr. Robert McKinley, Region Director, Univ. of Texas at San Antonio, 1222 North Main Street, San Antonio, TX 78212; (210) 458–2450

Dr. Hazel Palmer, State Director, West Virginia Development Office, 950 Kanawha Boulevard East, Charleston, WV 25301; (304) 558–2960

Mr. Dennis Gruell, State Director, University of Connecticut, 2 Bourn Place, U–94, Storrs, CT 06269–5094; (860) 486–4135

Mr. Clinton Tymes, State Director, University of Delaware, Suite 005, Purnell Hall, Newark, DE 19711; (302) 831–2747

Mr. Michael Young, Region Director, University of Houston, 2302 Fannin, Suite 200, Houston, TX 77002; (713) 752–8425

Ms. Becky Naugle, State Director, University of Kentucky, 225 Gatton College of Business Economics, Lexington, KY 40506–0034; (606) 257–7668

Ms. Liz Klimback, Region Director, Dallas Community College, 1402 Corinth Street, Dallas, TX 75212; (214) 860–5835

Ms. Rene Sprow, State Director, Univ. of Maryland @ College Park, 7100 Baltimore Avenue, Suite 401, Baltimore, MD 20742; (301) 403–8163

Mr. Craig Bean, Region Director, Texas Tech University, 2579 South Loop 289, Suite 114, Lubbock, TX 79423–1637; (806) 745–3973

Ms. Diane Wolverton, State Director, University of Wyoming, P.O. Box 3922, Laramie, WY 82071, (307) 766–3505

Mr. Max Summers, State Director, University of Missouri, Suite 300, University Place, Columbia, MO 65211; (573) 882–0344

Mr. Ronald Manning, State Director, Iowa State University, 137 Lynn Avenue, Ames, IA 50010; (515) 292–6351

Mr. James L. King, State Director, State University of New York, SUNY Plaza, S–523, Albany, NY 12246; (518) 443–5398

Ms. Holly Schick, State Director, Ohio Department of Development, 77 South High Street, Columbus, OH 43226–1001; (614) 466–2711

Mr. Donald L. Kelpinski, State Director, Vermont Technical College, P.O. Box 422, Randolph Center, VT 05060; (802) 728–9101

Mr. Ian Hodge, SBDC Director, University of the Virgin Islands, 8000 Nisky Center, Suite 202, St. Thomas, US VI 00802; (340) 776–3206

Ms. Carmen Marti, SBDC Director, Inter American University, Ponce de Leon Avenue, ı416, Edificio Union Plaza, Suite 7–A, Hato Rey, PR 00918; (787) 763–6811

FOR FURTHER INFORMATION CONTACT: Johnnie L. Albertson, Associate Administrator for SBDCs, U.S. Small Business Administration, 409 Third Street, SW, Suite 4600, Washington, DC 20416.

SUPPLEMENTARY INFORMATION:

Description of the SBDC Program

A partnership exists between SBA and an SBDC. SBDCs offer training, counseling and other business development assistance to small businesses. Each SBDC provides services under a negotiated Cooperative Agreement with SBA, the general management and oversight of SBA, and a state plan initially approved by the

Governor. Non-Federal funds must match Federal funds. An SBDC must operate according to law, the Cooperative Agreement, SBA's regulations, the annual Program Announcement, and program guidance.

Program Objectives

The SBDC program uses Federal funds to leverage the resources of states, academic institutions and the private sector to:

(a) Strengthen the small business community;

(b) Increase economic growth;

(c) Assist more small businesses; and

(d) Broaden the delivery system to more small businesses.

SBDC Program Organization

The lead SBDC operates a statewide or regional network of SBDC subcenters. An SBDC must have a full-time Director. SBDCs must use at least 80 percent of the Federal funds to provide services to small businesses. SBDCs use volunteers and other low cost resources as much as possible.

SBDC Services

An SBDC must have a full range of business development and technical assistance services in its area of operations, depending upon local needs, SBA priorities and SBDC program objectives. Services include training and counseling to existing and prospective small business owners in management, marketing, finance, operations, planning, taxes, and any other general or technical area of assistance that supports small business growth.

The SBA district office and the SBDC must agree upon the specific mix of services. They should give particular attention to SBA's priority and special emphasis groups, including veterans, women, exporters, the disabled, and minorities.

SBDC Program Requirements

An SBDC must meet programmatic and financial requirements imposed by statute, regulations or its Cooperative Agreement. The SBDC must:

(a) Locate subcenters so that they are as accessible as possible to small businesses;

(b) Open all subcenters at least 40 hours per week, or during the normal business hours of its state or academic Host Organization, throughout the year;

(c) Develop working relationships with financial institutions, the investment community, professional associations, private consultants and small business groups; and

(d) Maintain lists of private consultants at each subcenter.

Dated: April 13, 2000.

Johnnie L. Albertson,

Associate Administrator for Small Business Development Centers.

[FR Doc. 00–9851 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Public Meeting

The Heartland States Regulatory Fairness Board will hold a Public Hearing on June 13, 2000. The meeting hearing will be held at the Marriott Hotel located at 1250 74th Street, West Des Moines, IA 50266 at 1 p.m. The purpose of this hearing is to receive comments and testimony from small businesses and representatives of trade associations concerning regulatory enforcement or compliance actions taken by federal agencies. Transcripts of these proceedings will be posted on the Internet. These transcripts are subject only to limited review by the National Ombudsman. Contact: John Greiner (312) 353–0880.

Bettie Baca,

Counselor to the Administration/Public Liaison.

[FR Doc. 00–10197 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Public Meeting

The Rocky Mountain States Regulatory Fairness Board will hold a public hearing on May 1, 2000 at the Sheraton Hotel/Sioux Falls Convention Center, 1211 N. West Av., Sioux Falls, SD at 1 p.m. The purpose of the hearing is to receive comments and testimony from small businesses and representatives of trade associations concerning regulatory enforcement or compliance actions taken by federal agencies. Transcripts of these proceedings will be posted on the Internet. These transcripts are subject only to limited review by the National Ombudsman. Contact: Gary P. Peele (312) 353–0880.

Bettie Baca,

Counselor to the Administrator/Public Liaison.

[FR Doc. 00–10198 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Public Meeting

The Mid Atlantic States Regulatory Fairness Board will hold a public hearing on May 17, 2000 at the Polytechnic University of Puerto Rico located at 377 Ponce de Leon Avenue, University Theatre Hato Rey, Puerto Rico 00919 at 9 a.m. The space is being donated by the University and the event is being co-hosted by Banco Popular. The purpose of the meeting is to receive comments and testimony from small businesses and representatives of trade associations concerning regulatory enforcement or compliance actions taken by federal agencies. Transcripts of these proceedings will be posted on the Internet. These transcripts are subject only to limited review by the National Ombudsman. Contact: Gary P. Peele (312) 353–0880.

Bettie Baca,

Counselor to the Administrator/Public Liaison.

[FR Doc. 00–10199 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Region III Advisory Council Meeting; Public Meeting

The U.S. Small Business Administration Region III Advisory Council, located in the geographical area of Clarksburg, West Virginia, will hold a public meeting at 1 p.m.–4 p.m. on Tuesday, May 16, 2000, and 9–12 noon on Wednesday, May 17, 2000, at Holiday Inn Express, Morgantown, WV, to discuss such matters as may be presented by its members, staff of the U.S. Small Business Administration, or others present.

We would appreciate it if you would publish this notice in the **Federal Register** on a timely basis. For further information, write or call Donald S. Carter, Acting District Director, U.S. Small Business Administration, 320 West Pike Street, Suite 330, Clarksburg, WV 26301, (304) 623–5631, Ext. 223.

Bettie Baca,

Counselor to the Administrator/Public Liaison.

[FR Doc. 00–10196 Filed 4–21–00; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD08–00–008]

Houston/Galveston Navigation Safety Advisory Committee Meeting

AGENCY: Coast Guard, DOT.

ACTION: Notice of meetings.

SUMMARY: The Houston/Galveston Navigation Safety Advisory Committee (HOGANSAC) and its working committees will meet to discuss waterway improvements, aids to navigation, Houston/Galveston-area projects impacting safety on the Houston Ship Channel, and various other navigation safety matters in the Houston/Galveston area. All meetings will be open to the public.

DATES: The next meeting of HOGANSAC will be held on Wednesday, May 24, 2000 from 8:30 a.m. to approximately 11 a.m. The meeting of the Committee's working groups will be held on Thursday, May 4, 2000 at 10 a.m. The meetings may adjourn early if all business is finished. Members of the public may present written or oral statements at either meeting.

ADDRESSES: The HOGANSAC meeting will be held in the conference room of the Houston Pilots' Office, 8150 South Loop East, Houston, TX. The working group meeting will be held at the Houston Yacht Club, 3620 Miramar, Seabrook, TX.

FOR FURTHER INFORMATION CONTACT: Captain Wayne Gusman, Executive Director of HOGANSAC, telephone (713) 671–5199; or Commander Peter Simons, Executive Secretary of HOGANSAC, telephone (713) 671–5164.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. 2.

Agendas of the Meetings

Houston/Galveston Navigation Safety Advisory Committee (HOGANSAC)

The tentative agenda includes the following:

(1) Opening remarks by the Committee Sponsor (RADM Pluta) (or the Committee Sponsor's representative), Executive Director (CAPT Gusman) and Chairman (Tim Leitzell).
(2) Swearing in of new Committee members
(3) Approval of the January 28, 2000 minutes.
(4) Status of dredging projects.
(5) Barge lanes.
(6) Facility mooring depths data collection.
(7) Hurricane restoration plan.
(8) Eighth Coast Guard District, Office of Aids to Navigation, presentation on aids to navigation reconfiguration schedule.
(9) Seaman's Church Institute presentation on Houston simulator project.
(10) New business.

Working Committee Meeting

The tentative agenda for the working committee meeting includes the following:

(1) Presentation by each work group of its accomplishments and plans for the future.
(2) Review and discuss the work completed by each work group.

Work groups were formed to examine the following issues: hurricane contingency plan, PORTS funding/TCOON operability, dredging and related issues, barge lanes, electronic navigation systems, port emergency communications committee/internet site, AtoN knockdowns, VTS radio frequency congestion.

All work groups may not necessarily report out at this session. Further, work group reports may not necessarily include discussions on all issues within the particular work group's area of responsibility.

All meetings are open to the public. Please note that the meetings may adjourn early if all business is finished. Members of the public may make oral presentations during either meeting.

Information on Services for the Handicapped

For information on facilities or services for the handicapped or to request special assistance at the meetings, contact the Executive Director as soon as possible.

Dated: April 8, 2000.

Paul J. Pluta,

Rear Admiral, U. S. Coast Guard, Commander, Eighth Coast Guard District.

[FR Doc. 00–10152 Filed 4–21–00; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–398 (Sub–No. 6X)]

San Joaquin Valley Railroad Company—Abandonment Exemption—in Kern County, CA

San Joaquin Valley Railroad Company (SJVR) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments* to abandon an approximately half mile segment of railroad on the Oil City Subdivision, between milepost 311.9 and milepost 312.5 at or near Maltha, in Kern County, CA.[1] The line traverses United States Postal Service Zip Code 93308.[2]

SJVR has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment— Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed. Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 24, 2000, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[3] formal expressions of intent to

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[1] *See San Joaquin Valley Railroad Co.—Acquisition and Lease Exemption—Southern Pacific Transportation Company,* Finance Docket No. 31993 (Sub-No. 1) (ICC served Oct. 4, 1993), and *San Joaquin Valley Railroad Company—Acquisition and Operation Exemption-Tulare Valley Railroad Company,* STB Finance Docket No. 33723 (STB served Mar. 30, 1999).

[2] Under 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. SJVR, in its verified notice tendered for filing on March 22, 2000, indicated a proposed consummation date of May 15, 2000. Because applicant had failed to publish notice in the newspaper as required, the verified notice was not complete until April 4, 2000, when proof of newspaper publication was received at the Board and hence the notice was not deemed filed until then. Thus, the earliest possible consummation date is May 24, 2000. Applicant's representative has confirmed that the correct consummation date is on or after May 24, 2000.

[3] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the

file an OFA under 49 CFR 1152.27(c)(2),[4] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 4, 2000. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 15, 2000, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Fritz R. Kahn, P.C., 1920 N. Street, NW (8th Fl.), Washington, DC 20036–1601.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

SJVR has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by April 28, 2000. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565–1545. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), SJVR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by SJVR's filing of a notice of consummation by April 24, 2001, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Decided: April 18, 2000.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 00–10165 Filed 4–21–00; 8:45 am]

BILLING CODE 4915–00–P

exemption's effective date. *See Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[4] Each offer of financial assistance must be accompanied by the filing fee, which currently is set at $1000. *See* 49 CFR 1002.2(f)(25).

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

April 13, 2000.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

DATES: Written comments should be received on or before May 24, 2000 to be assured of consideration.

Financial Management Service (FMS)

OMB Number: 1510–0056.

Form Number: SF 3881.

Type of Review: Extension.

Title: ACH Vendor/Miscellaneous Payment Enrollment Form.

Description: Payment data will be collected from vendors doing business with the Federal Government. Treasury/FMS will use the information to electronically transmit payments to vendors' financial institutions. The affected public includes (but is not limited to) businesses, State/local governments, corporations, educational institutions, and other organizations.

Respondents: Business of other for-profit, Not-for-profit institutions, State, Local or Tribal Government.

Estimated Number of Respondents: 80,000.

Estimated Burden Hours Per Respondent: 15 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 20,000 hours.

Clearance Officer: Juanita Holder, Financial Management Service 3700 East West Highway, Room 144, PGP II, Hyattsville, MD 20782.

OMB Reviewer: Alexander T. Hunt, (202) 395–7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 00–10067 Filed 4–21–00; 8:45 am]

BILLING CODE 4810–35–P

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Proposed Agency Information Collection Activities; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. Today, the Office of Thrift Supervision within the Department of the Treasury solicits comments on the Interest Rate Risk Appeals package.

DATES: Submit written comments on or before June 23, 2000.

ADDRESSES: Send comments to Manager, Dissemination Branch, Information Management and Services Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, Attention 1550–0084. Hand deliver comments to the Public Reference Room, 1700 G Street, NW., lower level, from 9:00 a.m. to 4:00 p.m. on business days. Send facsimile transmissions to FAX Number (202) 906–7755; or (202) 906–6956 (if comments are over 25 pages). Send e-mails to ''public.info@ots.treas.gov'', and include your name and telephone number. Interested persons may inspect comments at the Public Reference Room, 1700 G St. NW., from 9:00 a.m. until 4:00 p.m. on business days.

FOR FURTHER INFORMATION CONTACT: Radu Filimon, Research and Analysis, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, (202) 906–5733.

SUPPLEMENTARY INFORMATION:

Title: Interest Rate Risk Appeals.

OMB Number: 1550–0084.

Form Number: 1586–A, 1586–I.

Abstract: The two forms give savings associations an opportunity to appeal their interest rate risk capital component which is determined by the Office of Thrift Supervision's interest rate risk model.

Current Actions: OTS proposes to renew this information collection without revision.

Type of Review: Renewal.

Affected Public: Business or For Profit.

Estimated Number of Respondents: 6.

Estimated Time Per Respondent: 28 hours.

Estimated Total Annual Burden Hours: 170 hours.

Request for Comments

The OTS will summarize comments submitted in response to this notice or will include these comments in its request for OMB approval. All comments will become a matter of public record. The OTS invites comment on: (a) Whether the 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 collection of information; (c) ways to enhance the quality; (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or starting costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: April 18, 2000.

John E. Werner,

Director, Information & Management Services Division.

[FR Doc. 00–10076 Filed 4–21–00; 8:45 am]

BILLING CODE 6720–01–P

Corrections

Federal Register
Vol. 65, No. 79
April 24, 2000

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 ENERGY

Federal Energy Regulatory Commission

[Docket No. RP99–257–006]

Williams Gas Pipelines Central, Inc.; Notice of Proposed Changes in FERC Gas Tariff

Correction

In notice document 00–9597 appearing on page 20810 in the issue of Tuesday, April 18, 2000, the docket number is corrected to read as set forth above.

[FR Doc. C0–9597 Filed 4–21–00; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Collection; Comment Request

Correction

In notice document 00–8445 beginning on page 18131 in the issue of Thursday, April 6, 2000, make the following correction:

On page 18131, in the third column, under *OMB Number* ''205-0035'' should read ''1205-0035''.

[FR Doc. C0–8445 Filed 4–21–00; 8:45 am]

BILLING CODE 1505–01–D

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The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

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Outer Continental Shelf regulations—

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Tennessee; published 2-23-00

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with ''P L U S'' (Public Laws Update Service) on 202–523–6641. This list is also available online at http://www.nara.gov/fedreg.

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H.R. 1374/P.L. 106–183

To designate the United States Post Office building located at 680 U.S. Highway 130 in Hamilton, New Jersey, as the ''John K. Rafferty Hamilton Post Office Building''. (Apr. 13, 2000; 114 Stat. 200)

H.R. 3189/P.L. 106–184

To designate the United States post office located at 14071 Peyton Drive in Chino Hills, California, as the ''Joseph Ileto Post Office''. (Apr. 14, 2000; 114 Stat. 201)

Last List April 11, 2000

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1, 2 (2 Reserved)	(869–038–00001–6)	5.00	[5] Jan. 1, 1999
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191–399	(869–038–00115–2)	55.00	July 1, 1999
400–629	(869–038–00116–1)	32.00	July 1, 1999
630–699	(869–038–00117–9)	23.00	July 1, 1999
700–799	(869–038–00118–7)	27.00	July 1, 1999
800–End	(869–038–00119–5)	27.00	July 1, 1999
33 Parts:			
1–124	(869–038–00120–9)	32.00	July 1, 1999
125–199	(869–038–00121–7)	41.00	July 1, 1999
200–End	(869–038–00122–5)	33.00	July 1, 1999
34 Parts:			
1–299	(869–038–00123–3)	28.00	July 1, 1999
300–399	(869–038–00124–1)	25.00	July 1, 1999
400–End	(869–038–00125–0)	46.00	July 1, 1999
35	(869–038–00126–8)	14.00	[8] July 1, 1999
36 Parts			
1–199	(869–038–00127–6)	21.00	July 1, 1999
200–299	(869–038–00128–4)	23.00	July 1, 1999
300–End	(869–038–00129–2)	38.00	July 1, 1999
37	(869–038–00130–6)	29.00	July 1, 1999
38 Parts:			
0–17	(869–038–00131–4)	37.00	July 1, 1999
18–End	(869–038–00132–2)	41.00	July 1, 1999
39	(869–038–00133–1)	24.00	July 1, 1999
40 Parts:			
1–49	(869–038–00134–9)	33.00	July 1, 1999
50–51	(869–038–00135–7)	25.00	July 1, 1999
52 (52.01–52.1018)	(869–038–00136–5)	33.00	July 1, 1999
52 (52.1019–End)	(869–038–00137–3)	37.00	July 1, 1999
53–59	(869–038–00138–1)	19.00	July 1, 1999
60	(869–038–00139–0)	59.00	July 1, 1999
61–62	(869–038–00140–3)	19.00	July 1, 1999
63 (63.1–63.1119)	(869–038–00141–1)	58.00	July 1, 1999
63 (63.1200–End)	(869–038–00142–0)	36.00	July 1, 1999
64–71	(869–038–00143–8)	11.00	July 1, 1999
72–80	(869–038–00144–6)	41.00	July 1, 1999
81–85	(869–038–00145–4)	33.00	July 1, 1999
86	(869–038–00146–2)	59.00	July 1, 1999
87-135	(869–038–00146–1)	53.00	July 1, 1999
136–149	(869–038–00148–9)	40.00	July 1, 1999
150–189	(869–038–00149–7)	35.00	July 1, 1999
190–259	(869–038–00150–1)	23.00	July 1, 1999
260–265	(869–038–00151–9)	32.00	July 1, 1999
266–299	(869–038–00152–7)	33.00	July 1, 1999
300–399	(869–038–00153–5)	26.00	July 1, 1999
400–424	(869–038–00154–3)	34.00	July 1, 1999
425–699	(869–038–00155–1)	44.00	July 1, 1999
700–789	(869–038–00156–0)	42.00	July 1, 1999
790–End	(869–038–00157–8)	23.00	July 1, 1999
41 Chapters:			
1, 1–1 to 1–10		13.00	[3] July 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)		13.00	[3] July 1, 1984
3–6		14.00	[3] July 1, 1984
7		6.00	[3] July 1, 1984
8		4.50	[3] July 1, 1984
9		13.00	[3] July 1, 1984
10–17		9.50	[3] July 1, 1984
18, Vol. I, Parts 1–5		13.00	[3] July 1, 1984
18, Vol. II, Parts 6–19		13.00	[3] July 1, 1984
18, Vol. III, Parts 20–52		13.00	[3] July 1, 1984
19–100		13.00	[3] July 1, 1984
1–100	(869–038–00158–6)	14.00	July 1, 1999
101	(869–038–00159–4)	39.00	July 1, 1999
102–200	(869–038–00160–8)	16.00	July 1, 1999
201–End	(869–038–00161–6)	15.00	July 1, 1999
42 Parts:			
1–399	(869–038–00162–4)	36.00	Oct. 1, 1999
400–429	(869–038–00163–2)	44.00	Oct. 1, 1999
430–End	(869–038–00164–1)	54.00	Oct. 1, 1999
43 Parts:			
1–999	(869–038–00165–9)	32.00	Oct. 1, 1999
1000–end	(869–038–00166–7)	47.00	Oct. 1, 1999
44	(869–038–00167–5)	28.00	Oct. 1, 1999
45 Parts:			
1–199	(869–038–00168–3)	33.00	Oct. 1, 1999
200–499	(869–038–00169–1)	16.00	Oct. 1, 1999
500–1199	(869–038–00170–5)	30.00	Oct. 1, 1999
1200–End	(869–038–00171–3)	40.00	Oct. 1, 1999
46 Parts:			
1–40	(869–038–00172–1)	27.00	Oct. 1, 1999
41–69	(869–038–00173–0)	23.00	Oct. 1, 1999
70–89	(869–038–00174–8)	8.00	Oct. 1, 1999
90–139	(869–038–00175–6)	26.00	Oct. 1, 1999
140–155	(869–038–00176–4)	15.00	Oct. 1, 1999
156–165	(869–038–00177–2)	21.00	Oct. 1, 1999
166–199	(869–038–00178–1)	27.00	Oct. 1, 1999
200–499	(869–038–00179–9)	23.00	Oct. 1, 1999
500–End	(869–038–00180–2)	15.00	Oct. 1, 1999
47 Parts:			
0–19	(869–038–00181–1)	39.00	Oct. 1, 1999
20–39	(869–038–00182–9)	26.00	Oct. 1, 1999
40–69	(869–038–00183–7)	26.00	Oct. 1, 1999
70–79	(869–038–00184–5)	39.00	Oct. 1, 1999
80–End	(869–038–00185–3)	40.00	Oct. 1, 1999
48 Chapters:			
1 (Parts 1–51)	(869–038–00186–1)	55.00	Oct. 1, 1999
1 (Parts 52–99)	(869–038–00187–0)	30.00	Oct. 1, 1999
2 (Parts 201–299)	(869–038–00188–8)	36.00	Oct. 1, 1999
3–6	(869–038–00189–6)	27.00	Oct. 1, 1999
7–14	(869–038–00190–0)	35.00	Oct. 1, 1999
15–28	(869–038–00191–8)	36.00	Oct. 1, 1999
29–End	(869–038–00192–6)	25.00	Oct. 1, 1999
49 Parts:			
1–99	(869–038–00193–4)	34.00	Oct. 1, 1999
100–185	(869–038–00194–2)	53.00	Oct. 1, 1999
186–199	(869–038–00195–1)	13.00	Oct. 1, 1999
200–399	(869–038–00196–9)	53.00	Oct. 1, 1999
400–999	(869–038–00197–7)	57.00	Oct. 1, 1999
1000–1199	(869–038–00198–5)	17.00	Oct. 1, 1999
1200–End	(869–038–00199–3)	14.00	Oct. 1, 1999
50 Parts:			
1–199	(869–038–00200–1)	43.00	Oct. 1, 1999
200–599	(869–038–00201–9)	22.00	Oct. 1, 1999

Title	Stock Number	Price	Revision Date
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[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[3] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[5] No amendments to this volume were promulgated during the period January 1, 1998 through December 31, 1998. The CFR volume issued as of January 1, 1997 should be retained.

[7] No amendments to this volume were promulgated during the period April 1, 1998, through April 1, 1999. The CFR volume issued as of April 1, 1998, should be retained.

[8] No amendments to this volume were promulgated during the period July 1, 1998, through July 1, 1999. The CFR volume issued as of July 1, 1998, should be retained.