

**FOR FURTHER INFORMATION CONTACT:** For questions on viewing, or submitting material to, the docket, call Ms. Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-9329. For information on the SNPRM provisions contact (for fire suppression) Mr. Randall Eberly, P.E., Project Manager, Office of Design and Engineering Standards (G-MSE), telephone 202-267-1861, or contact (for voyage planning) Mr. Robert S. Spears, Project Manager, Office of Standards Evaluation and Development (G-MSR), telephone 202-267-1099.

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

The Coast Guard encourages you to submit written data, views, or arguments. If you submit comments, you should include your name and address, identify the SNPRM [USCG-2000-6931; published in the **Federal Register** on November 8, 2000 (65 FR 66941)] and the specific section or question in the document to which your comments apply, and give the reason for each comment. Please submit one copy of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing to the DOT Docket Management Facility at the address under **ADDRESSES**. If you want us to acknowledge receiving your comments, please enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change the proposed rules in view of the comments.

Dated: February 15, 2001.

**Joseph J. Angelo,**

*Director of Standards.*

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**POSTAL RATE COMMISSION**

**39 CFR Part 3000**

[Docket No. RM2001-1; Order No. 1303]

**Proposed Revision to Standards of Conduct**

**AGENCY:** Postal Rate Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission proposes eliminating an ethics provision on procedures for reviewing employees' security holdings for conflicts of interest. These procedures have been overtaken by government-wide ethical standards and new screening procedures. Eliminating this provision

will prevent confusion in the administration of the Commission's ethics program.

**DATES:** Submit comments on or before March 26, 2001.

**ADDRESSES:** Send comments to Margaret P. Crenshaw, Secretary, Postal Rate Commission, 1333 H Street NW., Suite 300, Washington, DC 20268-0001.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, 202-789-6820.

**SUPPLEMENTARY INFORMATION:** Currently, the Commission's standards of conduct [39 CFR part 3000] contain a de minimis rule. The de minimis rule provides that security interests held by a Commission employee that are valued below a certain amount will receive a different level of scrutiny for conflicts of interest than security interests valued above the specified amount. The Commission invites the public to comment on its proposal to delete its de minimis rule.

**Rationale for the Proposed Change**

Currently, rule 103(b) of the Commission's standards of conduct [39 CFR 3000.735-103(b)] requires the chairman of the Commission to determine an appropriate maximum limit on the value of an interest that a Commission employee may have in stocks, bonds, or other form of securities in any one entity. It authorizes the chairman to specifically approve maintaining a security interest above the maximum limit, if he determines that the interest is not so substantial as to be likely to affect the integrity of the service that the employee provides to the Commission.

The Commission finds that this procedure for screening security holdings for potential conflicts of interest has become redundant under the Commission's current screening procedures. Furthermore, 5 CFR part 2640 contains de minimis exemptions from the conflict of interest rules that are intended to govern federal agencies generally. This regulation was promulgated by the Office of Government Ethics (OGE) subsequent to the Commission's adoption of rule 103(b). The OGE has advised the Commission that its generally applicable de minimis exemptions supercede rule 103(b).

**Original Purpose of the De Minimis Rule**

The Commission's standards of conduct prohibit its employees from having a financial interest in companies "whose interests may be significantly affected by rates of postage, fees for postal services, the classification of mail, or the operation of the Postal

Service." Conversely, they allow Commission employees to have a financial interest in companies "whose use of the mail is merely an incidental or minor factor in the general conduct of its business." See 39 CFR 3000.735-103(a).

More than 25 years ago, the Commission's general counsel set up internal guidelines for applying rule 103 that used a three-part test to analyze financial conflicts of interest. Some interests were categorized as conflicts per se, others were categorized as non-conflicts per se, and those that remained required specific approval by the chairman. See memo of general counsel Crutchfield to the Commission staff dated December 26, 1973.

The rigorous financial reporting required by the OGE since 1989, as a practical matter, supercedes this three-part test involving per se categories. The OGE's rules now require that every agency individually analyze every asset held by a policy-making employee that is worth over \$1,000 for potential conflicts with that employee's official duties. For that reason, grouping assets into those that are regarded as conflicts per se, those that are regarded as non-conflicts per se, and those that require individual analysis, no longer simplifies the evaluation of financial conflicts that the Commission must perform.

In ethics practice, assuming that financial interests do not present a potentially significant conflict if they are below a certain market value is known as a de minimis rule. Under current rule 103(b), the chairman must select the market value of financial interests that are to be considered de minimis for purposes of conflicts analysis.

The original rationale for the de minimis rule was that most companies are affected to some degree by postal services. Therefore, even where the Commission had already determined that postal activity is a minor part of a particular company's business, the Commission feared that a conflict could arise if an employee were to concentrate investments in a few such companies. See memo to the Commission from David Ruderman, dated July 13, 1993, at 3. Because the Commission now screens all investments worth more than \$1,000 for per se conflicts, it has routinely approved the holding of security interests that are above the de minimis amount. Accordingly, the screening procedure required by rule 103(b) has become redundant.

Because the conflicts analysis that current rule 103(b) requires has become redundant, and because it has been superceded by the de minimis rules of

5 CFR part 2640 that apply to federal agencies generally, the Commission proposes that current rule 103(b) be deleted.

#### Public Comment

Any public comment directed toward this proposal should be submitted within 30 days of the publication of this notice in the **Federal Register**.

#### Ordering Paragraphs

1. Public comment on the Commission's proposal to delete paragraph (b) from current rule 103 of its standards of conduct should be submitted within 30 days of the publication of this notice in the **Federal Register**.

2. The Secretary is directed to cause this notice of proposed rulemaking to appear in the **Federal Register**.

Dated: February 16, 2001.

**Margaret P. Crenshaw**,  
Secretary.

#### List of Subjects in 39 CFR Part 3000

Administrative practice and procedure, Postal Service.

For the reasons stated in the preamble, the Postal Rate Commission proposes to amend 39 CFR part 3000 as follows:

#### PART 3000—STANDARDS OF CONDUCT

1. The authority citation for part 3000 continues to read as follows:

**Authority:** 39 U.S.C. 3603; E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 56 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR parts 2634 and 2636.

2. Revise § 3000.735–103 to read as follows:

#### § 3000.735–103 Financial interests.

An employee shall not, either directly or indirectly, have any financial interest (whether by ownership of any stock, bond, security, or otherwise) in any entity or person whose interests may be significantly affected by rates of postage, fees for postal services, the classification of mail, or the operation of the Postal Service. This paragraph does not proscribe interests in an entity or person whose use of the mail is merely an incidental or a minor factor in the general conduct of its business.

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 721

[OPPTS–50639B; FRL–6771–4]

RIN 2070–AD43

#### Perfluorooctyl Sulfonates (PFOS); Notice of Public Meeting

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; notice of public meeting.

**SUMMARY:** The Environmental Protection Agency (EPA) will conduct a public meeting on the proposed significant new use rule (SNUR) on PFOS published in the **Federal Register** issue of October 18, 2000. At this meeting, persons who filed written comments on the proposed SNUR will have the opportunity to clarify and expand on their comments, and all interested persons will be able to identify issues of concern.

**DATES:** The public meeting will be held from 9 a.m. to 4 p.m. on March 27, 2001. Interested parties are requested to contact the technical person on or before Friday, March 16, 2001, to schedule presentations at the meeting.

**ADDRESSES:** The meeting will be held at the Sheraton Crystal City Hotel, 1800 Jefferson Davis Hwy., Arlington, VA.

**FOR FURTHER INFORMATION CONTACT:** For general information contact: Barbara Cunningham, Acting Director, Environmental Assistance Division, Office of Pollution Prevention and Toxics (7408), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 554–1404; e-mail address: TSCA-Hotline@epa.gov.

For technical information contact: Annette Washington, Chemical Control Division (7405), Office of Pollution Prevention and Toxics, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 260–5315; e-mail address: washington.annette@epa.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. Does this Action Apply to Me?

This action is directed to the public in general. This action may be of particular interest to anyone who filed written comments on the proposed SNUR for PFOS (65 FR 62319, October 18, 2000) (FRL–6745–5), or who uses products containing any of the 90 PFOS chemicals identified in the proposed SNUR. If you have any questions

regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

*B. How Can I Get Additional Information, Including Copies of this Document or Other Related Documents?*

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at <http://www.epa.gov/>. To access this document, on the Home Page select “Laws and Regulations”, “Regulations and Proposed Rules,” and then look up the entry for this document under the “**Federal Register**—Environmental Documents.” You can also go directly to the **Federal Register** listings at <http://www.epa.gov/fedrgstr/>.

2. *In person.* The Agency has established an official record for this action under docket control number OPPTS–50639B. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the TSCA Nonconfidential Information Center, North East Mall Rm. B–607, Waterside Mall, 401 M St., SW., Washington, DC. The Center is open from noon to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number of the Center is (202) 260–7099.

##### II. Meeting Procedures

For additional information on the scheduled meeting, including the meeting agenda, contact the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

The meeting on the proposed PFOS SNUR will be open to the public. Interested parties are requested to contact the technical person on or before Friday, March 16, 2001, to schedule presentations at the meeting. Since seating for outside observers may be limited, those wishing to attend the meeting as observers are also encouraged to contact the technical person at the earliest possible date to